

112TH CONGRESS
2D SESSION

S. RES. 541

Condemning the Government of Vietnam for human rights violations.

IN THE SENATE OF THE UNITED STATES

AUGUST 2, 2012

Mr. CORNYN (for himself, Mrs. BOXER, Mr. BOOZMAN, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Condemning the Government of Vietnam for human rights violations.

Whereas Vietnam is an authoritarian state ruled by the Communist Party of Vietnam, which continues to deny the right of the people of Vietnam to participate in free and fair elections;

Whereas, according to the 2012 annual report of the United States Commission on International Religious Freedom, “Vietnam’s overall human rights record remains poor, and has deteriorated since Vietnam was removed from the CPC [countries of particular concern] list and joined the World Trade Organization in 2007.”;

Whereas, according to the Department of State’s most recent Country Reports on Human Rights Practices, published on May 24, 2012 (in this resolution, the “DOS Human

Rights Report”), the most significant human rights issues in Vietnam “were severe government restrictions on citizens’ political rights, particularly their right to change their government; increased measures to limit citizens’ civil liberties; and corruption in the judicial system and police”;

Whereas, according to the DOS Human Rights Report, the Government of Vietnam “reportedly held more than 100 political detainees at year’s end, although some international observers claimed there were more Diplomatic sources reported the existence of four reeducation centers in the country holding approximately 4,000 prisoners”;

Whereas, according to the DOS Human Rights Report, Vietnam’s Ministry of Public Security “maintains a system of household registration and block wardens to monitor the population,” while “credible reports suggested that local police used ‘contract thugs’ and ‘citizen brigades’ to harass and beat political activists and others, including religious worshippers, perceived as undesirable or a threat to public security”;

Whereas, on April 8, 2006, the pro-democracy movement Bloc 8406 was founded in Vietnam, and it has since attracted thousands of supporters calling for respect for basic human rights, the establishment of a multiparty political system, and guarantees of freedom of religion and political association;

Whereas, according to the DOS Human Rights Report, the Government of Vietnam “continued to restrict public debate and criticism severely. No public challenge to the legitimacy of the one-party state was permitted,” and “the government continued to crack down on the small, oppo-

sition political groups established in 2006, and group members faced arrests and arbitrary detentions”;

Whereas, according to the DOS Human Rights Report, “[t]here continued to be credible reports that authorities pressured defense lawyers not to take as clients any religious or democracy activists facing trial. Human rights lawyers were restricted, harassed, arrested, disbarred, and in some cases detained for representing political activists,” while “given their previous convictions, lawyers Le Tran Luat, Le Thi Cong Nhan, and Le Quoc Quan were not permitted to practice law”;

Whereas, on April 4, 2011, the Hanoi People’s Court sentenced attorney Cu Huy Ha Vu to seven years in prison for defending victims of land confiscation and abuse of power, including the Catholic villagers of Con Dau who refused to sell or vacate land, including a 135-year-old religious burial site, and in August and November 2011, Vu’s appeals were unsuccessful;

Whereas, although the constitution of Vietnam provides for freedom of religion, Vietnamese law requires official recognition or registration for religious groups, which has been used to monitor and restrict the operations of religious organizations;

Whereas the 2012 Annual Report of the United States Commission on International Religious Freedom (USCIRF) lists Vietnam as one of the “world’s worst religious freedom violators,” recommending that the Secretary of State name Vietnam a “country of particular concern” with respect to religious freedom, noting that “the Government of Vietnam continues to control all religious communities, restrict and penalize independent religious practice severely, and repress individuals and groups

viewed as challenging its authority” and that “individuals continue to be imprisoned or detained for reasons relating to their religious activity or religious freedom advocacy” while “independent religious activity remains illegal”;

Whereas, according to the USCIRF report, between April 2011 and February 2012, “as many as 27 individuals were arrested or disappeared in Vietnam for their religious affiliations, religious activities, or peaceful protest of religious freedom restrictions, among them Hoa Hao Buddhists, Catholics, Protestants, and Falun Gong practitioners”;

Whereas hundreds of Montagnard Protestants arrested after 2001 and 2004 demonstrations for religious freedom and land rights remain in detention in Vietnam’s Central Highlands, while, according to Human Rights Watch, in 2010, as many as 70 additional people were detained in the Central Highlands for conducting “illegal” religious services;

