



2018/0356M(NLE)

14.11.2019

AMENDMENTS

1 - 61

Draft opinion
Isabel Wiseler-Lima
(PE641.414v01-00)

Conclusion of the Free Trade Agreement between the European Union and the
Socialist Republic of Viet Nam
(2018/0356M(NLE))

Amendment 1
Phil Bennion

Draft opinion
Paragraph 1

Draft opinion

1. Recalls that Parliament gave its consent to the EU-Viet Nam Framework Agreement on Comprehensive Partnership and Cooperation (PCA) on 17 December 2015¹, which defines future relations and aims to enhance further cooperation on global and regional challenges;

¹ Texts adopted, P8_TA(2015)0467.

Amendment

1. Recalls that Parliament gave its consent to the EU-Viet Nam Framework Agreement on Comprehensive Partnership and Cooperation (PCA) on 17 December 2015¹, which defines future relations and aims to enhance further cooperation on global and regional challenges; ***regrets that the commission has failed to undertake a comprehensive human rights impact assessment in advance; calls for the commission to do it now; notes with concern that serious human rights violations have intensified since the entry into force of the PCA;***

¹ Texts adopted, P8_TA(2015)0467.

Or. en

Amendment 2
Heidi Hautala
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 1

Draft opinion

1. Recalls that Parliament gave its consent to the EU-Viet Nam Framework Agreement on Comprehensive Partnership and Cooperation (PCA) on 17 December 2015¹, which defines future relations and aims to enhance further cooperation on global and regional challenges;

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¹ Texts adopted, P8_TA(2015)0467.

¹ Texts adopted, P8_TA(2015)0467.

Or. en

Amendment 3

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Jytte Guteland, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion

Paragraph 1

Draft opinion

1. Recalls that Parliament gave its consent to the EU-Viet Nam Framework Agreement on Comprehensive Partnership and Cooperation (PCA) on 17 December 2015¹, which defines future relations and aims to enhance further cooperation on global and regional challenges;

¹ Texts adopted, P8_TA(2015)0467.

Amendment

1. Recalls that Parliament gave its consent to the EU-Viet Nam Framework Agreement on Comprehensive Partnership and Cooperation (PCA) on 17 December 2015¹, which defines future relations and aims to enhance further cooperation on global and regional challenges; ***notes with concern that serious human rights violations have continued since the entry into force of the PCA;***

¹ Texts adopted, P8_TA(2015)0467.

Or. en

Amendment 4

Martin Horwood, Ilhan Kyuchyuk, Petras Auštrevičius, Irina Von Wiese

Draft opinion

Paragraph 1 a (new)

Draft opinion

Amendment

1 a. Recalls that in 2014 Parliament requested the Commission to conduct a human rights impact assessment of the envisaged Free Trade Agreement with Vietnam, a call that was echoed by the European Ombudsman in 2015, and notes that such an assessment is yet to take place; reiterates the call for the

Commission to conduct such an assessment, prior to the agreement entering into force;

Or. en

Amendment 5
Urmas Paet

Draft opinion
Paragraph 2

Draft opinion

2. Underlines the strategic importance of Viet Nam as a crucial partner of the EU in South East Asia and among the ASEAN countries, specifically but not exclusively in relation to climate change negotiations, good governance, sustainable development, economic and social progress and the fight against terrorism;

Amendment

2. Underlines the strategic importance of Viet Nam as a crucial partner of the EU in South East Asia and among the ASEAN countries, specifically but not exclusively in relation to climate change negotiations, good governance, sustainable development, economic and social progress and the fight against terrorism; ***stresses the importance for the EU and Vietnam to fully respect and implement the Paris Agreement;***

Or. en

Amendment 6
Isabel Wiseler-Lima

Draft opinion
Paragraph 2

Draft opinion

2. Underlines the strategic importance of Viet Nam as a crucial partner of the EU in South East Asia and among the ASEAN countries, specifically but not exclusively in relation to climate change negotiations, good governance, sustainable development, economic and social progress and the fight against terrorism;

Amendment

2. Underlines the strategic importance of Viet Nam as a crucial partner of the EU in South East Asia and among the ASEAN countries, specifically but not exclusively in relation to climate change negotiations, good governance, sustainable development, ***security***, economic and social progress and the fight against terrorism; ***notes that Viet Nam is the Chair of ASEAN in 2020;***

