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*Plenary sitting*

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**B8-0757/2016**

7.6.2016

## **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 135 of the Rules of Procedure

on Vietnam  
(2016/2755(RSP))

**Charles Tannock, Mark Demesmaeker, Julie Girling, Valdemar Tomaševski, Arne Gericke, Raffaele Fitto, Ruža Tomašić, Pirkko Ruohonen-Lerner, Ryszard Czarnecki, Ryszard Antoni Legutko, Tomasz Piotr Poręba, Anna Elżbieta Fotyga, Monica Macovei, Angel Dzhambazki**  
on behalf of the ECR Group

**European Parliament resolution on Vietnam  
(2016/2755(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Vietnam,
  - having regard to the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), ratified by Vietnam in 1982, and the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, ratified by Vietnam in 2015,
  - having regard to the Partnership and Cooperation Agreement (PCA), signed in June 2012,
  - having regard to the 5th annual EU-Vietnam Human Rights Dialogue, held in Hanoi on 15 December 2015,
  - having regard to the statement of 18 December 2015 by the Spokesperson of the High Representative / Vice-President of the Commission (HR/VP) on the arrest of lawyer Nguyen Van Dai,
  - having regard to the report of the UN Special Rapporteur on Freedom of Religion or Belief, Heiner Bielefeldt, of his mission to Viet Nam in July 2014,
  - having regard to Rule 135 of its Rules of Procedure,
- A. Whereas Vietnam is an important partner for the EU, in particular in the framework of EU-ASEAN relations, and this relationship is underpinned by a PCA which includes a section on human rights;
- B. Whereas the XII Congress of the Vietnamese Communist Party in January 2016 resulted in the appointment of a new leadership dominated by members of the army and security forces, whereafter repression against all forms of free expression has significantly increased;
- C. Whereas in March 2016, in the space of two weeks alone, at least 7 human rights activists were arbitrarily sentenced to lengthy prison sentences simply for exercising their right to freedom of expression and peaceful demonstration;
- D. Whereas this escalation of repression targets all those who speak out for human rights, including bloggers, government critics, human rights defenders, members of “non-recognised” religions and social activists, and has led to a persistent pattern of arrests, harassment, physical assaults, surveillance and even detention in psychiatric

institutions, perpetrated either by police officers or plain-clothed security agents and hired thugs;

- E. Whereas during the visit of US President Barack Obama to Vietnam in 22-25 May 2016, dozens of activists were prevented from leaving their homes by uniformed and plain-clothes police and several were physically attacked or temporarily detained; whereas the authorities' crackdown also included surveillance and intimidation of activists, banning of BBC journalists, and the blocking of social media sites;
- F. Whereas in April-May 2016 Vietnam was hit by an unprecedented environmental catastrophe caused by 300 tons of toxic waste water released by a giant steel conglomerate which polluted over 200 kilometres of Central Vietnam's coastal waters and extended as far as the Philippines, causing millions of dead fish to be washed ashore and ruining fishing prospects in the region;
- G. Whereas this disaster provoked widespread indignation amongst the Vietnamese population; a vast mobilisation on social networks and massive peaceful demonstrations in all the large cities of Vietnam; whereas the Vietnamese authorities reacted by temporarily blocking access to social networks, violently repressing demonstrations and arresting protesters;
- H. Whereas Vietnam persists in invoking vaguely-worded « national security » provisions in the Criminal Code such as “anti-State propaganda”, “subversion” or “abuse of democratic freedoms” to incriminate and silence political dissidents, human rights defenders and perceived government critics;
- I. Whereas freedom of religion or belief is repressed and the Catholic Church and non-recognised religions, such as the Unified Buddhist Church of Vietnam, several Protestant churches as well as members from the ethno-religious Montagnard minority and others continue to suffer from severe religious persecution;
- J. Whereas Vietnam limited the number of crimes for which the death penalty can be applied in its reformed Criminal Code of November 2015, but maintained the death penalty for “national security” crimes;
- K. Whereas in April 2016 Vietnam adopted a Law on Access to Information and an amended Press Law which restrict freedom of expression and reinforce censorship, as well as regulations banning demonstrations outside Courts during trials; whereas the National Assembly is expected to pass a Law on Associations and a Law on Belief and Religion which are incompatible with international norms of freedom of association and freedom of religion or belief;
- L. Whereas human rights defender Nguyễn Văn Đài was arrested on 16 December 2015, only one day after the EU-Vietnam human rights dialogue, on charges of “conducting anti-State propaganda” simply because he held human rights workshops for activists; whereas he has not been able to meet with his family since his arrest;

