

CALLING ON THE LEAGUE OF ARAB STATES TO ACKNOWLEDGE  
THE GENOCIDE IN THE DARFUR REGION OF SUDAN AND  
TO STEP UP THEIR EFFORTS TO STOP THE GENOCIDE IN  
DARFUR; CALLING ON THE GOVERNMENT OF THE SOCIALIST  
REPUBLIC OF VIETNAM TO IMMEDIATELY AND UNCONDITION-  
ALLY RELEASE FATHER NGUYEN VAN LY, NGUYEN VAN DAI,  
LE THI CONG NHAN, AND OTHER POLITICAL PRISONERS  
AND PRISONERS OF CONSCIENCE, AND FOR OTHER PUR-  
POSES; AND COMMEMORATING THE 200TH ANNIVERSARY  
OF THE ABOLITION OF TRANSATLANTIC SLAVE TRADE

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## MARKUP

BEFORE THE

### COMMITTEE ON FOREIGN AFFAIRS HOUSE OF REPRESENTATIVES

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

ON

**H. Con. Res. 7, H. Res. 243 and H. Res. 272**

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APRIL 19, 2007

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**CALLING ON THE LEAGUE OF ARAB STATES TO ACKNOWLEDGE THE GENOCIDE IN THE DARFUR REGION OF SUDAN AND TO STEP UP THEIR EFFORTS TO STOP THE GENOCIDE IN DARFUR; CALLING ON THE GOVERNMENT OF THE SOCIALIST REPUBLIC OF VIETNAM TO IMMEDIATELY AND UNCONDITIONALLY RELEASE FATHER NGUYEN VAN LY, NGUYEN VAN DAI, LE THI CONG NHAN, AND OTHER POLITICAL PRISONERS AND PRISONERS OF CONSCIENCE, AND FOR OTHER PURPOSES; AND COMMEMORATING THE 200TH ANNIVERSARY OF THE ABOLITION OF TRANS-ATLANTIC SLAVE TRADE**

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**THURSDAY, APRIL 19, 2007**

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON FOREIGN AFFAIRS,  
*Washington, DC.*

The committee met, pursuant to notice, at 9:34 a.m., in room 2172, Rayburn House Office Building, Hon. Tom Lantos (chairman of the committee) presiding.

Chairman LANTOS. The committee will be in order. We have a series of noncontroversial bills on the agenda. It is the intention of the chair to consider these measures en bloc and, by unanimous consent, authorizes the chair to seek consideration of the remaining bills under suspension of the rules. All members are given leave to insert remarks on these measures into the record, should they choose to do so.

Because of a tight time schedule today, I would request that members hold their remarks until we consider these matters on the House floor.

Without objection, the chairman is authorized to seek consideration of the following bills under suspension of the rules, and the amendments to those measures, which the members have before them, shall be deemed adopted: H. Con. Res. 7, calling on the League of Arab States to acknowledge the genocide in the Darfur region of Sudan and to step up their efforts to stop the genocide in Darfur; H. Res. 243, calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Nguyen Van Ly, Nguyen Van Dai, Le Thi Cong Nhan, and other political prisoners and prisoners of conscience, and for other purposes; and, finally, H. Res. 272, commemorating the 200th anniversary of the abolition of the transatlantic slave trade.

[The information referred to follows:]

110TH CONGRESS  
1ST SESSION

## H. CON. RES. 7

Calling on the League of Arab States to acknowledge the genocide in the Darfur region of Sudan and to step up their efforts to stop the genocide in Darfur.

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### IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2007

Ms. LEE submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

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## CONCURRENT RESOLUTION

Calling on the League of Arab States to acknowledge the genocide in the Darfur region of Sudan and to step up their efforts to stop the genocide in Darfur.

Whereas in July 2004, the House of Representatives and Senate declared that the atrocities in the Darfur region of Sudan constitute genocide, and the Bush administration reached the same conclusion in September 2004, when then Secretary of State Colin Powell stated that “the evidence leads us to the conclusion that genocide has occurred and may still be occurring in Darfur”;

Whereas more than 400,000 people have been killed by the Government of Sudan and its Janjaweed allies since the crisis began in 2003, more than 2,000,000 people have

been displaced from their homes, and more than 250,000 people from Darfur remain in refugee camps in Chad;

Whereas the United Nations Under-Secretary-General for Humanitarian Affairs, Jan Egeland, in late August 2006 stated that “[i]nsecurity is at its highest level since 2004, access at its lowest levels since that date, and we may well be on the brink of a return to all-out war”;

Whereas despite the signing of the Darfur Peace Agreement in May 2006, violence against civilians, peacekeepers, and humanitarian workers continues unabated, and an estimated 12 humanitarian workers have been killed in Darfur, including a nurse in September 2006;

Whereas in August 2006, the Government of Sudan began to deploy thousands of government troops for a major offensive in Darfur, once again threatening a major humanitarian catastrophe and risking the safety and security of millions of civilians;

Whereas, according to the Government of Sudan’s plan, in a document submitted to the United Nations Secretary-General, Kofi Annan, the Government of Sudan plans to deploy approximately 26,500 additional troops and 7,050 additional police to Darfur;

