



**2018/0356M(NLE)**

10.1.2019

# **AMENDMENTS**

## **1 - 12**

**Draft opinion**  
**Doru-Claudian Frunzulică**  
(PE632.721v01-00)

Non-legislative resolution on the proposal for a Council decision on the conclusion of the Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam  
(COM(2018)0691 – C8-0000/2018 – 2018/0356M(NLE))



**Amendment 1**  
**Cristian Dan Preda**

**Draft opinion**  
**Paragraph -1 (new)**

*Draft opinion*

*Amendment*

***-1. Recalls that the EU and its Member States are among the top donors in Vietnam and the largest grant donor;***

Or. en

**Amendment 2**  
**Cristian Dan Preda**

**Draft opinion**  
**Paragraph -1 a (new)**

*Draft opinion*

*Amendment*

***-1 a. Stresses that open trade is a driver of prosperity by deepening economic ties; takes the view that the FTA and IPA will benefit Vietnam, as trade and investment fuel continued economic growth, bringing the country closer to its target of becoming an advanced industrialised economy;***

Or. en

**Amendment 3**  
**Cristian Dan Preda**

**Draft opinion**  
**Paragraph -1 b (new)**

*Draft opinion*

*Amendment*

***-1 b. Reminds that the EU's trade policy promotes its values and respect for human rights; stresses that opening up of the***

*economic space should go hand in hand with improvements of the political life and the human rights situation in Vietnam;*

Or. en

**Amendment 4**  
**Florent Marcellesi**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. *Urges* the EU and Vietnam to use the provisions of the *Free Trade Agreement* (FTA) to, inter alia, *help to strengthen* human rights in Vietnam; reiterates the importance of a well-developed bilateral EU-Vietnam Human Rights Dialogue; recalls the *EU's* commitment, under its Strategic Framework and Action Plan on Human Rights and Democracy, to include human rights in its impact assessments as and when they are carried out, including for trade agreements that have a significant economic, social and environmental *impact*;

*Amendment*

1. *Deplores the refusal of the European Commission to carry out a prior human rights impact assessment of the EU-Vietnam Free Trade agreement, in spite of serious concerns regarding the protection of human rights in Vietnam, especially in relation to freedom of expression, association and the right to organise and collective bargaining for trade unions; urges* the EU and Vietnam to use the provisions in the FTA to inter alia *contribute to the strengthening of* human rights in Vietnam; reiterates the importance of the well-developed bilateral EU *and* Vietnam Human Rights Dialogue; recalls the *Union's* commitment under its Strategic Framework and Action Plan on Human Rights and Democracy, to *systematically* include human rights in its impact assessments, as and when they are carried out, including for trade agreements that have significant economic, social and environmental *impacts*;

Or. en

**Amendment 5**  
**Cristian Dan Preda**

**Draft opinion**  
**Paragraph 1**

*Draft opinion*

1. **Urges** the EU and Vietnam to **use** the provisions **of the Free Trade Agreement (FTA)** to, **inter alia, help to strengthen** human rights in Vietnam; reiterates the importance of **a** well-developed bilateral EU-Vietnam Human Rights Dialogue; recalls the **EU's** commitment, under its Strategic Framework and Action Plan on Human Rights and Democracy, to include human rights in its impact assessments as and when they are carried out, including for trade agreements that have a significant economic, social and environmental **impact**;

*Amendment*

1. **Welcomes the institutional framework and procedures under the EU-Vietnam PCA and FTA which will provide the EU with an enhanced basis for actively promoting respect for human rights and sustainable development in its relations with Vietnam**; **urges** the EU and Vietnam to **make full use of** the provisions **in the FTA in order to contribute to the strengthening of** human rights in Vietnam; reiterates the importance of **the** well-developed bilateral EU **and** Vietnam Human Rights Dialogue; recalls the **Union's** commitment under its Strategic Framework and Action Plan on Human Rights and Democracy, to include human rights in its impact assessments, as and when they are carried out, including for trade agreements that have significant economic, social and environmental **impacts**;

