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The President's Visit to Vietnam: A Missed Opportunity to Advance Human Rights

*Subcommittee on Africa, Global Human Rights,
Global Health, and International Organizations
Excerpts of remarks by Rep. Chris Smith
June 22, 2016*

Over the past twenty years, much has changed in Vietnam. Some Vietnamese are a little richer, but universally recognized human rights remain elusive for most.

The Vietnamese Communist Party has opened up a bit to the outside world, but remains closed to the idea of democracy and the rule of law.

U.S.-Vietnamese relations have warmed because Vietnam fears China's increasing economic power and its incursions in the South China Sea, but human rights improvements have not come from so-called better relations.

The Administration has included Vietnam—a dictatorship— among several democracies in the Trans-Pacific Partnership, granting potentially lucrative trade benefits to the Communist leaders.

Shockingly, during his recent trip President Obama gave up the U.S. arms embargo—in other words, the US is poised to provide lethal weapons to a brutal dictatorship that jails and tortures dissidents.

Where are the background checks of those soldiers and secret police who will have access to sophisticated weapons?

Who will monitor the use—or abuse—of these lethal weapons?

What is triggered if US supplied weapons are used to commit atrocities?

The reality is that the Administration chose to reward one of Asia's most repressive regimes, with the region's worst human rights record, without getting any tangible progress on freedoms and liberties.

We did hear the Administration touting the bilateral labor consistency plan it signed as part of the TPP, but as submitted testimony of Jackie Bong Wright states, as of today, independent labor unions remain prohibited, labor activists are in jail, and labor organizers are severely beaten.

That the Vietnamese also detained and prevented civil society activists from meeting President Obama during his visit was not just an insult to the president, it is a bare-fisted demonstration of Vietnam's repressive government.

His visit was an epic failure of diplomacy. The President has said repeatedly that he wants to rise above history and heal wounds with America's old adversaries. But that is not done by signing bad deals with dictators, giving them lethal weapons, and getting nothing in return. This is shortsighted, misguided, and driven by an ideological agenda more than a clear assessment of long-term U.S. interests.

The end result of the President's visit is that the American people now get to subsidize the lifestyles of Communist Party leaders and underwrite their repression of religious communities and rights advocates.

Vietnamese-Americans have asked this Congress, and the last three Administrations, to prioritize human rights concerns with Hanoi, but a small group of Vietnam "experts" in Washington veto these pleas, holding on to the mistaken belief that trade, investment, and engagement will bring about political reform.

Trade, investment, and engagement failed to change Vietnam in 2001 with the Bilateral Trade Agreement, failed to bring reforms in 2007 when Vietnam joined the WTO and will fail now.

Just look at China for what will happen when authoritarian governments get rich; they get the resources to expand censorship and repression, grow their secret police and military capabilities, and stay in power.

The President said famously in his inaugural address that if authoritarian countries would unclench their fist, the U.S. would extend a hand.

But I see no tangible evidence that Vietnam—or Cuba or Iran for that matter—have unclenched their fists. In fact, just the opposite is true.

The President seems more interested in photo-ops with dictators than standing up for persecuted individuals who share our desire for freedom, democracy, and human rights.

This is not smart diplomacy, it is surrender of U.S. interests and values. Sadly, the President's legacy will be the propping up of a Communist old guard when he should be standing with the new generation of freedom advocates in Vietnam. We must stand in solidarity with the oppressed, not the oppressors.

Over 100 prisoners of conscience remain detained in Vietnam, including human rights lawyer Nguyen Van Dai. I met with Nguyen Van Dai in Hanoi in 2005 and his courageous wife Vu Minh Khanh testified at a subcommittee hearing several weeks ago.

Why did the Administration not demand the release of these prisoners in public? Fr. Ly was released into house arrest a few months prior to his sentence ending and this is not a human rights breakthrough. Fr. Ly went into prison healthy and vigorous, but emerged sickly and broken. I met him years ago when he was under house arrest. He is an amazing Catholic priest.

I have met with a broad spectrum of Vietnam's rights advocates, religious leaders, and young activists. I know there is a younger generation in Vietnam—66% of Vietnam is under the age of 40—that looks for U.S. leadership. They want the U.S. to push for political reforms and human rights.

They hunger for the type of liberty and a life they see enjoyed by their relatives in New Jersey, California, Virginia, Texas, Louisiana and the many other the places where Vietnamese have migrated and flourished.

It is for this reason that I am making another push to pass legislation I have authored known as the Vietnam Human Rights Act. This bill passed four times in the House, only to be stalled in the Senate.

The bipartisan Vietnam Human Rights Act will restore the right priorities to U.S. policy toward Vietnam and will limit U.S. non-humanitarian assistance that goes to Vietnam until there are concrete human rights protection.

The bill also says Vietnam should be designated as a Country of Particular Concern (CPC) for religious freedom violations. This designation carries with it potential sanctions and visa denials for Vietnamese government officials complicit in religious freedom abuses.

We all know that the CPC designation worked when it was used by the Bush Administration. From 2004-2006 the designation and resulting diplomatic efforts led to some tangible religious freedom improvements. When it was lifted, Vietnam returned to its repressive ways.

The Communist Party is not Vietnam's future; that future lies with Nguyen Van Dai and the many other advocates of political reform and human rights who seek our freedoms more than our trade.

U.S. policy must send the unmistakable message to the Government of Vietnam that human rights improvements are important to better relations, critically linked to our mutual economic and security interests, and will not be ignored or bargained away.

The President failed to send this message. It is up to the Congress, and the next Administration, to restore the right priorities to U.S.-Vietnam relations.