

103^D CONGRESS
2^D SESSION

H. CON. RES. 216

IN THE SENATE OF THE UNITED STATES

OCTOBER 6 (legislative day, SEPTEMBER 12), 1994

Received

OCTOBER 8 (legislative day, SEPTEMBER 12), 1994

Referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Expressing the sense of the Congress regarding human rights
in Vietnam.

Whereas President Clinton on October 19, 1992, promised to the American/Vietnam community “it is my firm belief that the issue of human rights should be a part of the discussion when addressing the issue of normalization with Vietnam”;

Whereas the “road map” established between the United States Government and the Government of Vietnam did not mention provisions for human rights or democracy as a precondition for lifting the embargo and normalizing relations with Vietnam;

Whereas Vietnam remains one of the last communist countries in the world and maintains one of the most repressive political and social systems and the Vietnamese people are deprived of their basic human rights;

Whereas Vietnam has released from labor camps large numbers of persons suspected of disloyalty or having ties to the South Vietnamese government, and yet has rearrested and incarcerated some of these former prisoners and many other individuals for nonviolent political and religious advocacy;

Whereas one of the most repressed people in Vietnam are the ethnic minorities known as the Montagnards whose traditions, culture, and religious beliefs continue to be eradicated through policies such as the destruction of tribal villages comprised of ethnic Vietnamese migrants for the purposes of forced assimilation;

Whereas free expression is denied in Vietnam (for example, independent radio and television stations, newspapers, performing artists, book publishers, writers, artists, and journalists are forced to conform to government approval or censorship);

Whereas the poet Nguyen Chi Thien, a recognized Amnesty International Prisoner of Conscience in northern Vietnam for the past 27 years, is still denied the right of expression and remains under close government surveillance;

Whereas most South Vietnamese writers and poets have been denied the right to publish or compose since 1975;

Whereas the 1992 Vietnamese Constitution still designates the Communist Party as the “force leading the state and society”;

Whereas Vietnam’s criminal law is used to punish nonviolent advocates of political pluralism, through charges such as “attempting to overthrow the people’s government” or “antisocialist propaganda”;

Whereas participants in independent democratic parties and movements have been subjected to harsh repression (for example, Dr. Nguyen Dan Que, the leader of the Non-Violent Movement for Human Rights in Vietnam; Professor Doan Viet Hoat of the Freedom Forum; and Nguyen Dinh Huy of the Movement to Unite the People and Build Democracy);

Whereas even nonviolent political movements for democracy consisting of former National Liberation Front members such as the League of Former Revolutionaries have been repressed and its leaders, Nguyen Ho and Ta Ba Tong, remain under house arrest;

Whereas prominent leaders from the Buddhist, Catholic, Cao Dai, Hoa Hao, and Protestant faiths are in prison or under house arrest for expressing their religious beliefs;

Whereas 4 monks of the Unified Buddhist Church were tried and convicted on charges of instigating public disorder on November 15, 1993, in relation to a massive demonstration in Hue protesting police detention and harassment of major church leaders;

Whereas Venerable Thich Huyen Quang, head of the United Buddhist Church, is under house arrest and under strict surveillance by security police; and

Whereas Catholic and Protestant clerics and lay people are imprisoned for conducting unauthorized religious activities, including religious education classes and social programs: Now, therefore, be it

- 1 *Resolved by the House of Representatives (the Senate*
- 2 *concurring)*, That it is the sense of the Congress that—

1 (1) the Department of State, in its formal
2 human rights dialogue with Vietnam (which was an-
3 nounced by the United States and Vietnam on Janu-
4 ary 10, 1994), should place a high priority on seek-
5 ing—

6 (A) the release of all nonviolent political
7 prisoners, and

8 (B) reforms in Vietnam’s legal procedures
9 and practices to bring them into conformity
10 with international human rights standards;

11 (2) the Secretary of State should submit a
12 progress report on this dialogue to the Congress
13 within 6 months of the date on which this resolution
14 is adopted by the Congress;

15 (3) the United States should actively support
16 resolutions at the United Nations Commission on
17 Human Rights expressing concern about the impris-
18 onment of nonviolent political and religious dis-
19 sidents in Vietnam;

20 (4) the United States should urge the Govern-
21 ment of Vietnam to invite international humani-
22 tarian organizations to provide their confidential hu-
23 manitarian services to prisoners in Vietnam, as a
24 step towards improving their treatment and the poor
25 condition of imprisonment;

1 (5) the United States should consult with its al-
2 lies, including Japan, Australia, Canada, and the
3 European Community, to coordinate international
4 public and private appeals for improvement in
5 human rights in Vietnam, drawing attention to the
6 statement issued by the World Bank-convened do-
7 nors' conference in Paris on November 10, 1993,
8 that notes that economic and social development in
9 Vietnam require "more attention to democratization
10 and the promotion of human rights" by the Govern-
11 ment of Vietnam; and

12 (6) in United States bilateral relations with the
13 Socialist Republic of Vietnam, the President should
14 place a high priority on the following concerns, and
15 should assess the progress that has occurred on
16 them before taking steps to complete the full nor-
17 malization of relations with Vietnam:

18 (a) whether article 4 of the Vietnamese
19 constitution and any other articles concerning
20 "democratic centralism" and "the leading role
21 of the Communist party" (guaranteeing the
22 permanent rule of the Communist Party of
23 Vietnam) are repealed;

24 (b) whether article 69 of the Vietnamese
25 constitution which strictly controls all religious

1 activity including each individual's right to wor-
2 ship, teach and publish religious materials is re-
3 pealed, and all Vietnamese regulations, codes,
4 and constitutional provisions prohibiting free
5 expression, or denying the freedoms of associa-
6 tion or religious worship, are eliminated; and
7 (c) whether the Vietnamese Government
8 and the Communist Party of Vietnam make for-
9 mal commitments to permit free and fair elec-
10 tions, so that the citizens of the country may
11 determine the future leadership and orientation
12 of their government.

Passed the House of Representatives October 7,
1994.

Attest: DONNALD K. ANDERSON,
Clerk.