Or. en

**Amendment 6**  
**Florent Marcellesi**

**Draft opinion**  
**Paragraph 2**

*Draft opinion*

2. Underlines the importance of the chapter on trade and sustainable development **in contributing** to the strengthening of labour rights and environmental standards, including corporate responsibility and fair and ethical trade; notes, in this regard, that the ratification and implementation of core **International Labour Organisation (ILO)** conventions is key to ensuring **that** the FTA does not contribute to a race to the bottom; urges the Vietnamese Government

*Amendment*

2. **Deplores the fact that the chapter on sustainable development is explicitly excluded from the mechanism for sanctions and resolution of disputes between States, which guarantees binding rights for transnational firms via the ICS arbitration mechanism, whereas the social and environmental standards are not binding due to the absence of a mechanism for sanction if these standards are not complied with**; underlines the importance of **mandatory and enforceable**

to commit to a speedy reform of its labour code including the ratification and implementation of the outstanding core ILO *conventions and establish* a clear timetable for its progress, prior to *the European Parliament's* ratification of the FTA;

*provisions in* the chapter on trade and sustainable development *to contribute effectively* to the strengthening of labour rights and environmental standards, including corporate responsibility and fair and ethical trade; notes in this regard that ratification and implementation of core ILO conventions, *notably Convention 98 on the Right to Organise and Collective Bargaining, Convention 105 on the Abolition of Forced Labour and Convention 87 on the Freedom of Association and Protection of the Right to Organise*, is key to ensuring the FTA does not contribute to a race to the bottom; urges the Vietnamese government to commit to a speedy reform of its labour code including ratification and implementation of outstanding core ILO *Conventions with* a clear timetable for progress, prior to *European Parliament* ratification of the FTA;

Or. en

## Amendment 7 Cristian Dan Preda

### Draft opinion Paragraph 2

#### *Draft opinion*

2. *Underlines* the importance of *the* chapter *on trade and sustainable development* in contributing to the strengthening of labour rights and environmental standards, including corporate responsibility and fair and ethical trade; notes, in this regard, that the ratification and implementation of core *International Labour Organisation* (ILO) conventions is key to ensuring *that* the FTA does not contribute to a race to the bottom; urges the Vietnamese Government to *commit to a speedy* reform of its labour code including *the* ratification and

#### *Amendment*

2. *Welcomes the inclusion of a robust, comprehensive and binding chapter on Trade and Sustainable Development, dealing in an integrated manner with labour and environmental matters in the context of the Union's trade relations with Vietnam; underlines* the importance of *this* chapter in contributing to the strengthening of labour rights and environmental standards, including corporate responsibility and fair and ethical trade; notes in this regard that ratification and implementation of core ILO conventions is key to ensuring the FTA

implementation of *the* outstanding core ILO *conventions and establish* a clear timetable for its progress, *prior to the European Parliament's ratification of the FTA*;

does not contribute to a race to the bottom; *notes the steps taken by Vietnam regarding the drawing up of a revised version of its Labour Code, as well as the expected ratification of ILO Convention no. 98 on the right to organise and collective bargaining in 2019; takes the view that advancing swiftly on these issues will demonstrate Vietnam's commitment to workers rights and provide reassurances that the country will comply with the labour obligations contained in the EU-Vietnam FTA*; urges *therefore* the Vietnamese government to *speed up the* reform of its labour code including ratification and implementation of outstanding core ILO *Conventions, with* a clear timetable for progress; *calls on the Commission to monitor closely and keep the Parliament regularly informed about developments in this area*;

Or. en

## Amendment 8 Cristian Dan Preda

### Draft opinion Paragraph 3

#### *Draft opinion*

3. *Emphasises* the importance of *the* full involvement of *civil society organisations* (CSOs) *for the purposes of* implementing and monitoring the provisions of the FTA; urges both parties to *initiate the requisite* procedures to establish the Domestic Advisory Group (DAG) as soon as possible; notes that the DAG must be genuinely representative of civil society *and include* participants *that represent* organisations advocating the advancement of human rights, labour rights and environmental protection;