Whereas the Unified Buddhist Church of Vietnam is the country’s largest religious organization, yet according to the USCIRF, it “has faced decades of harassment and repression for seeking independent status and for appealing to the government to respect religious freedom and related human rights”;

Whereas, in July 2011, Father Nguyen Van Ly, who has been imprisoned numerous times for his religious freedom and human rights advocacy, but had been granted medical parole in March 2010 after suffering several strokes in prison that left him partially paralyzed, was returned to prison to serve the remainder of his eight-year sentence;

Whereas, on January 6, 2011, Christian Marchant, a United States diplomat at the United States Embassy in Hanoi, was beaten by Vietnamese police when he went to visit Father Ly, who was then under house arrest;

Whereas, according to the USCIRF report, over a dozen religious leaders are being held under long-term house arrest orders, including Unified Buddhist Church of Vietnam (UBCV) leader Thich Quang Do and other UBCV leaders, Catholic Father Phan Van Loi, Hoa Hao leader Le Quang Liem, Protestants Nguyen Van Dai and Le Thi Cong Nhan, and Mennonite Leader Nguyen Thi Hong;

Whereas Reporters Without Borders' 2011–2012 Press Freedom Index ranks Vietnam last in Southeast Asia with regard to freedom of the press, and 172 out of 179 countries overall;

Whereas, in September 2007, Vietnamese bloggers established the Club of Free Journalists to promote freedom of expression and independent journalism and were quickly faced with harassment, intimidation, and detention by authorities in Vietnam, beginning with the arrest of Nguyen Van Hai in April 2008;

Whereas, on October 30, 2010, while in Hanoi, Vietnam, Secretary of State Hillary Clinton said, “[T]he United States remains concerned about the arrest and conviction of people for peaceful dissent, the attacks on religious groups, the curbs on Internet freedom, including of bloggers. Vietnam has so much potential, and we believe that political reform and respect for human rights are an essential part of realizing that potential.”;

Whereas, on November 10, 2011, Secretary of State Clinton stated, “We support not only open economies but open

societies . . . we have made it clear to Vietnam that if we are to develop a strategic partnership, as both nations desire, Vietnam must do more to respect and protect its citizens' rights"; and

Whereas, on February 2, 2012, Assistant Secretary of State Kurt M. Campbell stated that "for the United States and Vietnam to go to the next level it will require some significant steps on the part of Vietnam to address . . . human rights concerns . . . but also more systematic challenges associated with freedom of expression, freedom of organization," explaining that "progress in these areas will be essential to have the appropriate level of support in the United States that will sustain a deeper engagement between our two countries": Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) reaffirms the commitment of the United
3 States to democracy, human rights, civil liberties,
4 and rule of law, including the universal rights of
5 freedom of assembly, freedom of speech, freedom of
6 religion, and freedom of association;

7 (2) strongly condemns the ongoing and egre-
8 gious human rights violations committed by the Gov-
9 ernment of Vietnam against the Vietnamese people;

10 (3) urges the President, Secretary of State, and
11 all other appropriate United States Government offi-
12 cials to ensure that relations between the United
13 States and Vietnam continue to include robust dis-

1 cussion on the troubling human rights record of the
2 Government of Vietnam;

3 (4) encourages the Secretary of State to place
4 Vietnam on the list of “Countries of Particular Con-
5 cern” with regard to religious freedom pursuant to
6 section 402(b) of the International Religious Free-
7 dom Act of 1998 (22 U.S.C. 6442(b)) in order to
8 highlight abuses of religious freedom in Vietnam and
9 encourage improvement in the respect for human
10 rights in Vietnam; and

11 (5) urges the President, Secretary of State, and
12 other world leaders to publicly support the human
13 rights of the people of Vietnam and to call on the
14 President of Vietnam to—

15 (A) release all political and religious pris-
16 oners, including all those imprisoned or de-
17 tained on account of their advocacy for democ-
18 racy, religious freedom, and other human
19 rights;

20 (B) revise or repeal ordinances and decrees
21 that limit freedom of expression, assembly, as-
22 sociation, or religion; and

23 (C) implement all necessary legal and po-
24 litical reforms to protect these rights.

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