



16.4.2013

B7-0170/2013

## 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))

**Cristian Dan Preda, Bernd Posselt, Filip Kaczmarek, Tunne Kelam, Roberta Angelilli, Eija-Riitta Korhola, Sergio Paolo Francesco Silvestris, Giovanni La Via, Monica Luisa Macovei, Sari Essayah, Philippe Boulland, Jean Roatta, Elena Băsescu, Petri Sarvamaa, Eduard Kukan, Laima Liucija Andrikienė, Zuzana Roithová, Lena Kolarska-Bobińska, Anne Delvaux, Jarosław Leszek Wałęsa, Bogusław Sonik, Csaba Sógor**  
on behalf of the PPE Group

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

*The European Parliament,*

having regard to its previous resolutions on Vietnam,

- having regard to the EU Annual Report on Human Rights of 2011,
  - having regard to the Statement by the Spokesperson of EU High Representative Catherine Ashton of 24 September 2012 on the sentencing of bloggers in Vietnam,
  - having regard to the Partnership and Cooperation Agreement between the EU and Vietnam and to the EU-Vietnam human rights dialogue,
  - having regard to the International Covenant on Civil and Political Rights (ICCPR) of 1966 to which Vietnam is a party,
  - having regard to Rule 122 of its Rules of Procedure,
- A. whereas Vietnam has launched an extensive public consultation on the reform of the Constitution but that those who expressed their opinions have faced sanctions and pressure;
- B. whereas the bloggers Nguyen Van Hai, Ta Phong Tan and Pan Thanh Hai were charged with "anti-state propaganda" and sentenced to 12, 10 and 3 years of imprisonment in 2012;
- C. whereas Ordinance 44 adopted in 2002, which authorizes detention without trial under house arrest, in rehabilitation camps or psychiatric institutions of citizens on the mere "suspicion" of national security breaches, is increasingly used to detain dissidents;
- D. whereas state confiscation of lands and official corruption is a serious problem, and that dispossessed farmers and victims of corruption rely on bloggers, Internet activists and religious movements to relay their grievances;
- E. whereas the limited space for expressing the concerns of the civil society have made the internet a preferred place for public debate and free expression;
- F. whereas freedom of religion and belief is repressed and all religious communities experience various forms of government restrictions, oversight, control, and societal discrimination;
- G. whereas Vietnam is a key partner country within ASEAN, and will act until 2015 as ASEAN coordinator for relations with the EU;

1. Underlines that only freedom of expression and a free press can reveal and address the

problems of the population; recalls that the peaceful expression of opinions and information via the Internet is not a threat but a necessary component of a well-governed society;

2. Calls for the immediate and unconditional release of Nguyen Van Hai, Ta Phong Tan and Pan Thanh Hai and all others who are detained simply for the legitimate exercise of their right to freedom of expression;
3. Condemns the continuing violations of human rights, including political intimidation, harassment, assaults, arbitrary arrests, heavy prison sentences and unfair trials brought against bloggers, cyber-dissidents and human rights defenders in Vietnam, in clear violation of its international human rights obligations;
4. Regrets that the public consultation on constitutional reform has led to sanctions and pressures against those who legitimately express their opinions;
5. Calls on the Vietnamese Government to investigate all instances of violence against peaceful demonstrators and activists, with a view to prosecute and punish all those responsible for human rights violations;
6. Condemns the use of vaguely-worded legal provisions such as articles 79, 80, 87, 88 and 91 and 258 of the Criminal Code to suppress the peaceful and legitimate exercise of the rights to freedom of expression, religion and assembly, rights which are enshrined in the Vietnamese Constitution;
7. Calls on the Vietnamese Government to immediately repeal Ordinance 44 on “Regulating Administrative Violations” which authorizes detention without trial, and release all those currently detained under house arrest, in re-habilitation camps or psychiatric institutions under the provisions of this law;
8. Expresses deep concern about the draft “Decree on the Management, Provision, Use of Internet Services and Information Content Online”, and calls on the Vietnamese Government to amend this decree to ensure that it protects the right to freedom of expression online; calls on the government to amend all legislation that restricts the right to freedom of expression and freedom of the press;
9. Calls on the Vietnamese Government to put an end to religious persecution; calls on the government to establish a non-discriminatory legal framework for religious groups without requiring affiliation with officially registered religious organizations;
10. Welcomes the human rights dialogue between the EU and Vietnam; stresses that the dialogue should lead to tangible, measurable improvements; encourages the Vietnamese Government to strengthen democracy and the respect for human rights and fundamental freedoms – in particular media freedom and freedom of expression and assembly – as these values constitute an essential element of the new Partnership and Cooperation Agreement between the EU and Vietnam;

11. Asks the European Commission to monitor and assess the impacts and results of its development cooperation activities, to ensure their conformity with the human rights clause;
12. 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;
13. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy, the government and parliament of Vietnam, the ASEAN Secretariat, the United Nations High Commissioner for Human Rights and the Secretary-General of the United Nations.