Whereas the objectives of this deployment are “to deal with the threats posed by the activities of groups that have rejected the Darfur Peace Agreement and to gain control over the security situation and achieve stability in Darfur”;

Whereas on August 31, 2006, the United Nations Security Council passed Resolution 1706, expanding the mandate of the United Nations Mission in Sudan (UNMIS) for the additional deployment of 17,300 peacekeeping troops

and 3,300 civilian police personnel as well as 16 formed police units to Darfur;

Whereas implementation of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan People's Liberation Movement (SPLM) is slow, raising serious concern about the commitment of the Government of Sudan to fulfill its responsibilities;

Whereas President Omar Hassan El-Bashir of Sudan has rejected the deployment of a United Nations peacekeeping force to Darfur, even as First Vice President Salva Kiir has publicly stated his support for the deployment of a United Nations peacekeeping mission to Darfur;

Whereas in March 2006, at the Khartoum summit, Arab leaders worked against a plan to transform the African Union Mission in Sudan (AMIS) into a United Nations protection force with a mandate to protect civilians;

Whereas on August 20, 2006, in Cairo, Egypt, the League of Arab States met and backed Sudan's refusal of a United Nations peacekeeping force in the war-racked Darfur region;

Whereas in September 2006, a resolution passed by the Arab League's Council of Foreign Ministers called for the United Nations Security Council to give the Sudanese Government more time to implement its "plan to improve conditions and preserve security" in Darfur;

Whereas on September 20, 2006, the Security and Peace Council of the African Union approved a decision to extend the mandate of AMIS in Darfur to the end of 2006;

Whereas, although the United Nations is set to send peacekeeping forces to Darfur under United Nations Security Council Resolution 1706 (2006), the Arab League alleg-

edly remains engaged in behind-the-scenes efforts to obstruct the deployment of such forces or reduce their mandate;

Whereas the November 30, 2006, Abuja Communique of the Peace and Security Council of the African Union states the following:

(1) The Special Representative shall be jointly appointed by the Chairperson of the Commission of the African Union and the Secretary-General of the United Nations, after appropriate consultations as per the practice.

(2) The Force Commander, who should be an African, shall be appointed by the Chairperson of the Commission in consultation with the Secretary-General of the United Nations.

(3) The Mission shall benefit from United Nations backstopping and command and control structures and systems.

(4) The size of the force shall be determined by the African Union and the United Nations, taking into account all relevant factors and the situation on the ground, as well as the requirements for it to effectively discharge its mandate; and

Whereas the support of the Arab League to end the genocide in Darfur will be critical: Now, therefore, be it

1        *Resolved by the House of Representatives (the Senate*  
2        *concurring), That Congress—*

3                (1) strongly urges the League of Arab States to  
4        declare the systematic torture, rape, and displace-  
5        ment of Darfurians a genocide;



1           (2) strongly urges the Arab League to agree  
2           and pass a resolution at their next meeting to sup-  
3           port and accept United Nations peacekeepers as the  
4           best option to enforce the ceasefire, protect civilians,  
5           ensure access to humanitarian assistance in Darfur;  
6           and

7           (3) strongly urges the Arab League to work  
8           with the United Nations, the African Union and the  
9           United States Presidential Special Envoy for Sudan,  
10          Andrew Natsios, to bring about real and lasting  
11          peace and stability to Darfur, the refugee camps,  
12          and along the Chadian border.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H. CON. RES. 7  
OFFERED BY MR. LANTOS**

Strike the preamble and insert the following:

Whereas in July 2004, the House of Representatives and the Senate declared that the atrocities in the Darfur region of Sudan constitute genocide, and the Bush administration reached the same conclusion in September 2004, when then Secretary of State Colin Powell stated that “the evidence leads us to the conclusion that genocide has occurred and may still be occurring in Darfur”;

Whereas estimates indicate that 400,000 people may have been killed by the Government of Sudan and its Janjaweed allies since the crisis began in 2003, more than 2,000,000 people have been displaced from their homes, and more than 250,000 people from Darfur remain in refugee camps in Chad;

Whereas the United Nations Under-Secretary-General for Humanitarian Affairs, Jan Egeland, in late August 2006 stated that “[i]nsecurity is at its highest level since 2004, access at its lowest levels since that date, and we may well be on the brink of a return to all-out war”;

Whereas despite the signing of the Darfur Peace Agreement in May 2006, violence against civilians, peacekeepers, and humanitarian workers continues unabated, including the killing of an estimated 12 humanitarian workers and 16 African Union Mission in Sudan peacekeepers;

Whereas in August 2006, the Government of Sudan began to deploy thousands of government troops for a major offen-

sive in Darfur, once again threatening a major humanitarian catastrophe and risking the safety and security of millions of civilians;

Whereas, according to the Government of Sudan's plan, in a document submitted to the United Nations Secretary-General, Kofi Annan, the Government of Sudan planned to deploy approximately 26,500 additional troops and 7,050 additional police to Darfur;

Whereas the objectives of this deployment were "to deal with the threats posed by the activities of groups that have rejected the Darfur Peace Agreement and to gain control over the security situation and achieve stability in Darfur";

