

111TH CONGRESS
2D SESSION

H. RES. 1572

Condemning and deploring the violence, threats, fines, and harassment faced by the villagers of Con Dau, Da Nang, for seeking to protect their land, the historic cemetery, and other parish properties, and to receive an equitable resolution of their property dispute, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 29, 2010

Mr. SMITH of New Jersey (for himself, Mr. CAO, and Mr. WOLF) submitted the following resolution; which was referred to the Committee on Foreign Affairs

RESOLUTION

Condemning and deploring the violence, threats, fines, and harassment faced by the villagers of Con Dau, Da Nang, for seeking to protect their land, the historic cemetery, and other parish properties, and to receive an equitable resolution of their property dispute, and for other purposes.

Whereas in May 2007, the People's Committee of Da Nang, Vietnam, announced a plan to lease the land in the Hoa Xuan district area, including the entire village of Con Dau, to international developers to build a resort and tourist area;

- Whereas the People's Committee of Da Nang announced that all residents in the affected area would be required to move and that they would be compensated for the land;
- Whereas, on August 15, 2010, the Con Dau parish will be celebrating 85 years since its establishment and 135 years since the first religious refugees settled on the land;
- Whereas the village of Con Dau is coterminous with a Catholic parish of the same name and consists of approximately 400 Catholic households;
- Whereas the village of Con Dau vigorously resisted the People's Committee of Da Nang's proposal as village land including a Catholic cemetery with approximately 700 tombs, a chapel within the cemetery, a parish church, and most of the farm land in the parish belongs to the Catholic parish;
- Whereas several generations of Catholics are buried in the village cemetery which is over 100 years old and considered a national historic heritage site, and the chapel in the cemetery serves as the place of worship for hundreds of parishioners living near the cemetery;
- Whereas the People's Committee of Da Nang ordered the relocation of the parish cemetery to a mountainous area, far from any inhabitable place and ordered the people of Con Dau to be relocated to another area, far removed from the newly designated relocation of the cemetery;
- Whereas the people of Con Dau requested that the government not relocate either the parishioners or the cemetery, but rather grant permission for the parishioners to move closer to their church while allowing the rice fields to be included in the new resort;

Whereas the Da Nang authorities refused the petition of the parishioners and on January 25, 2010, Da Nang government officials led an aggressive week long campaign in Con Dau, with armed police officers and government officials going from house to house to exert pressure on the parishioners to sign an agreement to sell their land and move;

Whereas, on January 26, 2010, 400 Con Dau heads of household signed an appeal letter to the Vietnamese central government in Hanoi, complaining about the Da Nang officials' use of threats and intimidation to force parishioners to sign the agreement, requesting to be relocated around their church in order to continue to live in the vicinity of the Catholic cemetery and practice their religion, and filing a complaint regarding the unjust compensation the People's Committee of Da Nang initially offered in exchange for village land;

Whereas, on March 4, 2010, the People's Committee of Da Nang led a second campaign in Con Dau to force parishioners to sign the agreement;

Whereas in April, the People's Committee of Da Nang issued an order and posted a sign in the Con Dau cemetery forbidding future burials and posted police officers to block entrance to the cemetery;

Whereas the police attacked parishioner Le Van Sinh with tear gas when he attempted to remove the sign which had been placed on his father's grave;

Whereas, on May 1, 2010, Mrs. Maria Dang Thi Tan, an elderly parishioner, died in Con Dau after requesting that she be buried with her husband and ancestors in the parish cemetery;

Whereas, on May 3, 2010, police placed barbed wire at the entrance of the cemetery, and assaulted and dispersed parishioners, including women, children, and the elderly, as they gathered at the chapel in the cemetery to say prayers;

Whereas, on May 4, 2010, during the funeral procession of Mrs. Dang which attracted approximately 1,000 parishioners, local police and a mobile “anti-riot” police force which had been posted in anticipation of the funeral, attacked the funeral procession and attempted to seize the casket when it approached the cemetery entrance;

Whereas the police ordered the mourners to leave, but several hundred remained;

Whereas after several hours, the police shot tear gas and rubber bullets at the mourners near the casket and began to beat everyone with batons and electric rods, injuring more than 100 people;

Whereas the police then proceeded to search homes, desecrating religious symbols in those homes, to look for suspected organizers of the funeral procession;

Whereas the police arrested 62 persons who were brought to the county police station in Cam Le;

Whereas reports indicate that the police beat each detainee for his or her involvement in the funeral, beating some until they were unconscious;

Whereas a pregnant woman, Le Thi Van, reportedly suffered a miscarriage as a result of the beatings she received;

Whereas after being forced to sign the agreement to sell their land and relocate, admit to false allegations that they had assaulted the police, ordered not to seek medical care for their injuries or speak to the foreign news media, and

threatened with additional beatings if they did not remain silent, most of the detainees were released after several days in detention;

Whereas five of the detainees, Nguyen Huu Liem, Phan Thi Nhan, Nguyen Thi The, Le Thanh Lam, and Tran Thanh Viet, remain incarcerated, having been beaten severely, and are awaiting trial based on accusations of “opposing law enforcement” and “disturbing public order”;

Whereas Nguyen Thi Lieu, remains in detention in another facility and is reported to have been severely tortured;

Whereas, on May 27, 2010, Nguyen Huu Minh, Vice Chairman of the Con Dau Parish Committee, was also arrested for his lead role in meetings between the parishioners and the People’s Committee of Da Nang;

Whereas none of the above detainees have been allowed visits even by their closest family members;

Whereas Doan Cang was also among those beaten and detained but was temporarily released to care for his family while awaiting trial;

Whereas, on July 1, 2010, the police apprehended Nguyen Nam, a member of the funeral support group who had been among those beaten at the time of the funeral procession, handcuffed him, and severely beat him;

