

108TH CONGRESS
2D SESSION

S. RES. 311

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

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2004

Mr. BROWNBACK submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

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

Whereas, in February 2001, Father Thadeus 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 the Government 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 that 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 the Government placed him under administrative detention, and, as a direct response to his testimony, branded him a traitor for “slandering” the Communist party and “distorting” the religious policy of the government;

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 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 2 years in prison for violating the terms of his administrative detention, 13 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 “reactionary” 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 released;

Whereas, on November 27, 2003, the United Nations Working Group on Arbitrary Detention issued Opinion No. 20/2003 stating that “the Group is convinced that [Father Ly] has been arrested and detained only for his opinions . . . [and] the deprivation of the liberty of Father Thadeus 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; and

Whereas the arbitrary imprisonment and the violation of the human rights of citizens of Vietnam are sources of continuing, grave concern to the Congress: Now, therefore, be it

1 *Resolved*, That—

2 (1) the Senate—

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

1 (B) condemns and deplors the violations
2 of freedom of speech, religion, movement, asso-
3 ciation, and the lack of due process afforded to
4 individuals in the Socialist Republic of Vietnam;

5 (C) strongly urges the Government of Viet-
6 nam to consider the implications of its actions
7 for the broader relationship between the United
8 States and Vietnam; and

9 (D) strongly urges the Government of
10 Vietnam to consider the implications of its ac-
11 tions in the context of the United States-Viet-
12 nam Bilateral Trade Agreement, under which
13 Vietnam currently receives Normal Trade Rela-
14 tions (NTR) status subject to chapter 1 of title
15 IV of the Trade Act of 1974 (commonly known
16 as the “Jackson-Vanik Amendment”); and

17 (2) it is the sense of the Senate that the United
18 States should—

19 (A) make the immediate release of Father
20 Thadeus Nguyen Van Ly a top concern;

21 (B) make it clear to the Government of
22 Vietnam that it is not in the Government’s in-
23 terest to detain Father Ly and others like him
24 for political or religious reasons or to inflict
25 human rights violations on such people or

1 groups because such actions create obstacles to
2 improved bilateral relations and cooperation
3 with the United States; and

4 (C) reiterate the deep concern of the
5 United States regarding the continued impris-
6 onment of Father Ly and other persons whose
7 human rights are being violated and discuss the
8 legal status and immediate humanitarian needs
9 of such people with the Government of Viet-
10 nam.

○