Whereas on August 31, 2006, the United Nations Security Council passed Resolution 1706, expanding the mandate of the United Nations Mission in Sudan (UNMIS) for the additional deployment of 17,300 peacekeeping troops and 3,300 civilian police personnel as well as 16 formed police units to Darfur;

Whereas implementation of the Comprehensive Peace Agreement (CPA) between the Government of Sudan and the Sudan People's Liberation Movement (SPLM) is slow, raising serious concern about the commitment of the Government of Sudan to fulfill its responsibilities;

Whereas President Omar Hassan El-Bashir of Sudan rejected the deployment of a United Nations peacekeeping force to Darfur, even as First Vice President Salva Kiir publicly stated his support for the deployment of a United Nations peacekeeping mission to Darfur;

Whereas in March 2006, at the Khartoum summit, Arab leaders worked against a plan to transform the African

Union Mission in Sudan (AMIS) into a United Nations protection force with a mandate to protect civilians;

Whereas on August 20, 2006, in Cairo, Egypt, the League of Arab States met and backed Sudan's refusal of a United Nations peacekeeping force in the war-wracked Darfur region;

Whereas in September 2006, a resolution passed by the League of Arab States Council of Foreign Ministers called for the United Nations Security Council to give the Sudanese Government more time to implement its "plan to improve conditions and preserve security" in Darfur;

Whereas on November 30, 2006, the Peace and Security Council of the African Union approved a decision to extend the mandate of AMIS in Darfur through July 2007;

Whereas, although the United Nations was authorized and prepared to send peacekeeping forces to Darfur under United Nations Security Council Resolution 1706 (2006), the League of Arab States worked to obstruct the deployment of such forces or had sought to reduce their mandate;

Whereas the November 30, 2006, Abuja Communiqué of the Peace and Security Council of the African Union endorsed the deployment a hybrid United Nations-African Union peacekeeping force and stated the following:

(1) The Special Representative shall be jointly appointed by the Chairperson of the Commission of the African Union and the Secretary-General of the United Nations, after appropriate consultations as per the practice.

(2) The Force Commander, who should be an African, shall be appointed by the Chairperson of the Com-

mission in consultation with the Secretary-General of the United Nations.

(3) The Mission shall benefit from United Nations backstopping and command and control structures and systems.

(4) The size of the force shall be determined by the African Union and the United Nations, taking into account all relevant factors and the situation on the ground, as well as the requirements for it to effectively discharge its mandate.

Whereas in March 2007, ongoing negotiations between the United Nations Secretary-General, Ban Ki-moon, and President Omar Hassan El-Bashir of Sudan took place under the auspices of the League of Arab States Summit in Riyadh, Saudi Arabia, and with the encouragement of Saudi Arabia, Egypt and the head of the League of Arab States;

Whereas on April 16, 2007, Sudanese Foreign Minister Lam Akol announced that Sudan fully accepts a “heavy support” package from the United Nations, including significant additional logistical and military support, which represents the second phase of a three-step plan to create a hybrid United Nations-African Union peacekeeping force of approximately 17,000 troops and 3,000 police; and

Whereas the support of the League of Arab States and each Member State individually will be critical to end the genocide in Darfur: Now, therefore, be it

Strike all after the resolving clause and insert the following:

1 That Congress—

2 (1) strongly urges the League of Arab States  
3 and each Member State individually to declare the  
4 systematic torture, rape, and displacement of  
5 Darfurians a genocide;

6 (2) strongly urges the League of Arab States  
7 and each Member State individually to agree and  
8 pass a resolution at their next meeting to support  
9 and accept a robust hybrid United Nations-African  
10 Union peacekeeping force, as agreed to by all parties  
11 to the Abuja Communique on November 30, 2006,  
12 to enforce the ceasefire, protect civilians, and ensure  
13 access to humanitarian assistance in Darfur; and

14 (3) strongly urges the League of Arab States to  
15 continue to work with the United Nations, the Afri-  
16 can Union and the United States Presidential Spe-  
17 cial Envoy for Sudan, Andrew Natsios, to bring  
18 about real and lasting peace and stability in Darfur,  
19 the refugee camps, and along the Chadian border.

Amend the title so as to read: “Concurrent res-  
olution calling on the League of Arab States and  
each Member State individually to acknowledge the  
genocide in the Darfur region of Sudan and to step  
up their efforts to stop the genocide in Darfur.”.

110TH CONGRESS  
1ST SESSION

## H. RES. 243

Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Nguyen Van Ly, Nguyen Van Dai, Le Thi Cong Nhan, and other political prisoners and prisoners of conscience, and for other purposes.

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 14, 2007

Mr. SMITH of New Jersey (for himself, Mr. ROYCE, Mr. ROHRBACHER, Mr. MCCOTTER, Mr. WOLF, Mr. RENZI, Mr. DANIEL E. LUNGREN of California, Mr. TOM DAVIS of Virginia, and Mr. PASCRELL) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Nguyen Van Ly, Nguyen Van Dai, Le Thi Cong Nhan, and other political prisoners and prisoners of conscience, and for other purposes.

