

**Laos and Vietnam**

**European Parliament resolution of 26 November 2009 on the situation in Laos and Vietnam**

*The European Parliament,*

- having regard to the 15th ASEAN Summit Meeting of 23 to 25 October 2009,
- having regard to the inauguration of the ASEAN Intergovernmental Commission on Human Rights on 23 October 2009,
- having regard to the EU Annual Report on Human Rights 2008,
- having regard to the ongoing negotiations on 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 its previous resolutions on Laos, in particular those of 15 November 2001 on the arbitrary arrests and the political situation in Laos<sup>1</sup> and 1 December 2005 on the human rights situation in Cambodia, Laos and Vietnam<sup>2</sup>,
- having regard to the Cooperation Agreement between the EU and the Lao People's Democratic Republic of 1 December 1997, based on 'respect for democratic principles and fundamental human rights as set out in the Universal Declaration of Human Rights',
- having regard to Rule 122(5) of its Rules of Procedure,

***Vietnam***

- A. whereas the Vietnamese Government has refused to respond to many of the recommendations made during the UN Human Rights Council's Universal Periodic Review, held from May to September 2009, with a view to improving its human rights record,
- B. whereas hundreds of people are currently imprisoned in Vietnam for their religious or political beliefs, including Montagnard Christians, a Catholic priest, Mennonite pastors, members of the Cao Dai faith and Hoa Hao Buddhists,
- C. whereas on 27 September 2009 hundreds of young Buddhist monks from Bat Nha Monastery were violently attacked and beaten and their monastery vandalised, while the State authorities and police ignored their plea for help; whereas other monks who found refuge in the Phuoc Hue Temple were subjected to physical violence and harassment by the police; whereas the monks are facing the risk of expulsion by the government on the grounds that they have been occupying Bat Nha Monastery without permission or prior

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<sup>1</sup> OJ C 140 E, 13.6.2002, p. 577.

<sup>2</sup> OJ C 285 E, 22.11.2006, p. 129.

registration,

- D. whereas the assault on the monastery is considered by many to be linked to the 10-point proposal for religious reform which Thich Nhat Hanh presented to Vietnam's President Nguyen Minh Triet in 2007,
- E. whereas all religious groups must be authorised by the government and overseen by government-appointed management committees, and whereas many religious organisations face a ban and persecution of their members if they wish to remain independent of the government,
- F. whereas the dignitaries of the Unified Buddhist Church of Vietnam are virtually all imprisoned, starting with its Patriarch Thich Quang Do (aged 81), the most eminent of the Vietnamese dissidents, who has been detained for more than 27 years, currently in his monastery of Zen Thanh Minh in Ho Chi Minh City,
- G. whereas Ms Tran Khai Thanh Thuy, a Vietnamese writer and a leading figure in the movement for democracy in Vietnam, has been arrested again after serving a nine-month prison sentence in 2007; whereas she suffers from severe diabetes, in spite of which the Vietnamese authorities refuse to release her on bail or allow her to receive any medication,
- H. whereas several prisoners of conscience, including Nguyen Van Ly, Le Thi Cong Nhan, and Nguyen Binh Thanh, all sentenced for 'propaganda against the government of the Socialist Republic of Vietnam', have been denied proper medical care in prison although their medical condition requires their immediate hospitalisation,
- I. whereas in the absence of independent human rights organisations, Church leaders often take on the role of human rights defenders and fight for greater tolerance and more democratic principles,
- J. whereas Vietnam, which will assume the chair of ASEAN in 2010, should set an example by improving its human rights practices; whereas the government could start by releasing the hundreds of peaceful government critics, independent church activists, bloggers and democracy advocates imprisoned on groundless national security charges in violation of international law for expressing peaceful dissent,

### ***Laos***

- K. whereas on 25 September 2009 the Lao People's Democratic Republic ratified the International Covenant on Civil and Political Rights, which guarantees in particular people's right to freedom of faith, freedom of association, and freedom of speech and of the press, as well as the right to demonstrate and political rights,
- L. whereas almost one month after the 10th anniversary of the 'Student Movement of 26 October 1999' launched by students and teachers in Vientiane, the main leaders of the movement – Thongpaseuth Keuakoun, Seng-Aloun Phengphanh, Bouavanh Chanmanivong and Kèochay – are still being held in secret detention, while according to reports Khamphouvieng Sisa-At has died in prison in uncertain circumstances,
- M. whereas on 2 November 2009 more than 300 people who were preparing for a peaceful demonstration in Vientiane to demand respect for human rights and a multiparty system in

memory of the 10th anniversary of the crackdown were apprehended by the secret police of the Lao People's Democratic Republic, and whereas nine of them – Ms Kingkèo and Ms Somchit, Mr Soubinh, Mr Souane, Mr Sinpasong, Mr Khamstone, Mr Nou, Mr Somkhith and Mr Sourigna – are still being held in custody,