Whereas, on July 3, 2010, Nguyen Nam died due to injuries to the head, face, chest, and hands sustained during the beatings;

Whereas many United States citizens have family members who are residents of Con Dau, including victims of police beatings, torture, and detention;

Whereas these violations of human rights of the residents of Con Dau are sources of continuing, grave concern to Congress;

Whereas according to the United States Commission on International Religious Freedom 2010 Annual Report, “property disputes between the government and the Catholic Church continue to lead to harassment, property destruction, and violence, sometimes by ‘contract thugs’ hired by the government to break up peaceful prayer vigils” and other religious ceremonies;

Whereas property issues involving local Catholics in Dong Chiem, Thai Ha, Tam Toa, and Bau Sen have reportedly led to harassment, discrimination, detention, property destruction, and beatings;

Whereas according to the United States Commission on International Religious Freedom 2010 Annual Report, Vietnam’s “overall human rights record remains poor, and has deteriorated since Vietnam joined the WTO in January 2007”, with dozens of arrests and continued harassment of human rights defenders, journalists, bloggers, democracy activists, and religious freedom advocates;

Whereas according to the United States Department of State 2009 Country Report on Human Rights Practices, the Government of Vietnam “increased its suppression of dissent”, and “tightened controls over the press and freedom of speech, assembly, movement, and association.”;

Whereas according to the United States Department of State 2009 Country Report on Human Rights Practices, Vietnamese police “commonly mistreated suspects during arrest or detention” and “corruption remained a significant

problem, and members of the police sometimes acted with impunity.”;

Whereas according to the United States Department of State 2009 Country Report on Human Rights Practices, in August 2009, Prime Minister Nguyen Tan Dung “issued a decree that offers compensation, housing, and job training for individuals displaced by development projects. Nevertheless, there were widespread reports of official corruption and a general lack of transparency in the government’s process of confiscating land and moving citizens to make way for infrastructure projects.”; and

Whereas according to the Human Rights Watch 2010 Annual Report, the Government of Vietnam “tightened its controls on internet use, blogging, and independent research, and banned dissemination and publication of content critical of the government. Religious freedom continued to deteriorate, with the government targeting religious leaders—and their followers—who advocated for civil rights, religious freedom, and equitable resolution of land disputes”: Now, therefore, be it

1 *Resolved*, That—

2 (1) the House of Representatives—

3 (A) condemns and deplores the violence,
4 threats, fines, and harassment faced by the vil-
5 lagers of Con Dau, Da Nang, for seeking to
6 protect their land, the historic cemetery, and
7 other parish properties, and to receive an equi-
8 table resolution of their property dispute;

1 (B) condemns and deplores the arrests of
2 parishioners and calls for the immediate and
3 unconditional release of Nguyen Huu Liem,
4 Phan Thi Nhan, Nguyen Thi The, Doan Cang,
5 Le Thanh Lam, Tran Thanh Viet, Nguyen Thi
6 Lieu, and Nguyen Huu Minh;

7 (C) strongly urges the Government of Viet-
8 nam to hold accountable police and security
9 agents who reportedly beat and mistreated Con
10 Dau residents at the funeral procession and
11 later while the residents were in detention, in-
12 cluding a public investigation of those whose ac-
13 tions led to the death of Nguyen Nam; and

14 (D) strongly urges the Government of
15 Vietnam to consider the implications of its ac-
16 tions in Con Dau, as well as of other serious
17 human rights violations, issues of police impu-
18 nity, and corruption for the broader relation-
19 ship between the United States and Vietnam;
20 and

21 (2) it is the sense of the House of Representa-
22 tives that—

23 (A) the President should call on the United
24 Nations Human Rights Council to appoint a
25 Special Rapporteur on Human Rights in Viet-

1 nam to investigate ongoing and serious human
2 rights violations in that country, including those
3 violations targeting the villagers of Con Dau;

4 (B) the Secretary of State should call on
5 the Government of Vietnam to uphold commit-
6 ments made during the United Nations Periodic
7 Review of May 2009 to engage with various
8 United Nations special procedures, including in-
9 viting the United Nations Special Rapporteur
10 on Torture and Other Cruel, Inhuman or De-
11 grading Treatment or Punishment and the
12 United Nations Special Rapporteur on Reli-
13 gious Freedom or Belief to inquire, investigate,
14 and report on the situation throughout Vietnam
15 and specifically in Con Dau, including the dis-
16 crimination, police impunity, mistreatment in
17 detention, desecration of religious and historical
18 properties, and the beating death of Nguyen
19 Nam;

20 (C) the United States Embassy in Vietnam
21 should visit those detained, including, Nguyen
22 Huu Liem, Phan Thi Nhan, Nguyen Thi The,
23 Doan Cang, Le Thanh Lam, Tran Thanh Viet,
24 Nguyen Thi Lieu, and Nguyen Huu Minh, as
25 well as the family of Nguyen Nam, and other

1 parishioners, and report its findings to Con-
2 gress;

3 (D) the United States Embassy should
4 continue to raise with the Government of Viet-
5 nam the issues faced by the village of Con Dau
6 including police impunity, beatings, fines, and
7 the deaths of individuals engaged in a peaceful
8 religious ceremony;

9 (E) the United States Department of State
10 should examine instances of property disputes
11 in Vietnam which involve religious communities,
12 including the case of Con Dau, report its find-
13 ings to Congress, and continue to raise disputed
14 religious properties at United States-Vietnam
15 meetings and forums, including the bilateral
16 United States-Vietnam human rights dialogue;
17 and

18 (F) the United States Commission on
19 International Religious Freedom should visit
20 the Con Dau parishioners and report to Con-
21 gress on the violence and harassment faced by
22 the Catholic villagers.

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