Whereas, on February 18, 2007, Vietnamese police raided the parish house of Father Nguyen Van Ly and confiscated computers, telephones, more than 100 mobile phone cards, and more than 200 kilograms of documents;

Whereas the police moved Father Ly to the remote location of Ben Cui in central Vietnam, where he is under house arrest;

Whereas Father Ly is a former prisoner of conscience, having spent a total of over 13 years in prison since 1983 for his advocacy of religious freedom and democracy in Vietnam;

Whereas Father Ly is one of the founders of “Block 8406”, a democracy movement that started in April 2006 when hundreds of people throughout Vietnam signed public petitions calling for democracy and human rights;

Whereas Father Ly is also a founder of a new political party, the Vietnam Progression Party, and one of the primary editors of “Freedom of Speech” magazine;

Whereas, on March 6, 2007, Vietnamese police arrested one of Vietnam’s few practicing human rights lawyers, Nguyen Van Dai, who has defended individuals arrested for their human rights and religious activities, is the co-founder of the Committee for Human Rights in Vietnam, and is one of the principal organizers of the Block 8406 democracy movement;

Whereas, on March 6, 2007, Vietnamese police also arrested Le Thi Cong Nhan, a human rights lawyer, a member of “Block 8406”, the principal spokesperson for the Progression Party, and a founder of the Vietnamese Labor Movement;

Whereas Father Ly, Nguyen Van Dai, and Le Thi Cong Nhan have been charged with disseminating propaganda against the Socialist Republic of Vietnam under article 88 of the Penal Code;

Whereas if convicted, they each could be sentenced to up to 20 years in prison;

Whereas in none of their activities have Father Ly, Nguyen Van Dai, or Le Thi Cong Nhan advocated or engaged in



violence in their opposition to the Vietnamese Government or its policies;

Whereas the arrest of and charges against Father Ly, Nguyen Van Dai, and Le Thi Cong Nhan violate Article 69 of the Vietnamese Constitution, which states that “The citizen shall enjoy freedom of opinion and speech, freedom of the press, the right to be informed and the right to assemble, form associations and hold demonstrations in accordance with the provisions of the law”;

Whereas Father Ly, Nguyen Van Dai, and Le Thi Cong Nhan have been arrested and charged in contravention of the rights enshrined in the International Covenant on Civil and Political Rights (ICCPR) to which Vietnam is a state party, specifically Article 18 (freedom of religion), Article 19 (freedom of expression) and Article 22 (freedom of association);

Whereas the United State Congress agreed to Vietnam becoming an official member of the World Trade Organization (WTO) in 2006, amidst assurances that the Vietnamese Government was steadily improving its human rights record and would continue to do so;

Whereas the group of Asian countries at the United Nations have nominated Vietnam as the sole regional candidate for a nonpermanent seat on the United Nations Security Council for the 2008–2009 biennium, and pursuant to the United Nations Charter, Vietnam would be required to discharge its duties in accordance with the purposes of the United Nations, including the promotion and encouragement of respect for human rights and fundamental freedoms for all; and

Whereas the arbitrary imprisonment and the violation of the human rights of citizens of Vietnam are sources of continuing, grave concern to Congress, and the arrests of Father Ly, Nguyen Van Dai, and Le Thi Cong Nhan are part of a trend toward increasing oppression of human rights advocates in Vietnam: Now, therefore, be it

1       *Resolved*, That—

2           (1) the House of Representatives—

3               (A) condemns and deplores the arbitrary  
4               arrests of Father Nguyen Van Ly, Nguyen Van  
5               Dai, and Le Thi Cong Nhan by the Govern-  
6               ment of the Socialist Republic of Vietnam and  
7               calls for their immediate and unconditional re-  
8               lease and the dropping of all criminal charges,  
9               and for the immediate and unconditional release  
10              of all other political and religious prisoners;

11             (B) condemns and deplores the violations  
12             of the freedoms of speech, religion, movement,  
13             association, and the lack of due process af-  
14             forded to individuals in Vietnam;

15             (C) challenges the qualifications of Viet-  
16             nam to be a member of the United Nations Se-  
17             curity Council, unless the Government of Viet-  
18             nam begins immediately to respect human  
19             rights and fundamental freedoms for all within  
20             its own borders; and

1 (D) strongly urges the Government of  
2 Vietnam to consider the implications of its ac-  
3 tions for the broader relationship between the  
4 United States and Vietnam; and

5 (2) it is the sense of the House of Representa-  
6 tives that the United States should—

7 (A) make a top concern the immediate re-  
8 lease, legal status, and humanitarian needs of  
9 Father Nguyen Van Ly, Nguyen Van Dai, and  
10 Le Thi Cong Nhan;

11 (B) use funds from the newly created  
12 Human Rights Defenders Fund of the Depart-  
13 ment of State to assist with the legal defense  
14 and the needs of the families and dependents of  
15 Father Ly, Nguyen Van Dai, and Le Thi Cong  
16 Nhan;

17 (C) continue to urge the Government of  
18 Vietnam to comply with internationally recog-  
19 nized standards for basic freedoms and human  
20 rights;

