

From: The Honorable Frank R. Wolf

Urge Administration to Prioritize Human Rights in U.S.-Vietnam Relations

Dear Mr. President:

We are writing to express our serious concern regarding Vietnam's record of respect towards human rights and labor rights. In order for Congress to support a Trans-Pacific Partnership (TPP) agreement with Vietnam, it is critical that Vietnam make dramatic improvements in its human rights practices, reform its laws to meet international labor standards, and demonstrate a clear commitment to the rule of law.

Despite its election to the United Nations Human Rights Council, the Vietnamese government has stepped up its crackdown against human rights advocates and people of faith. Vicious beatings by the police against Hoa Hao Buddhists in the South, former prisoners of conscience in the North, and other political and religious dissidents have been reported in the early months of 2014.

According to the International Federation for Human Rights, "Vietnam has the highest number of political prisoners in Southeast Asia. It is estimated that there are at least 212 dissidents behind bars, and many more are under house arrest. Those imprisoned include lawyers, bloggers, land rights activists, Buddhist monks, journalists, writers, singers, labor activists, pro-democracy campaigners, and members of ethnic and religious minorities, including Hmong and Christian Montagnard. Many of Vietnam's political prisoners are women. Many of the dissidents are serving lengthy prison terms in poor detention conditions. As a result, their health is deteriorating and they are in need of urgent medical treatment and ongoing care."

While we are encouraged by the recent release of several Vietnamese prisoners of conscience, it is important not to lose sight of the fact that these individuals had already been unjustly imprisoned for years for crimes such as "propaganda against the state" and "using democratic freedoms to injure the national unity." It is even more important not to forget the hundreds who remain in prison and under other forms of detention for the peaceful exercise of their fundamental rights to expression, association, assembly and religion. Absent fundamental changes, these token prisoner releases will not yield tangible improvements in the bleak human rights situation in Vietnam.

Without ensuring that concrete benchmarks on human rights are met at the outset, the TPP would exacerbate the Vietnamese government's violations of human rights. The TPP should not be just another trade agreement. As the name implies, TPP will send a message to the world that its members regard each other as trusted partners. TPP membership will inevitably be regarded as a badge of honor for these governments and represent a seal of approval from the United States.

That is why it is particularly important that TPP membership not be extended to governments that act against our most fundamental values.

There will not be support for a TPP agreement that includes Vietnam unless the following benchmarks have been fully met:

- The Vietnamese government should free all political prisoners and other prisoners of conscience. There are over 200 such prisoners known to human rights organizations, not counting potentially hundreds of religious prisoners from ethnic minorities and indigenous peoples in remote areas of the country.
- The Vietnamese government should repeal Decree 92 and end persecution of independent religious organizations. Decree 92, effective January 1, 2013, prohibits religious activities unless they are registered and pre-approved by the government. Local authorities have reportedly used this decree to block religious organizations – other than those controlled by the government – from conducting any activities. The Vietnamese government should also end its requirement that religious organizations must be registered, approved and controlled by the government's Committee for Religious Affairs.
- The Vietnamese government should respect international labor rights and allow Vietnamese workers to form labor unions that are truly independent of the government and of the Communist Party. Presently, Vietnam strictly prohibits free and independent labor unions and has jailed independent labor organizers. Without free and independent labor unions to protect workers and their rights, labor exploitation, forced labor, and labor trafficking will certainly continue unabated.

As you know, the United States is already insisting that Vietnam and other prospective partners make important changes in their commercial and regulatory practices as a precondition for TPP membership. The three additional conditions we propose, while not strictly commercial, embody the universal values that underlie our commitment to free trade and seek to ensure that the TPP will not have the unintended consequence of facilitating further contravention of these values. We hope you will agree that these conditions will make the partnership stronger.

We hope to work with you to ensure that the TPP will be a partnership of which Americans can be proud.

Please contact Elise Phuong Ho (Elise-Phuong.Ho@mail.house.gov) for the current list of signers or if your Representative is interested in signing on.