- N. whereas Laos continues to persecute Hmong communities because of a Hmong insurgency that dates back to the 1960s, subjecting Hmong living in areas of Laos suspected to be centres of insurgency to arrest, torture, sexual abuse and extrajudicial killing,
- O. whereas 5 000 Lao Hmong are currently being detained in the Huay Nam Khao camp in Thailand and are subject to deportation as a result of an agreement between the Governments of Thailand and Laos, and whereas another 158, including 85 children, have been detained in inhuman conditions for over three years in Nong Khai,
- P. whereas there is concern about the general political situation in Laos, which has been ruled by a single party since 1975 and whose population continues to be deprived of basic human rights,

### ***Vietnam***

- 1. Urges the government to cease all forms of repression against those who exercise their rights to freedom of expression, freedom of belief and religion and freedom of assembly, in accordance with international human rights standards and the Vietnamese Constitution; calls on the Vietnamese Government to comply with its international obligations, which entails recognition of all religious communities and the free practice of religion and the restitution of assets arbitrarily seized by the State from the Unified Buddhist Church of Vietnam, the Catholic Church and any other religious communities;
- 2. Condemns the reported violent expulsion of more than 150 monks and nuns from monasteries and the fact that the increasingly tense situation following these actions against the peaceful Buddhist community is in clear contradiction of commitments to comply with internationally accepted standards on freedom of religion, especially when it comes to people trying to exercise their rights, which the Government of the Socialist Republic of Vietnam has undertaken to observe as a member of the UN Security Council and future Chair of ASEAN;
- 3. Asks the Commission and the Council, within the framework of the current negotiations on the new Partnership and Cooperation Agreement with Vietnam, to include a binding and unambiguous clause on human rights and democracy, together with a mechanism allowing for its implementation, in order to put an end to systematic violations of democracy and human rights;
- 4. Calls for the cessation of all persecution and harassment, and for monks and nuns to be allowed to practice Buddhism according to the tradition of the Thich Nhat Hanh Buddhist bonze community in Bat Nha and elsewhere;
- 5. Demands the unconditional release of Thich Quang Do and re-establishment of the legal status of the Unified Buddhist Church of Vietnam and of its dignitaries;
- 6. Calls on the government to put in place an independent national human rights commission, to receive and investigate allegations of torture or other abuses of power by public officials,

including members of the security services, and to initiate proceedings to abolish the death penalty;

7. Calls on the Government of Vietnam, in view of Vietnam's role as a member of the UN Security Council, to issue standing invitations to UN special rapporteurs, particularly those on freedom of expression, religious freedom, torture, human rights defenders and violence against women, and to the UN Working Group on Arbitrary Detention;

### ***Laos***

8. Welcomes the ratification of the International Covenant on Civil and Political Rights by the Laotian Government; calls on the Laotian authorities to respect fully the terms of the Covenant, to harmonise Laotian law with its provisions without delay and to practise these provisions to internationally agreed standards, notably when it comes to freedom of speech, assembly and faith;
9. Reiterates its demand for the immediate release of the leaders of the 'Student Movement of 26 October 1999', as well as of all the prisoners of conscience held in Laos, and entrusts the competent EU delegation in Vientiane with the responsibility for following up this matter;
10. Calls on the Laotian authorities to release unconditionally all those people arrested during the attempted peaceful demonstration on 2 November 2009;
11. Calls on the Thai authorities to put an immediate end to the detention of 158 Lao Hmong refugees and to allow them to resettle in Thailand or in the United States, Canada, the Netherlands or Australia, which have already agreed to take them in; calls likewise on the Thai Government to guarantee that all Lao Hmong in the Huay Nam Khao camp have access to screening and status determination procedures if they wish to make an asylum claim;
12. Calls on the Commission to monitor closely the situation of the Lao Hmong community and the government's programmes for ethnic minorities;
13. Reiterates its demand to the Laotian authorities to devise and implement as soon as possible all the reforms needed to bring democracy to the country, to guarantee the right to peaceful expression of political opposition and to ensure that internationally monitored multi-party elections take place soon, with a view to national reconciliation;

### ***General***

14. Urges the authorities to release immediately and unconditionally all human rights defenders, political prisoners and prisoners of conscience, as their detention is a violation of human rights; also requests the authorities to guarantee their physical and psychological wellbeing in all circumstances and to offer those who need it access to good independent professional medical care;
15. Calls on the Council and the Commission to carry out a detailed assessment of the implementation policies in the field of democracy and human rights conducted in Laos and Vietnam since the signing of the Partnership and Cooperation Agreements and to report back to Parliament;

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16. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States, the governments and parliaments of Vietnam and Laos, the ASEAN Secretariat, the United Nations High Commissioner for Human Rights and the Secretary-General of the United Nations.