

108TH CONGRESS
2D SESSION

H. CON. RES. 378

IN THE SENATE OF THE UNITED STATES

MAY 13, 2004

Received and referred to the Committee on Foreign Relations

CONCURRENT RESOLUTION

Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Thaddeus Nguyen Van Ly, and for other purposes.

Whereas in February 2001, Father Thaddeus Nguyen Van Ly, a Roman Catholic priest was formally invited to testify before the United States Commission on International Religious Freedom but was denied permission to leave the Socialist Republic of Vietnam and thus, instead, submitted written testimony critical of Vietnam which

was read into the Commission record on February 13, 2001;

Whereas Father Ly's testimony before the Commission documents numerous specific actions of the Government of Vietnam against religious freedom which he classified as collectively being "extremely cruel" and requiring a "non-violent and persistent campaign" to achieve full religious freedom for all people in Vietnam;

Whereas Father Ly has been detained by the Government of Vietnam since February 2001, when it placed Father Ly under administrative detention—as a direct response to his testimony, branding him a traitor for "slandering" the Communist party and "distorting" the religious policy of the Government of Vietnam;

Whereas the Government of Vietnam issued a second decree suspending Father Ly's ability to "carry on any religious responsibility and functions" and later formally removed Father Ly from his church, detained him, and denied him access to adequate legal counsel;

Whereas on October 19, 2001, the Thua Thien Hue Provincial People's Court convicted Father Ly of all charges after a one day, closed trial, without the benefit of counsel and sentenced him to two years in prison for violating the terms of his administrative detention, thirteen years in prison for "damaging the Government's unity policy", and 5 years of administrative probation upon release from prison;

Whereas after pleas from United States Government officials and the world community Father Ly's sentence was reduced by 5 years;

Whereas in June 2001, Father Ly's nephews Nguyen Vu Viet, age 27, and Nguyen Truc Cuong, age 36, and his niece Nguyen Thi Hoa, age 44, were arrested for allegedly being in contact and receiving support from organizations in the United States concerning the religious situation in Vietnam and disseminating information concerning the detention of Father Ly;

Whereas after their cases generated much concern in Congress, Nguyen Thi Hoa, Nguyen Vu Viet and Nguyen Truc Cuong all have been or are expected to be released shortly;

Whereas on November 27, 2003, the United Nations Working Group on Arbitrary Detention issued Opinion No. 20/2003 stating "the Group is convinced that [Father Ly] has been arrested and detained only for his opinions . . . [and] the deprivation of the liberty of Father Thaddeus Nguyen Van Ly is arbitrary, as being in contravention of Article 19 of the Universal Declaration of Human Rights and of Article 19 of the International Covenant on Civil and Political Rights";

Whereas Father Ly has been deprived of his basic human rights by being denied his ability to exercise freedom of opinion and expression;

Whereas the arbitrary imprisonment and the violation of the human rights of citizens of Vietnam are sources of continuing, grave concern to Congress;

Whereas continuing concerns regarding human rights in Vietnam were recently highlighted by large demonstrations in the Central Highlands on April 10 and 11, 2004, in which thousands of Montagnards gathered on Easter weekend to protest their treatment by the Government of

Vietnam, including the confiscation of tribal lands and ongoing restrictions on religious activities; and

Whereas although the Government of Vietnam has attempted to control information about the April 2004 protests and access to the Central Highlands, reputable human rights organizations have reported that the protests were met with a violent response and that many demonstrators were arrested, injured, or are in hiding, and that others were killed: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That—*

3 (1) Congress—

4 (A) condemns and deplores the arbitrary
5 detention of Father Thaddeus Nguyen Van Ly
6 by the Government of the Socialist Republic of
7 Vietnam and calls for his immediate and uncon-
8 ditional release;

9 (B) condemns and deplores the violations
10 of freedom of speech, religion, movement, asso-
11 ciation, and the lack of due process afforded to
12 individuals in Vietnam;

13 (C) strongly urges the Government of Viet-
14 nam to consider the implications of its actions
15 for the broader relationship between the United
16 States and the Socialist Republic of Vietnam,
17 including the impact on trade relations;

1 (D) urges the Government of Vietnam to
2 allow unfettered access to the Central High-
3 lands by foreign diplomats, the international
4 press, and nongovernmental organizations; and

5 (E) condemns the extent of the violence
6 used against Montagnard protesters on April 10
7 and 11, 2004, and the use of any violence
8 against peaceful protests and demonstrations;
9 and

10 (2) it is the sense of Congress that the United
11 States—

12 (A) should make the immediate release of
13 Father Ly a top concern;

14 (B) should continue to urge the Govern-
15 ment of Vietnam to comply with internationally
16 recognized standards for basic freedoms and
17 human rights;

18 (C) should make it clear to the Govern-
19 ment of Vietnam that the detention of Father
20 Ly and other persons and the infliction of
21 human rights violations on these individuals are
22 not in the interest of Vietnam because they cre-
23 ate obstacles to improved bilateral relations and
24 cooperation with the United States; and

1 (D) should reiterate the deep concern of
2 the United States regarding the continued im-
3 prisonment of Father Ly, and other persons
4 whose human rights are being violated, and dis-
5 cuss their legal status and immediate humani-
6 tarian needs with the Government of Vietnam.

Passed the House of Representatives May 12, 2004.

Attest:

JEFF TRANDAHL,

Clerk.