21 (D) make clear to the Government of Viet-  
22 nam that it must adhere to the rule of law and  
23 respect the freedom of religion and expression  
24 in order to broaden its relations with the  
25 United States;

1 (E) make clear to the Government of Viet-  
2 nam that the detention of Father Ly, Nguyen  
3 Van Dai, Le Thi Cong Nhan, and other polit-  
4 ical prisoners and prisoners of conscience and  
5 other human rights violations are not in the in-  
6 terest of Vietnam because they create obstacles  
7 to improved bilateral relations and cooperation  
8 with the United States;

9 (F) if there is widespread harassment,  
10 short-term detentions, long-term house deten-  
11 tions, and arrests of religious leaders and reli-  
12 gious-motivated rights defenders and activists,  
13 re-impose on Vietnam the country of particular  
14 concern (CPC) designation, which was removed  
15 on November, 13, 2006, for severe and ongoing  
16 violations of the freedoms of thought, con-  
17 science, religion, and belief in Vietnam;

18 (G) make clear to the Government of Viet-  
19 nam that the norms and responsibilities of join-  
20 ing the international community are not fully  
21 realized in Vietnam's WTO membership, and  
22 that the issues of the freedoms of speech, as-  
23 sembly, association, and the right of due proc-  
24 ess are essential for a healthy trade and busi-  
25 ness climate; and

1           (H) in order to advance these freedoms  
2           and rights, and to strengthen the long-term re-  
3           lationship between the United States and Viet-  
4           nam, initiate new foreign assistance programs  
5           to advance the capacity and networking abilities  
6           of Vietnamese civil society, including new rule  
7           of law programs to train Vietnamese human  
8           rights lawyers, judges, academics, and students  
9           about international human rights law; new pub-  
10          lic diplomacy initiatives to inform and teach Vi-  
11          etnamese citizens about international human  
12          rights norms and responsibilities, and projects  
13          that support organizations and associations  
14          that promote the freedom of religion, speech,  
15          assembly, and association.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE**

**TO H. RES. 243**

**OFFERED BY MR. Smith**

Strike the preamble and insert the following:

Whereas, on February 18, 2007, Vietnamese police raided the parish house of Father Nguyen Van Ly and confiscated computers, telephones, more than 100 mobile phone cards, and more than 200 kilograms of documents;

Whereas the police moved Father Ly to the remote location of Ben Cui in central Vietnam, where he is under house arrest;

Whereas Father Ly is a former prisoner of conscience, having spent a total of over 13 years in prison since 1983 for his advocacy of religious freedom and democracy in Vietnam;

Whereas Father Ly is an advisor of “Block 8406”, a democracy movement that started in April 2006 when hundreds of people throughout Vietnam signed public petitions calling for democracy and human rights;

Whereas Father Ly is also an advisor of a new political party, the Vietnam Progression Party, and one of the primary editors of “Freedom of Speech” magazine;

Whereas, on March 6, 2007, Vietnamese police arrested one of Vietnam’s few practicing human rights lawyers, Nguyen Van Dai, who has defended individuals arrested for their human rights and religious activities, is the co-founder of the Committee for Human Rights in Vietnam,

and is one of the principal organizers of the Block 8406 democracy movement;

Whereas, on March 6, 2007, Vietnamese police also arrested Le Thi Cong Nhan, a human rights lawyer, a member of “Block 8406”, the principal spokesperson for the Progression Party, and a founder of the Vietnamese Labor Movement;

Whereas Father Ly, Nguyen Van Dai, and Le Thi Cong Nhan have been charged with disseminating propaganda against the Socialist Republic of Vietnam under article 88 of the Penal Code;

Whereas Father Ly was tried and convicted on March 30, 2007 and sentenced to 8 years in prison;

Whereas if convicted, Nguyen Van Dai and Le Thi Cong each could be sentenced to up to 20 years in prison;

Whereas Le Quoc Quan is a lawyer who traveled to the United States in September 2006 to research civil society development as a Reagan-Fascell Fellow at the National Endowment for Democracy;

Whereas Le Quoc Quan returned to Vietnam in early March 2007 and was arrested by Hanoi police on March 8, 2007;

Whereas Le Quoc Quan has been charged under Article 79 of the Penal Code which prohibits activities aimed at overthrowing the Government and carries extremely severe prison terms and even the death penalty;

Whereas in none of their activities have Father Ly, Nguyen Van Dai, Le Thi Cong Nhan, or Le Quoc Quan advocated or engaged in violence;

Whereas the arrest of and charges against Father Ly, Nguyen Van Dai, Le Thi Cong Nhan, and Le Quoc Quan violate Article 69 of the Vietnamese Constitution, which states that “The citizen shall enjoy freedom of opinion and speech, freedom of the press, the right to be informed and the right to assemble, form associations and hold demonstrations in accordance with the provisions of the law”;

Whereas Father Ly, Nguyen Van Dai, Le Thi Cong Nhan, and Le Quoc Quan have been arrested and charged in contravention of the rights enshrined in the International Covenant on Civil and Political Rights (ICCPR) to which Vietnam is a state party, specifically Article 18 (freedom of religion), Article 19 (freedom of expression) and Article 22 (freedom of association);

