

113TH CONGRESS
1ST SESSION

H. RES. 218

Calling on the Secretary of State to list the Socialist Republic of Vietnam as a “Country of Particular Concern” with respect to religious freedom.

IN THE HOUSE OF REPRESENTATIVES

MAY 16, 2013

Mr. ROYCE (for himself, Mr. SMITH of New Jersey, Mr. CONNOLLY, Mr. PITTS, Ms. LOFGREN, and Mr. SCHIFF) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Calling on the Secretary of State to list the Socialist Republic of Vietnam as a “Country of Particular Concern” with respect to religious freedom.

Whereas the Secretary of State, under the International Religious Freedom Act of 1998 (IRFA), its amendment in 1999, and authority delegated by the President, designates nations found guilty of “particularly severe violations of religious freedom as ‘Countries of Particular Concern’” (CPC);

Whereas on September 15, 2004, the Secretary of State designated the Socialist Republic of Vietnam as a CPC;

Whereas to avoid possible sanctions or other “commensurate actions” recommended by section 405 (a) or (b) of IRFA, in May 2005 the United States and Vietnam reached a

binding agreement consistent with section 405(c) of IRFA;

Whereas, although the terms of the binding agreement have never been fully publicized, the United States Commission on International Religious Freedom (USCIRF) 2006 Annual Report stated that the United States agreed to lift the CPC designation if the Government of Vietnam fully implemented legislation on religious freedom and rendered previous contradictory regulations obsolete, instructed local authorities strictly and completely to adhere to the new legislation to ensure compliance, facilitated the process by which religious congregations are able to open houses of worship, and gave special consideration to prisoners and cases of concern raised by the United States during the granting of prisoner amnesties;

Whereas in November 2006, the Secretary of State announced that the CPC designation was lifted with respect to Vietnam;

Whereas in explaining the lifting of the designation, Department of State officials have stated that “the Government of Vietnam has made significant improvements towards advancing religious freedom” and that “major progress has been achieved on all points of concern that led to Vietnam’s initial designation”;

Whereas the criteria for designating countries as a CPC, as set forth in section 3(11) of IRFA, are for “systematic, ongoing, and egregious violations of religious freedom including violations, such as torture or cruel, inhuman, or degrading treatment or punishment, prolonged detention without charges, causing the disappearance of persons by the abduction or clandestine detention of those persons,

and other flagrant denial of the right of life, liberty, or the security of persons”;

Whereas, according to USCIRF, the CPC designation, when used in the past, brought about “some overall improvements” and “prisoner releases” without hindering “progress on other United States-Vietnam interests”;

Whereas, according to the Department of State’s Country Reports on Human Rights Practices for 2012, “Vietnamese who exercise their right to freedom of religion continued to be subject to harassment, differing interpretations and applications of the law, and inconsistent legal protection . . .” and “local police continued to use contract thugs and citizen brigades to harass and beat political activists and others, including religious worshiper”;

Whereas, according to USCIRF’s 2013 Annual Report, Vietnam continues to warrant a CPC designation because of “systematic, ongoing and egregious violations of religious freedom” and the Vietnamese Government continues to “view with suspicion the growth of Protestantism among ethnic minority” Hmong and Montagnards and has taken direct action to harass and arrest those meeting in independent religious groups and to pressure new converts to Protestantism to renounce their faith;

Whereas, according to Human Rights Watch, Vietnam “restricts religious freedom through legislation, registration requirements, and harassing and intimidating unsanctioned religious groups, including independent Protestant home churches, and individuals and congregations of Hoa Hao Buddhists, Cao Dai, the Unified Buddhist Church of Vietnam, and Falun Gong”;

Whereas, according to nongovernmental organizations, hundreds of Montagnard Protestants remain in prison, arrested after 2001 and 2004 demonstrations for land rights and religious freedom in the Central Highlands;

Whereas, according to one human rights group, a “religious police” unit continues to carry out a campaign to capture and transform “reactionary operatives” and “Dega Protestants”, resulting in beatings, detentions, deaths in custody, forced renunciations of faith, and disappearances of Montagnards Protestants gathering in independent congregations;

Whereas on March 26, 2012, the People’s Court of Gia Lai city sentenced Pastor Nguyen Cong Chinh, the leader of the Christian Congregation of the Vietnamese Lutheran Church, to 11 years in prison; a higher court in July 2012 upheld the heavy sentence; and the police continue to harass his wife and children, and on April 12, 2013, the police of Binh Duong Province detained his wife after a prison visit, stripped her naked, and beat her;

Whereas on March 17, 2013, police in Dak Nong province arrested 2 brothers, both Hmong Protestants, without charges and tortured one Hoang Van Ngai, a deacon at a Hmong house church to death;

Whereas, according to USCIRF’s 2013 Annual Report, Vietnamese “officials continued to target Catholic communities, including with destruction of properties, detentions, and arrests . . . used force against Catholic clergy engaged in religious activities, and continued to restrict, harass, and detain members of the Redemptorist Order” for their religious freedom advocacy;

Whereas the Unified Buddhist Church of Vietnam (UBCV), the Hoa Hao Buddhists, and the Cao Dai groups continue to face unwarranted abuses because of their attempts to organize independently of the Vietnamese Government, including the detention and imprisonment of individual members and widespread discrimination against these religious communities;

Whereas the UBCV, Vietnam's largest religious organization, continues to face severe restrictions including the continued "pagoda detention" of Supreme Patriarch Thich Quang Do and on its youth and charitable work, conducting religious ceremonies, and in police harassment of lay people attending recognized UBCV pagodas;

Whereas, according to USCIRF's 2013 Annual Report, over 600 Hmong Protestant churches are refused legal recognition or affiliation, leaving them illegal and subject to harassment, detentions, and property destructions, and a government handbook on religion instructs government officials to control existing religious practice and "overcome the extraordinary growth of Protestantism";

Whereas in May 2011 the police in Dien Bien Province brutally cracked down on thousands of Hmong Protestants who gathered near Muong Nhe Village reportedly to conduct various types of religious activities—the crackdown reportedly caused several deaths and scores of arrests, though no independent investigation has been allowed; and

Whereas USCIRF, prominent nongovernmental organizations, and representative associations of Vietnamese-American, Montagnard-American, and Khmer-American organizations continue to call for the redesignation of Vietnam as a CPC: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) strongly encourages the Department of
3 State to place Vietnam on the list of “Countries of
4 Particular Concern” for particularly severe violations
5 of religious freedom;

6 (2) strongly condemns the ongoing and egre-
7 gious violations of religious freedom in Vietnam, in-
8 cluding the detention of religious leaders and the
9 long-term imprisonment of individuals engaged in
10 peaceful advocacy;

11 (3) calls on Vietnam to lift restrictions on reli-
12 gious freedom, cease all expropriations of church
13 properties, and implement necessary legal and polit-
14 ical reforms to protect religious freedom; and

15 (4) urges the Department of State to dem-
16 onstrate clearly that the expansion of bilateral ties
17 will depend on improvements in religious freedom
18 and related rights.

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