

109TH CONGRESS
1ST SESSION

H. RES. 415

Expressing the sense of the House of Representatives that the Socialist Republic of Vietnam needs to do more to resolve claims for confiscated real and personal property, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 28, 2005

Ms. LORETTA SANCHEZ of California (for herself and Mr. BURTON of Indiana) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Expressing the sense of the House of Representatives that the Socialist Republic of Vietnam needs to do more to resolve claims for confiscated real and personal property, and for other purposes.

Whereas during the establishment of the Socialist Republic of Vietnam as a 1-party state ruled and controlled by the Vietnamese Communist Party, uncompensated confiscation of real and personal property from Vietnamese citizens was a widespread occurrence;

Whereas the Government of the Socialist Republic of Vietnam continues to use the confiscation of land as a tool of repression against certain ethnic minorities, such as the Montagnards of the Central Highlands region;

Whereas Article 23 of the Constitution of the Socialist Republic of Vietnam provides that “[t]he lawful property of individuals and organizations shall not be nationalized”;

Whereas according to the Department of State, more work is necessary to adequately protect property rights in Vietnam; and

Whereas the people of the United States are firmly committed to freedom, democracy, and basic human rights for the citizens of the Socialist Republic of Vietnam: Now, therefore, be it

1 *Resolved*, That—

2 (1) The House of Representatives—

3 (A) welcomes recent attempts by the Gov-
4 ernment of the Socialist Republic of Vietnam to
5 establish private land use rights for some of its
6 citizens, and hopes that these rights are quickly
7 expanded to encompass all Vietnamese citizens;

8 (B) calls on the Government of the Social-
9 ist Republic of Vietnam to more fully recognize
10 its responsibility to provide equitable, prompt,
11 and fair restitution of property that was con-
12 fiscated by the government;

13 (C) calls on the Government of the Social-
14 ist Republic of Vietnam to direct local officials,
15 particularly in the Central Highlands region, to
16 promptly investigate and resolve complaints

1 about discriminatory and uncompensated con-
2 fiscation of land;

3 (D) urges the Government of the Socialist
4 Republic of Vietnam to form a national com-
5 mission for processing restitution claims, and to
6 obligate local government officials, bodies, and
7 agencies to provide all necessary documentation
8 and cooperation to facilitate the implementation
9 of decisions issued by the national commission;
10 and

11 (E) strongly urges the Government of the
12 Socialist Republic of Vietnam—

13 (i) to ensure that implementation of
14 land use reforms by local officials does not
15 result in increased inequity in access to
16 land, particularly for the poor and for
17 those out of favor with the Communist
18 Party; and

19 (ii) to ensure that the government
20 provides fair, prompt, and equitable res-
21 titution to former landowners for the prop-
22 erty rights of all confiscated lands; and

23 (2) it is the sense of the House of Representa-
24 tives that—

1 (A) the President should specifically con-
2 sider land use rights for individuals in deter-
3 mining whether the Socialist Republic of Viet-
4 nam is a country of particular concern for reli-
5 gious freedom under section 402(b)(1)(A) of
6 the International Religious Freedom Act of
7 1998 (22 U.S.C. 6442(b)(1)(A)); and

8 (B) the President should direct the Sec-
9 retary of State to include, in the Secretary of
10 State's annual Country Reports on Human
11 Rights Practices submitted to the Congress
12 under the Foreign Assistance Act of 1961, the
13 status of land use rights and restitution claims
14 in the Socialist Republic of Vietnam.

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