#### *Amendment*

3. *Welcomes the introduction of provisions ensuring transparency and inclusiveness in the decision-making process; emphasises* the importance of full involvement of CSOs *in* implementing and monitoring the provisions of the FTA; urges both parties to *begin the necessary* procedures to establish the Domestic Advisory Group as soon as possible; notes that the DAG must be genuinely representative of civil society, *including* participants *representing* organisations advocating the advancement of human rights, labour rights and environmental protection; *welcomes the Commission's*

*readiness to step up support for civil society during the implementation of the FTA with Vietnam, as well as its intention to enhance technical and logistical support to DAGs and other mechanisms of civil society participation as this will be crucial for ensuring transparency and their meaningful involvement;*

Or. en

**Amendment 9**  
**Cristian Dan Preda**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Recalls its concern *at* the increasingly restrictive approach of the Vietnamese authorities with regard to *the* freedom of expression and other freedoms; recalls the *close links* between the FTA and *the Partnership and Cooperation Agreement (PCA) and* urges the Commission to use all available tools in the *agreements*, including suspension when needed, to protect and promote fundamental freedoms;

*Amendment*

4. Recalls its concern *with the general human rights situation in Vietnam, as well as with* the increasingly restrictive approach of the Vietnamese authorities with regard to freedom of expression and other freedoms; recalls the *linkage* between the FTA and PCA and *stresses that making improvements of human rights should be a central element of the EU's engagement with Vietnam;* urges the Commission to use all available tools in the *Agreements*, including suspension when needed, to protect and promote fundamental freedoms;

Or. en

**Amendment 10**  
**Florent Marcellesi**

**Draft opinion**  
**Paragraph 4**

*Draft opinion*

4. Recalls its concern at the

*Amendment*

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increasingly restrictive approach of the Vietnamese authorities with regard to *the* freedom of expression and other freedoms; recalls the *close links* between the FTA and *the Partnership and Cooperation Agreement* (PCA) and urges the Commission to use all available tools in the *agreements*, including suspension when needed, to protect and promote fundamental freedoms;

increasingly restrictive approach of the Vietnamese authorities with regard to freedom of expression and other freedoms; recalls the *linkage* between the FTA and PCA and urges the Commission to use all available tools in the *Agreements*, including suspension when needed, to protect and promote fundamental freedoms; *more broadly, calls on Vietnam to sign and ratify all relevant human right treaties of the United Nations and the Rome Statute of the International Criminal Court;*

Or. en

**Amendment 11**  
**Florent Marcellesi**

**Draft opinion**  
**Paragraph 4 a (new)**

*Draft opinion*

*Amendment*

***4 a. Recalls the importance to adapt trade policies to support national efforts to combat climate change in order to comply with the Paris Agreement; stresses in this context to the need to make EU-Vietnam Free Trade Agreement (EVFTA) consistent with EU-FLEGT agreement with Vietnam, notably by including in its trade and sustainable development (TSD) chapters binding and enforceable provisions to halt illegal logging, deforestation, forest degradation and land grabbing; stresses the importance of effective monitoring of these provisions and sanctions mechanisms that allow individuals and communities, outside or within the EU, to seek redress; in particular, underlines that this mechanism must give special consideration to the rights of indigenous peoples, forest-dependent communities, and the rights granted under ILO Convention C169 on Indigenous and***

*Tribal Peoples where applicable;*

Or. en

**Amendment 12**

**Draft opinion  
Paragraph 4 b (new)**

*Draft opinion*

*Amendment*

***4 b. Recalls equally that the success of the entire FLEGT initiative depends i.e. on tackling fraud and corruption which can be found at all stages of the timber trade, from the harvesting of timber, its transportation, processing, manufacturing, exporting, importing and selling; to this effect, stresses the need to address more effectively corruption linked to illegal logging through specific illegal logging-related anti-corruption provisions that are enforceable and effectively implemented; recalls the importance of adequate access to justice, legal remedies and effective protection for whistleblowers in natural resources exporting countries in order to ensure the efficiency of any legislation or initiative; calls on the EU and its Member States to strengthen forest diplomacy in its external climate policy on this line;***

Or. en