Whereas Vietnam recently has imprisoned, detained, placed under house arrest, or otherwise restricted numerous other peaceful democratic and religious activists for reasons related to their political or religious views, such as Nguyen Binh Thanh, Nguyen Phong, Nguyen Ngoc Quang, Nguyen Vu Binh, Huynh Trung Dao, Nguyen Tan Hoanh, Tran Thi Le Hang, Doang Huy Chuong, Doan Van Dien, Le Ba Triet, Nguyen Tuan, Bui Kim Thanh and Tran Quoc Hien;

Whereas the United States Congress agreed to Vietnam becoming an official member of the World Trade Organization (WTO) in 2006, amidst assurances that the Vietnamese Government was steadily improving its human rights record and would continue to do so;

Whereas the group of Asian countries at the United Nations have nominated Vietnam as the sole regional candidate for a nonpermanent seat on the United Nations Security



Council for the 2008–2009 biennium, and pursuant to the United Nations Charter, Vietnam would be required to discharge its duties in accordance with the purposes of the United Nations, including the promotion and encouragement of respect for human rights and fundamental freedoms for all; and

Whereas the arbitrary imprisonment and the violation of the human rights of citizens of Vietnam are sources of continuing, grave concern to Congress, and the arrests of Father Ly, Nguyen Van Dai, Le Thi Cong Nhan, and Le Quoc Quan are part of a trend toward increasing oppression of human rights advocates in Vietnam: Now, therefore, be it

Strike all after the resolving clause and insert the following:

1 That—

2 (1) the House of Representatives—

3 (A) condemns and deplores the arbitrary arrests of Father Nguyen Van Ly,  
 4 Nguyen Van Dai, Le Thi Cong Nhan, and  
 5 Le Quoc Quan by the Government of the  
 6 Socialist Republic of Vietnam and calls for  
 7 their immediate and unconditional release  
 8 and the dropping of all criminal charges,  
 9 and for the immediate and unconditional  
 10 release of all other political and religious  
 11 prisoners;  
 12

1 (B) condemns and deplores the viola-  
2 tions of the freedoms of speech, religion,  
3 movement, association, and the lack of due  
4 process afforded to individuals in Vietnam;

5 (C) challenges the qualifications of  
6 Vietnam to be a member of the United Na-  
7 tions Security Council, unless the Govern-  
8 ment of Vietnam begins immediately to re-  
9 spect human rights and fundamental free-  
10 doms for all within its own borders; and

11 (D) strongly urges the Government of  
12 Vietnam to consider the implications of its  
13 actions for the broader relationship be-  
14 tween the United States and Vietnam; and

15 (2) it is the sense of the House of Representa-  
16 tives that the United States should—

17 (A) make a top concern the immediate  
18 release, legal status, and humanitarian  
19 needs of Father Nguyen Van Ly, Nguyen  
20 Van Dai, Le Thi Cong Nhan, and Le Quoc  
21 Quan;

22 (B) use funds from the newly created  
23 Human Rights Defenders Fund of the De-  
24 partment of State to assist with the legal  
25 defense and the needs of the families and

1 dependents of Father Ly, Nguyen Van  
2 Dai, Le Thi Cong Nhan, and Le Quoc  
3 Quan;

4 (C) continue to urge the Government  
5 of Vietnam to comply with internationally  
6 recognized standards for basic freedoms  
7 and human rights;

8 (D) make clear to the Government of  
9 Vietnam that it must adhere to the rule of  
10 law and respect the freedom of religion and  
11 expression in order to broaden its relations  
12 with the United States;

13 (E) make clear to the Government of  
14 Vietnam that the detention of Father Ly,  
15 Nguyen Van Dai, Le Thi Cong Nhan, Le  
16 Quoc Quan, and other political prisoners  
17 and prisoners of conscience and other  
18 human rights violations are not in the in-  
19 terest of Vietnam because they create ob-  
20 stacles to improved bilateral relations and  
21 cooperation with the United States;

22 (F) examine current human rights  
23 violations by the Vietnamese Government  
24 and consider re-imposing on Vietnam the  
25 country of particular concern (CPC) des-

1           ignation, which was removed on November  
2           13, 2006, pursuant to the International  
3           Religious Freedom Act of 1998; and

4           (G) in order to advance these free-  
5           doms and rights, and to strengthen the  
6           long-term relationship between the United  
7           States and Vietnam, initiate new foreign  
8           assistance programs to advance the capac-  
9           ity and networking abilities of Vietnamese  
10          civil society, including new rule of law pro-  
11          grams to train Vietnamese human rights  
12          lawyers, judges, academics, and students  
13          about international human rights law; new  
14          public diplomacy initiatives to inform and  
15          teach Vietnamese citizens about inter-  
16          national human rights norms and respon-  
17          sibilities, and projects that support organi-  
18          zations and associations that promote the  
19          freedom of religion, speech, assembly, and  
20          association.

Amend the title so as to read: “Calling on the Government of the Socialist Republic of Vietnam to immediately and unconditionally release Father Nguyen Van Ly, Nguyen Van Dai, Le Thi Cong Nhan, Le Quoc Quan, and other political prisoners and prisoners of conscience, and for other purposes.”.