- M. Whereas Father Thaddeus Nguyen Van Ly was sentenced to 53 years in total in prison since 1977, most recently in 2007 as a member of the Bloc 8406 pro-democracy movement for 8 years for “very serious crimes that harmed national security”; whereas he was released in May 2016 a week before President Obama’s visit to Vietnam;
- N. Whereas there is serious concern for the deteriorating health of Buddhist dissident Thich Quang Do, a 2016 Nobel Peace Prize nominee, caused by prolonged isolation under house arrest; whereas Thich Quang Do has been detained almost uninterruptedly since 1982 for his peaceful advocacy of human rights and religious freedom in Vietnam;
- O. Whereas many people wishing to run as independent candidates in the legislative elections on 22 May 2016 were prevented from standing and Communist Party candidates took precedence;
1. Welcomes the ratification last year by Vietnam of the UN Convention against Torture; believes, however, that more needs to be done by the government and authorities of Vietnam to effectively implement this Convention, as well as other UN conventions ratified by Vietnam;
  2. Is concerned about Vietnam’s use of the death penalty for certain « national security » provisions, as prescribed in its amended Criminal Code, as it continues to hand out death sentences to an average of 100 persons each year;
  3. Regrets that Vietnam has adopted a number of laws and regulations which criminalise the peaceful exercise of certain internationally recognized fundamental rights as also defined in for instance the ICCPR which Vietnam ratified in 1982, and empower the authorities to repress and detain with total impunity all those who seek to claim their rights;
  4. Regrets that all mainstream media remain under control of the Communist Party, and that the amended Press Law does not provide for the establishment of independent press and media outlets in Vietnam; urges compliance with article 19 ICCPR;
  5. Denounces Vietnam’s policy of censorship and assault on freedom of expression and assembly, using persistent crackdowns, arrests and police brutality to create a climate of fear amongst all those who seek to speak freely or participate in public affairs;
  6. Calls on the EEAS to work with the Vietnamese authorities on the immediate and unconditional release of all persons detained simply for the peaceful exercise of their fundamental rights, including Buddhist dissident Thich Quang Do and human rights lawyer Nguyễn Văn Đài, as well as political prisoners and detainees with health problems such as bloggers Tran Huynh Duy Thuc, Dang Xuan Dieu and Nguyen Huu Vinh, and religious activists Ngo Hao and Nguyen Cong Chinh;

7. Urges Vietnam to comply with its international human rights obligations to the United Nations by issuing a standing invitation to Special Procedures, in particular the Special Rapporteur on Freedom of Opinion and Expression and the Special Rapporteur on Human Rights Defenders to visit Vietnam, and give them free and unfettered access to all parties they wish to consult;
8. Condemns, in this regard, Vietnam's interference into the visit of the UN Special Rapporteur on Freedom of Religion or Belief, Heiner Bielefeldt, during his visit to Vietnam in July 2014;
9. Calls upon Vietnam to withdraw the 5<sup>th</sup> Draft of the Law on Belief and Religion, currently under debate in the National Assembly and prepare a new draft that conforms to Vietnam's obligations under Article 18 ICCPR;
10. Urges the EEAS and the Commission to bring these and other human rights concerns into their interactions with the Vietnamese government and authorities;
11. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the European Commission / High Representative of the Union for Foreign Affairs and Security Policy, the EU Special Representative for Human Rights, the governments and parliaments of the Member States, the Secretary-General of the UN, the UN Human Rights Council, and the Government and National Assembly of Vietnam.