

Testimony of Supervisor Janet Nguyen,
Orange County Board of Supervisors, First District
Orange County, California

March 12, 2008

SUBJECT: TESTIMONY ON CONDITIONS IN VIETNAM AND THE
BILATERAL RELATIONS BETWEEN THE U.S. AND VIETNAM BEFORE THE
SENATE FOREIGN RELATIONS SUBCOMMITTEE ON EAST ASIAN AND
PACIFIC AFFAIRS

Dear Honorable Chairwoman Senator Boxer and The Honorable members of the Senate Foreign Relations Subcommittee on East Asian and Pacific Affairs.

It is an honor for me to be invited to speak before this Subcommittee today. Your work is extremely important to the 600,000 plus residents in my district, over 150,000 of whom are of Vietnamese descent. Orange County is home to the largest population of Vietnamese outside of Vietnam. My oral testimony and written statement speak to concerns regarding human rights violations in Vietnam, and I speak not only for myself as a former Boat Person, but also on behalf of Vietnamese-Americans everywhere.

My father, as a member of the Army of the Republic of Vietnam, fought side by side with American soldiers in combating communism. After the fall of Saigon, my Uncle was summarily and publicly executed. Our family, like those of millions of Vietnam's other Enemies of the State, was part of the outcast. Political oppression and lack of economic livelihood were part of our daily lives. We had no choice but to put our life in Providence's hand and cast our lot to the whims of fate and the current of the sea. Therefore, issues of human rights and personal freedom are of particular importance to me and my constituents.

Since the late 1980s, Vietnam's policy of "Doi Moi" or "New Change" has benefited that country significantly. Vietnam has been invited to join many world economic organizations, including the World Trade Organization. Since the beginning of this year, Vietnam sits on the United Nation Security Council. These achievements reflect the significant investment of political goodwill in Vietnam that the U.S., including the Senate, has made. Consequently, Vietnam has grown from being one of the poorest nations in the world to an economy that has grown at an impressive pace, once Vietnam's leaders abandoned their Marxist doctrine. Market-oriented policies, leading to the establishment and promotion of the private sector, have attracted foreign trade, investment and technology. Vietnam is also a member of the Association of Southeast Asian Nations (ASEAN) and the Asia Pacific Economic Cooperation (APEC).

Vietnam has an annual economic growth of over 7 percent, behind only China in Asia. Per capita income grew from \$288 in 1993 to \$726 in 2006. Poverty dropped from fifty eight percent (58%) to fourteen percent (14%) in 2004, according to the U.S. State Department. Bilateral trade between the U.S. and Vietnam reached \$9.6 billions in 2006. U.S. firms have made over \$2.5 billions in Vietnam since 1988. More than 75,000 Americans visited Vietnam in 2006 and over 6,000 student visas were issued to Vietnamese Nationals in 2007.

Militarily, the U.S. and Vietnam have also taken steps toward co-operation. Peace-keeping and search-and-rescue through the International Military Education and Training program are examples of this co-operation. U.S. Navy ships now call at Vietnamese ports, and since 1973, remains of 882 Americans have been identified and repatriated. The U.S. has also aided Vietnam in addressing health issues, such as HIV/AIDS and avian influenza (or the bird flu). Relations between the U.S. and Vietnam have warmed, with the two countries exchanging visits of high-ranking officials in 2007. However, significant, fundamental differences in political philosophy exist between the two nations.

Human Rights

Despite the encouragement and support from the U.S. in many areas as described above, Vietnam's lack of progress in many important aspects of its society cannot be said as acceptable or destined to be successful in the long run. Throughout its society, there are no labor rights, and political corruption and graft are rampant. The cost of this corruption has proved impossibly oppressive to the people of Vietnam. The gap between the rich bureaucrats and the poor masses increases more and more each year. Accommodations are given to large multi-national companies to create jobs and perpetuate an appearance of openness, but the reality for the vast majority of the people there lies in stark contrast – extreme poverty is still commonplace. Human trafficking into sex or slave labor shows no signs of ending, and the government of Vietnam has shown little if any political will in ending this practice.

Each year, Vietnam receives financial assistance from organizations, such the World Bank, Asia Development Bank, and nations, such as Japan, Europe and the U.S. Vietnamese expatriates around the world also remit hard currencies back to family members in Vietnam, total in the billions of dollars. The benefits of such financial benefits have been bestowed primarily, however, only on the bureaucrats and Communist Party leaders. The people of Vietnam are forced to eke out a living in a corrupt system that is based mostly on patronage with no social safety net. Property rights are almost non-existent. The Economic Index published by the Heritage Foundation in 2008 places Vietnam's respect for private property rights at a dismal 10%. In its report, the Heritage Foundation indicates that "the judiciary is not independent. Corruption among judges and court clerks is common...All land belongs to the state." Throughout Vietnam, it is common to see people, city dwellers as well as villagers, protest in the street, demanding the return of their land and property.