110TH CONGRESS  
1ST SESSION

## H. RES. 272

Commemorating the 200th anniversary of the abolition of the transatlantic slave trade.

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### IN THE HOUSE OF REPRESENTATIVES

MARCH 26, 2007

Ms. LEE (for herself, Mr. PAYNE, Mr. HASTINGS of Florida, Mr. McDERMOTT, Mr. RANGEL, Ms. LINDA T. SÁNCHEZ of California, Mr. BUTTERFIELD, Mr. SCHIFF, Mr. ELLISON, Mr. FATTAH, Mr. LEWIS of Georgia, Mr. GRIJALVA, Mr. SERRANO, Mr. ENGEL, Mr. DAVIS of Illinois, and Ms. KILPATRICK) submitted the following resolution; which was referred to the Committee on Foreign Affairs

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## RESOLUTION

Commemorating the 200th anniversary of the abolition of the transatlantic slave trade.

Whereas the United Kingdom outlawed slavery in 1807, recognizing that “the African Slave Trade, and all manner of dealing and trading in the Purchase, Sale, Barter, or Transfer of Slaves, or of Persons intended to be sold, transferred, used, or dealt with as Slaves, practiced or carried on, in, at, to or from any Part of the Coast or Countries of Africa, shall be, and the same is hereby utterly abolished, prohibited, and declared to be unlawful”;

Whereas the transatlantic slave trade was the capture and procurement of Africans, mostly from West Africa, to the

United States and the colonies that became the United States for the purpose of enslavement between the fifteenth and late nineteenth centuries;

Whereas the Middle Passage was the forced migration through overseas transport of millions of Africans to the Americas, many of whom suffered abuses of rape and perished as a result of torture, malnutrition, disease and resistance in transit and those who survived were sold into slavery;

Whereas during the transatlantic slave trade more than 12,000,000 Africans were transported in bondage from their African homelands to the Americas, and those born in the Americas estimating 1,200,000 men, women, and children who were displaced in the forced migration that was the domestic slave trade;

Whereas it is important to acknowledge that as a result of the slave trade, approximately 80,000,000 to 150,000,000 persons of African descent live in Latin America and the Caribbean, making them the largest population of persons of African descent outside of Africa;

Whereas the transatlantic slave trade is characterized as the largest forced migration in world history;

Whereas Africans' resistance to the transatlantic slave trade culminated in revolts—collective acts of rebellion—against slave ships and their crews during the Middle Passage and on the colonial plantations;

Whereas the institution of slavery which enslaved Africans, their progeny and later generations for life was constitutionally and statutorily sanctioned by the Government of the United States from 1789 through 1865;

Whereas slavery in the United States during and after British colonial rule included the sale and acquisition of Africans as chattel property in interstate and intrastate commerce;

Whereas the General Assembly of Virginia passed in 1619 “an act declaring the Negro, Mulatto, . . . slaves within this dominion, to be real estate and shall descend unto the heirs and widows of persons departing this life, according to the manner and custom of land of inheritance”;

Whereas the Great Compromise of 1787, a compromise under which representation in the House of Representatives would be based on the population of each State, prompted the Three-Fifths Compromise, a compromise between the Northern and Southern States under which only three-fifths of the population of enslaved Africans would be counted for purposes of enumerating a State’s representation in the House of Representatives;

Whereas the slavery that flourished in the United States constituted an immoral and inhumane dispossession of Africans’ life, liberty, and citizenship rights and denied them the fruits of their own labor;

Whereas the treatment of enslaved Africans in the colonies and the United States included the deprivation of their freedom, exploitation of their labor, psychological and physical abuse, and destruction of their culture, language, religion, and families;

Whereas the 2001 World Conference against Racism, Racial Discrimination, Xenophobia, and Related Intolerance, held in Durban, South Africa, declared the slave trade and slavery a crime against humanity;



Whereas the slave trade and the legacy of slavery continue to have a profound impact on social and economic disparity, hatred, bias, racism, and discrimination, and continue to affect people of African descent today; and

Whereas March 25, 2007, marks the 200th anniversary of the Slave Trade Abolition Act enacted by the British Parliament: Now, therefore, be it

1       *Resolved*, That the House of Representatives—

2               (1) recognizes the historical significance of the  
3       200th anniversary of the abolition of the trans-  
4       atlantic slave trade to the world;

5               (2) respects the memory of those who died as  
6       a result of slavery, including through exposure to the  
7       horrors of the Middle Passage and in revolt against  
8       and resistance to enslavement; and

9               (3) should educate current and future genera-  
10       tions about this crime against humanity by honoring  
11       its significance in United States history with appro-  
12       priate programs and activities.

