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Congress of the United States
House of Representatives

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DEAN, NEW JERSEY DELEGATION

H.R. 1410 Vietnam Human Rights Act of 2012

*House Floor Consideration under Suspension of the Rules
September 11, 2012
Statement by Chairman Christopher H. Smith*

Mr. Speaker, I would like to begin by noting this solemn 11th anniversary of the terrorist attacks on our country on September 11, 2001. We will never forget the nearly 3,000 innocent lives that were lost on that day, including 697 individuals from my home state of New Jersey, and the 60 families in my congressional district who suffered and continue to feel the devastating impact of the loss of their loved ones. I thank God that we have been spared a subsequent attack within our borders, and pray that we will continue to be protected.

Mr. Speaker, I and other Members have been trying for years to help the Vietnamese people secure their fundamental human rights and democratic institutions. As far back as 1996, I sponsored the Human Rights Restoration Act, P.L. 104-319, which included a provision directing the U.S. Information Agency to take steps to provide opportunities for human rights and democracy leaders of Vietnam and other countries where freedom was repressed to participate in educational and cultural exchange programs. I have also served on the board of the Vietnam Education Foundation, which aims to build stronger relations between the U.S. and Vietnam through scholarships and educational exchanges.

These efforts, while highly laudable, have not resulted in respect for human rights in Vietnam. The Africa, Global Health and Human Rights Subcommittee, which I chair, heard from witnesses at a hearing earlier this year that the Vietnamese government remains an egregious violator of a broad array of human rights. Their testimony confirmed that religious, political and ethnic persecution continue and in many cases is increasing, and that Vietnamese officials are still laying out the welcome mat for forced labor and sex traffickers.

For example, we heard from Dr. Nguyen Dinh Thang, the executive director of Boat People SOS, who had recently travelled to Thailand to investigate human trafficking and other

human rights violations in Vietnam. Dr. Thang testified that the Government of Vietnam has not investigated, let alone prosecuted, a single human trafficking violation by Vietnamese labor export companies, many of which are state-owned. Instead, police have interrogated and threatened victims who have spoken out against this modern-day slavery.

Almost routinely, according to Dr. Thang, the Vietnamese Government has sent its officials from Ha Noi to “trouble spots,” including American Samoa, Jordan, and Malaysia, in order to silence the victims, take sides with the traffickers, or to impede justice.

The Subcommittee also heard the testimony of a Vietnamese woman who courageously fought for her own rights and those of her co-workers when they were trafficked to Jordan with the complicity of Vietnamese government officials. In addition, our witnesses provided deeply disturbing photographs of evidence of torture, and showed a video of the Vietnamese military destroying an entire village of Hmong Christians.

It is imperative that the United States Government send an unequivocal message to the Vietnamese regime that it must end its human rights abuses against its own citizens. I would note, Mr. Speaker, that negotiators of the Trans-Pacific Partnership, which includes Vietnam, currently are meeting near-by in Leesburg, Virginia. Within the next year or two, Congress will likely be asked to approve a free trade agreement between the United States and Vietnam as part of this initiative.

I hope the Administration is using these negotiations to strongly encourage the Vietnamese Government to respect human rights.

H.R. 1410 would institute effective measures towards improving human rights in Vietnam. As reported by the Committee on Foreign Affairs, this bill prohibits any increase in non-humanitarian assistance to the Government of Vietnam above Fiscal Year 2011 levels unless the government makes substantial progress in establishing a democracy and promoting human rights, including:

- Respecting freedom of religion and releasing all religious prisoners;
- Respecting rights to freedom of expression, assembly and association, and releasing all political prisoners, independent journalists, and labor activists;
- Repealing and revising laws that criminalize peaceful dissent, independent media, unsanctioned religious activity, and nonviolent demonstrations, in accordance with international human rights standards;
- Respecting the human rights of members of all ethnic groups; and
- Taking all appropriate steps, including prosecution of government officials, to end any government complicity in human trafficking.

In the event this condition is met, the United States would have to increase funding for human rights and rule of law programming in Vietnam in an amount equal to or greater than the increase in non-humanitarian assistance.

The bill would not prevent increased funding to the Vietnamese Government for certain humanitarian assistance, such as food, medicine, Agent Orange remediation, and activities to combat human trafficking.

This prohibition of increased assistance could be waived for any year in which the President determines that increased non-humanitarian assistance to the Vietnamese Government would promote freedom and democracy in Vietnam or would otherwise be in the national interest of the United States.

Mr. Speaker, the bill before us has strong bi-partisan support, and prior versions passed the House in both the 108th Congress and the 110th Congress by an overwhelming margin. I ask my colleagues to support it once again. I also hope that my colleagues in the Senate in this Congress will act on H.R. 1410 so that it can finally become law, and the United States can support the long quest of the Vietnamese people for democratic governance and respect for their fundamental human rights.