



EUROPEAN PARLIAMENT

2009 - 2014

Plenary sitting

16.4.2013

B7-0166/2013

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
(2013/2599(RSP))

**Gerald Häfner, Barbara Lochbihler, Rui Tavares, Nicole Kiil-Nielsen,
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on behalf of the Verts/ALE Group

**European Parliament resolution on Vietnam
(2013/2599(RSP))**

The European Parliament,

- having regard to its previous resolutions on Vietnam, notably the one of 26 November 2009,
 - having regard to its resolution of 18 April 2012 on the Annual Report on Human Rights in the World,
 - having regard to the initiated negotiations on a bilateral Free Trade Agreement (FTA) between the EU and Vietnam, launched on 26 June 2012 and the EU-Vietnam Partnership and Cooperation Agreement (PCA) signed on 27 June 2012,
 - having regard to the statement of EU High Representative Catherine Ashton of 24 September 2012 urging the Vietnamese government to release bloggers and respect universal human rights,
 - having regard to UN International Covenant on Civil and Political Rights (ICCPR) to which Vietnam acceded in 1982,
 - having regard to Vietnam's bid for membership of the UN Human Rights Council for the period 2014-2016, to be voted at the UN General Assembly in September 2013,
 - 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 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 Rule 122 of its Rules of Procedure,
- A. whereas Vietnam has ratified the majority of international conventions on human rights, whereas in 2009 Vietnam has subjected itself to the Human Rights Council Periodic Review and has recently allowed international human rights groups to meet with representatives of the opposition and government officials in a first contact since the end of the Vietnam War,
- B. whereas Vietnam is bidding for a seat in the UN Human rights Council,

- C. whereas despite these efforts, in Vietnam recently 32 cyber dissidents have reportedly been condemned to heavy prison sentences or are awaiting trial, 14 pro-democracy activists have been sentenced to a total of over 100 years in prison for exercising their right to freedom of expression, a group of 22 peaceful environmentalists have been condemned to prison terms ranging from 10 years to life imprisonment, founders of the "Club of Free Journalists" (bloggers Dieu Cay, Ms. Ta Phong Tan and Phan Thanh Hai) have been condemned on appeal respectively to 12, 10 and 4 years in prison followed by five and three years house arrest for "anti-state propaganda";
 - D. whereas increasingly, detention without trial, house arrest and placement in rehabilitation camps or psychiatric institutions are being used to detain dissidents, activists and bloggers on the mere suspicion of 'national security breaches';
 - E. whereas Vietnam has launched an extensive public consultation on the reform of the Constitution which resulted in a lively debate in the society; whereas there are cases that those who expressed critical opinions have faced sanctions and pressure, such as Nguyen Duc Kien, a journalist on the state-run press, who was fired on 26 February 2013, less than 24 hours after writing a post on his personal blog criticizing the Secretary-general of the Communist Party Nguyen Phu Trong, who stated that calls for multiparty democracy are a "degradation" of Vietnamese society; whereas it appears that the critical remarks in the context of the constitutional reform process have been a factor in the arrest of human rights-defending lawyer Le Quoc Quan, the Buddhist activist Le Cong Cau and others;
 - F. 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 abuses of power;
 - G. whereas Vietnam is preparing the 'Decree on the Management, Provision, Use of Internet Services and Information Content Online', a new decree on Internet management that would legalize content-filtering, censorship and sanctions by the government against vaguely-defined 'prohibited acts' and which would oblige internet companies and providers, including foreign ones, to cooperate with the government in the surveillance and tracking of cyber dissidents, whereas digital freedoms are increasingly under threat;
 - 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 against protesters are ongoing while land rights and use 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;
1. Expresses its deep concern about increasing restrictions on freedom of expression in Vietnam;
 2. Calls on the Vietnamese government to repeal Ordinance 44 of 2002 which authorises the detention of suspected national security offenders without due process of the law, and release all those currently detained under house arrest, in re-habilitation camps or psychiatric institutions under the provisions of this law;

3. Expresses deep concern about the draft “Decree on the Management, Provision and Use of Internet Services and Information Content Online”, and calls on the Vietnamese government to amend this decree to ensure that it is in line with internationally recognized human rights and respects and safeguards digital freedoms;
4. Urges the Vietnamese government to cease all forced evictions, to stop repression against 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 of rule of law;
5. Calls on the authorities to put an end to religious persecution and to amend its legislation on the status of religious communities in order to re-establish the legal status for non-recognized religions;
6. Expresses deep concern over detention conditions notably of prisoners of conscience, and requests that the authorities guarantee their physical and psychological integrity, ensure access to legal counsel and offer appropriate medical assistance to those in need;
7. hopes that the human rights dialogue between the EU and Vietnam leads to concrete progress on human rights and democratisation; calls on the European Union to raise concerns about the human rights violations in Vietnam and to urge the Vietnamese authorities to lift Internet controls and prohibitions on privately owned media, to allow groups and individuals to promote human rights, express their opinions and dissent publicly; accelerate local registration of religious organizations; take steps to abolish the death penalty; repeal or amend national security laws used to criminalize peaceful dissent, and release all prisoners of conscience;
8. Insists that, in the context of the ongoing negotiations on a comprehensive trade agreement, and the ratification process for the Partnership and Cooperation Agreement with Vietnam, the EEAS and the Member States should underline that the mutual relationship will be much enhanced by measurable progress on human rights in Vietnam;
9. Calls on the ASEAN Intergovernmental Commission on Human Rights to 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. Welcomes the Vietnamese government's efforts to address the issues of civil and political rights and religious freedoms in a new Constitution; welcomes in this respect the 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.