○

**AMENDMENT IN THE NATURE OF A SUBSTITUTE  
TO H. RES. 272  
OFFERED BY MR. LANTOS OF CALIFORNIA**

Strike the preamble and insert the following:

Whereas the United Kingdom outlawed the African slave trade ~~and slavery~~ in 1807 by passing the Slave Trade Abolition Act which recognized that "the African Slave Trade, and all manner of dealing and trading in the Purchase, Sale, Barter, or Transfer of Slaves, or of Persons intended to be sold, transferred, used, or dealt with as Slaves, practiced or carried on, in, at, to or from any Part of the Coast or Countries of Africa, shall be, and the same is hereby utterly abolished, prohibited, and declared to be unlawful";

Whereas the transatlantic slave trade entailed the kidnapping, purchase and commercial export of Africans, mostly from West and Central Africa, to the European colonies and new nations in the Americas, including the United States, where they were enslaved in forced labor between the 15th and late 19th centuries;

Whereas the term "Middle Passage" refers to the horrific part of the transatlantic slave trade when millions of Africans were chained together and stowed by the hundreds in overcrowded ships where they were forced to ~~lie in~~ <sup>lie</sup> small spaces for ~~weeks~~ <sup>months</sup> without relief as they were transported across the Atlantic Ocean to the Americas;

Whereas historians claim that it is not possible to give an accurate number of slaves imported into the Americas from

Africa but scholars estimate that, at minimum, between 10,000,000 and 15,000,000 Africans survived the Middle Passage, were imported as ~~chattel~~ <sup>chattel</sup> through customs houses and ports across the Americas, and were sold into slavery;

Whereas historians agree that many slaves arrived in the Americas ill with infections and diseases, or disabled from the iron chains that bound them or from physical abuse, and historians estimate that 10 to 50 percent of the Africans who were shipped from the continent perished during the Middle Passage as a result of physical abuses, torture, malnutrition, disease, infection, suicide or repercussions from their resistance to their bondage;

Whereas Africans' resistance to the transatlantic slave trade culminated in revolts—collective acts of rebellion—against slave ships and their crews during the Middle Passage, and rebellions against slavery occurred frequently on colonial and post-colonial plantations throughout the Americas;

Whereas historians estimate that 1,200,000 men, women, and children were later separated from their families and displaced from their communities by being sold to slaveholders in other regions, colonies, States, and nations in the inter-American and domestic slave trade that took place through the 19th century;

Whereas the transatlantic slave trade is recognized by historians as the largest forced migration in world history;

Whereas, as a result of the slave trade, ~~approximately~~ <sup>an estimated</sup> 80,000,000 to 150,000,000 persons of African descent live in Latin America and the Caribbean, making them

the largest population of persons of African descent outside of Africa;

Whereas the institution of slavery, which enslaved Africans, their progeny and later generations for life, was legally sanctioned by the colonial governments and later the nations and States engaged in slavery, including the Government of the United States, through most of the 19th century;

Whereas slavery in the United States, during and after British colonial rule, included the sale and acquisition of Africans and African Americans as chattel property in interstate and intrastate commerce;

Whereas enslaved Africans and African Americans were defined as property that passed to heirs under inheritance laws of the British colonial rule and later under the laws of the States;

Whereas enslaved Africans adapted to their environment and created a new, rich culture that marked the development of the African American community and continues to strongly impact culture and society in the United States today;

Whereas the slavery that flourished in the United States constituted an immoral and inhumane dispossession of human life, liberty, and citizenship rights and denied Africans and African Americans the fruits of their own labor;

Whereas the treatment of enslaved Africans and African Americans in the colonies and the United States included the deprivation of their freedom, exploitation of their labor, psychological and physical abuse, separation of families, and the targeted efforts to repress their culture,

language, and religion through legal and social restrictive measures;

~~Whereas General Issue 12 of the Declaration issued at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia, and Related Intolerance, held in Durban, South Africa, declared "slave trade and slavery a crime against humanity and should always have been recognized as such";~~ *acknowledged that slavery was a crime against humanity*

Whereas the slave trade and the legacy of slavery continue to have a profound impact on social and economic disparity, hatred, bias, racism, and discrimination, and continue to affect people of African descent throughout the Americas today; and

Whereas March 25, 2007, marked the 200th anniversary of the Slave Trade Abolition Act enacted by the British Parliament: Now, therefore, be it

Strike all after the resolving clause and insert the following:

- 1 That the House of Representatives—
- 2       (1) recognizes the historical significance of the
- 3       200th anniversary of the abolition of the trans-
- 4       atlantic slave trade to the people of the United
- 5       States and to the world;
- 6       (2) respects the memory of those who died as
- 7       a result of slavery, including through exposure to the
- 8       horrors of the Middle Passage and in revolt against
- 9       and resistance to enslavement;

- 1           (3) supports the preservation of historical  
2 records and documents in private collections, local  
3 and State governments, shipping ports, and corpora-  
4 tions in the United States and throughout the Amer-  
5 icas relating to the transatlantic slave trade and the  
6 centuries of slavery that followed; and
- 7           (4) urges increased education of current and fu-  
8 ture generations about this horrific crime against  
9 humanity by honoring its significance in United  
10 States history and the history of other nations of the  
11 Americas with appropriate research, scholarship,  
12 curriculum, textbooks, museum exhibits and pro-  
13 grams, library resources and programs, and cultural  
14 programs and activities.

Chairman LANTOS. The business meeting is adjourned.  
[Whereupon, at 9:36, the committee proceeded to other business.]

