



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

16.4.2013

B7-0171/2013

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on Vietnam, in particular freedom of expression
(2013/2599(RSP))

**Véronique De Keyser, Ana Gomes, Robert Goebbels, Marc Tarabella,
Liisa Jaakonsaari, Mitro Repo**
on behalf of the S&D Group

European Parliament resolution on Vietnam, in particular freedom of expression (2013/2599(RSP))

The European Parliament,

- having regard to the new Partnership and Cooperation Agreement between the EU and Vietnam and to the EU-Vietnam human rights dialogue held twice a year between the EU and the government of Vietnam,
 - having regard to the International Covenant on Civil and Political Rights to which Vietnam acceded in 1982,
 - having regard to the Universal Periodic Review Outcome on Vietnam by the UN Human Rights Council of 24th September 2009,
 - having regard to report of the UN special Rapporteur on the promotion and protection of the right to freedom of opinion and expression to the 14th Session of the Human Rights Council, April 2010
 - having regard to the Statement by the Spokesperson of EU High Representative Catherine Ashton on the sentencing of bloggers in Vietnam of 24th September 2012
 - having regard to the statement of the UN High Commissioner for Human Rights of 25th September 2012
 - having regard to the EU Guidelines on Human Rights Defenders
 - having regard to its previous resolutions on Vietnam,
 - having regard to Rule 122 of its Rules of Procedure,
- A. whereas on 24th September 2012 three prominent journalists: Nguyen Van Hai, Ta Phong Tan and Pan Thanh Hai were sentenced respectively to 12, 10 and 4 years in prison followed by several years of house arrests on the charges of “conducting propaganda” against the State under article 88 of the Criminal Code, for posting articles on the website of the Vietnamese Club of Free Journalists;
- B. whereas several prisoners of conscience are sentenced under vaguely-worded “national security” provisions that make no distinction between acts of violence and the peaceful expression of dissenting opinions or beliefs, such as “propaganda against the Socialist Republic of Vietnam” (article 88 of the Criminal Code), “activities aimed at overthrowing the people’s power” (article 79), “sowing divisions between religious and non-religious people” (article 87) “abusing democratic freedoms to encroach on the interests of the state” (article 258);

- C. whereas bloggers and human rights defenders increasingly resort to the Internet to voice their political opinions, expose corruption, and draw attention to land-grabbing and other official abuses of power;
 - D. whereas 32 bloggers and Internet users are currently detained, charged and/or sentenced to prison in Vietnam for their peaceful online dissent or criticism of government policies ;
 - E. whereas Vietnam authorities systematically suppress freedom of expression and peaceful assembly and persecute those who question government policies, expose cases of official corruption or call for alternatives to the one party rule;
 - F. whereas the draft Internet Decree currently under discussion is in sharp contradiction with the international law and standards and has been strongly criticised for the limitation of the freedom of expression and imposing constraints on Internet providers amounting to a de facto complicity in cyber-censorship;
 - G. whereas in 2009, during the UN Human Rights Council’s Universal Periodic Review (UPR) of Viet Nam’s human rights record, Vietnam accepted a number of recommendations on freedom of expression, including one to “fully guarantee the right to receive, seek and impart information and ideas in compliance with article 19 of the International Covenant on Civil and Political Rights.”; whereas the country has still not implemented those recommendations;
 - H. whereas land confiscation by government officials, use of excessive force in response to public protests over evictions, arbitrary arrests of activists and heavy sentences to protesters are ongoing while the land rights and usage of land are unclear;
 - I. whereas freedom of religion and belief is systematically repressed and the Catholic Church and non-recognized religions, such as the Unified Buddhist Church of Vietnam, the Protestant churches and others continue to suffer from severe religious persecution;
 - J. whereas Vietnam has started extensive public consultations in view of drafting a new Constitution that needs to address civil liberties and religious tolerance as a priority
 - K. whereas Vietnam aspires to a seat on the United Nations Human Rights Council for the 2014-2016 term;
1. Expresses its deep concern about the conviction and harsh sentencing of journalists and bloggers in Vietnam, as it reflects a trend of increasing restrictions on freedom of expression in the country, especially against those who use the Internet to voice criticisms of the State.

2. Urges the authorities to immediately and unconditionally release all bloggers, online journalists and human rights defenders, including a Buddhist dissident and Nobel Peace prize nominee Thich Quang Do, who has been detained under house arrest for over two decades without justification or charge; calls upon the government to cease all forms of repression against those who exercise their rights to freedom of expression, freedom of belief and freedom of assembly in accordance with international human rights standards;
3. Calls on the Vietnamese government to amend or repeal all legislation that restricts the right to freedom of expression and freedom of the press in order to provide a forum for dialogue and democratic debate;
4. Urges the Vietnamese government to cease all forced evictions, to secure the exercise of freedom of expression of those who denounce abuses on land issues, to guarantee all those forcibly evicted access to legal remedies and adequate compensation in conformity with international standards and obligations under international human rights law;
5. Calls on the authorities to put an end to religious persecution and amend its legislation on the status of religious communities in order to re-establish the legal status for the non-recognized religions;
6. Expresses deep concern about the detention conditions of prisoners of conscience stemming from ill-treatment and lack of medical care; requests that the authorities guarantee their physical and psychological integrity in all circumstances, ensure unrestricted access to legal counsel and offer appropriate medical assistance to those in need;
7. Recalls that the human rights dialogue between the EU and Vietnam should lead to concrete progress on human rights and democratisation; in this respect calls on the European Union to consistently raise concerns, both publicly and privately, about human rights violations in Vietnam at the highest levels and to intensify pressure on Vietnamese authorities in order to lift Internet and blogging controls and prohibitions on privately owned media; allow groups and individuals to promote human rights, express their opinions and dissent publicly; accelerate local registration of religious organisations; take steps to abolish the death penalty; repeal or amend national security laws used to criminalise peaceful dissent, and release peaceful prisoners of conscience;
8. Stresses that, in the context of the ongoing negotiations on a comprehensive trade agreement, the EU should condition the strengthening of its relationship with Vietnam on measurable progress in the area of human rights;
9. Requests that the ASEAN Intergovernmental Commission on Human Rights examine the situation concerning the state of human rights in Vietnam with a special focus on the freedom of expression and make recommendations to the country;
10. Positively views the efforts of the Vietnamese government to address the issues of civil and political rights and religious freedoms in a new Constitution; welcomes in this respect opening of a dialogue with human rights organisations; recommends that an invitation is addressed to the UN Special Rapporteur on freedom of expression and opinion for a country visit and the authorities fully implement its recommendations;

11. Instructs its President to forward this resolution to the VP/High Representative for CFSP, the governments of the Member States, the government and parliament of Vietnam, the governments of ASEAN Member States, the United Nations High Commissioner for Human Rights and the Secretary-General of the United Nations.