In sum, Vietnam's economic integration with the rest of the world has not been met with similar progress in meeting the demand for basic, universal human rights and civil liberties for the people of Vietnam. Its people have no opportunity to express their political views, without risk of being imprisoned even if the political expression was done peacefully. There are oppressive restrictions on freedom of the press, speech, and assembly. Even the use of the internet is censored. The people of Vietnam have no power to pick or change their government.

While there have been bilateral human rights dialogue taking place in the past few years, these measures have for all intents and purposes been mere window-dressing. Despite the release of some high-profile prisoners of concern, alleged access to prisons, and the dubious repeal of the Administrative Decree 31 that allowed the detention of people and taking of personal property without due process, real progress in human rights have not been results-based; whatever progress claimed has been only lip service, usually in response to international pressure on specific instances. In fact, in the beginning of 2007 after Vietnam gained admission into the World Trade Organization, it instituted a crackdown on dissidents who fought for human rights and democracy in Vietnam. Many individuals in the pro-democracy group 8406 and other labor groups arrested and imprisoned. Religious leaders and human rights advocates who have been either imprisoned or placed under house arrest include the Eminency Thich Huyen Quang, the Eminency Thich Quang Do, Father Nguyen Van Ly, Attorney Nguyen Van Dai, Attorney Le Thi Cong Nhan, and many others. Thirty years of power and having been admitted into the world of nations have not diminished the paranoid tendency of the government of Vietnam to resort to totalitarianism and oppression in dealing with its people.

Religious Freedom

Religious freedom in Vietnam needs to be addressed by its government in a tangible and earnest manner. From 2004 to 2006, the U.S. State Department designated Vietnam as a "Country of Particular Concern" regarding its blatant violations of international standards on religious freedom. During this period, many religious groups were harassed and discriminated against, and Vietnam imprisoned 45 known religious protesters. Removal of Vietnam's designation in the past year and a half as a "Country of Particular Concern" was premature. The quick haste to reward Vietnam after only a few nominal measures to portray religious freedom encourages that government to play a shell-game with respect to compliance with the International Religious Freedom act of 1998. Vietnam needs to simply recognize its people's religious freedom, recognize the different religious faiths, and return land that was illegally confiscated.

Father Nguyen Van Ly, a Catholic priest, was sentenced to eight years in prison merely for attempting to exercise his fundamental human right to peacefully advocate for change in Vietnam. Given no defense lawyer, his guilt was predetermined and his mouth was muzzled as he attempted to stand up for his rights. Vietnam continues to repress religious freedom and continues to persecute members of the Cao Dai religion, Unified Buddhist Church of Vietnam, Hoa Hao Buddhists and the Montagnards from the Central Highlands.

Le Thi Cong Nhan, founder of the Vietnamese Labor Movement, and Nguyen Van Dai, a human rights lawyer, were also arrested. Father Ly's conviction and the arrests of Ms. Le and Mr. Nguyen were in direct contravention of the International Covenant on Civil and Political Rights, to which Vietnam is a state party.

Conclusion

Vietnam faces many uncertainties and challenges, without many viable alternatives other than to truly open its country and recognize the rights of its citizenry. With the population increase that is difficult to control and an economy that is largely unregulated, Vietnam faces formidable hurdles, such as spiraling inflation and rising fuel cost making the everyday life of its people extremely difficult. The government of Vietnam does not have the political will to address the political corruption that exists, and the inadequacy of its urban planning and regulatory control contributes to the recurrence of medical epidemics and extreme pollution. Military aggressiveness has also caused needed resources to be diverted to a military build-up, further straining the country's ability to address the myriad problems it faces. Vietnam needs to get out of the shadow of fear and paranoia and join the rest of the world in the light of democracy and freedom.

When Vietnam joined the World Trade Organization, its membership was granted with the assurance that its government would continue to improve its human rights records. These recent crackdowns and violations are significant steps backward. We must continue our vigilance in demanding that the commitment made by the government of Vietnam is kept. Human rights and freedom are the core beliefs of our country, and any relationship with another government should be grounded in those basic principles. Vietnam should not be an exception.