Or. en

Amendment 7

Martin Horwood, Ilhan Kyuchyuk, Petras Auštrevičius, Irina Von Wiese, Urmas Paet

Draft opinion

Paragraph 2

Draft opinion

2. Underlines the strategic importance of Viet Nam as a crucial partner of the EU in South East Asia and among the ASEAN countries, specifically but not exclusively in relation to climate change negotiations, good governance, sustainable development, economic and social progress and the fight against terrorism;

Amendment

2. Underlines the strategic importance of Viet Nam as a crucial partner of the EU in South East Asia and among the ASEAN countries, specifically but not exclusively in relation to climate change negotiations, good governance, sustainable development, economic and social progress and the fight against terrorism ***and the advancement of human rights and democratic reform;***

Or. en

Amendment 8

Isabel Wiseler-Lima

Draft opinion

Paragraph 2 a (new)

Draft opinion

Amendment

2 a. Welcomes the Agreement between the EU and the Government of Viet Nam establishing a framework for the participation of Viet Nam in the EU crisis management operations, which was signed on 17 October 2019; underlines that Viet Nam becomes the second partner country in Asia to sign a Framework Participation Agreement with the EU; stresses that the Agreement is a significant step forward in the relations between the EU and Viet Nam;

Or. en

Amendment 9

Phil Bennion

**Draft opinion
Paragraph 3**

Draft opinion

3. Acknowledges Viet Nam's efforts to undertake ***an ambitious*** reform agenda, notably on the environmental and labour rights of the sustainable development chapter of the FTA; welcomes the ratification of six out of eight core ILO Conventions, namely No. 29 on forced labour, Nos. 100 and 111 on non-discrimination, Nos. 138 and 182 on child labour and most recently No. 98 on the right to organise and collective bargaining; calls on the Vietnamese Government to quickly ratify the outstanding Conventions;

Amendment

3. Acknowledges Viet Nam's efforts to undertake ***a*** reform agenda, notably on the environmental and labour rights of the sustainable development chapter of the FTA; welcomes the ratification of six out of eight core ILO Conventions, namely No. 29 on forced labour, Nos. 100 and 111 on non-discrimination, Nos. 138 and 182 on child labour and most recently No. 98 on the right to organise and collective bargaining; calls on the Vietnamese Government to quickly ratify ***and fully implement*** the outstanding Conventions; ***regrets that the text of the sustainable development chapter does not create any obligation for the ratification of these outstanding Conventions; calls to extend the effective mechanism applying to trade disposals of the FTA also to the TSD Chapter and a clear, public and binding timeline for the ratification of ILO Conventions No.87 on Freedom of Association and Protection of the Right to Organize and No. 105 on the Abolition of Forced labour;***

Or. en

Amendment 10

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

**Draft opinion
Paragraph 3**

Draft opinion

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chapter of the FTA; welcomes the ratification of six out of eight core ILO Conventions, namely No. 29 on forced labour, Nos. 100 and 111 on non-discrimination, Nos. 138 and 182 on child labour and most recently No. 98 on the right to organise and collective bargaining; calls on the Vietnamese Government to quickly ratify the outstanding Conventions;

FTA; welcomes the ratification of six out of eight core ILO Conventions, namely No. 29 on forced labour, Nos. 100 and 111 on non-discrimination, Nos. 138 and 182 on child labour and most recently No. 98 on the right to organise and collective bargaining; calls on the Vietnamese Government to quickly ratify ***and fully implement*** the outstanding Conventions; ***regrets that the sustainable development chapter does not create any legal and binding obligation; calls for a public and binding calendar for the ratification of ILO Conventions No. 87 on Freedom of Association and Protection of the Right to Organize and No. 105 on the Abolition of Forced labour;***

Or. en

Amendment 11 **Traian Băsescu**

Draft opinion **Paragraph 3**

Draft opinion

3. Acknowledges Viet Nam's efforts to undertake an ambitious reform agenda, notably on the environmental and labour rights of the sustainable development chapter of the FTA; welcomes the ratification of six out of eight core ILO Conventions, namely No. 29 on forced labour, Nos. 100 and 111 on non-discrimination, Nos. 138 and 182 on child labour and most recently No. 98 on the right to organise and collective bargaining; ***calls on*** the Vietnamese Government to quickly ratify the outstanding Conventions;

Amendment

3. Acknowledges Viet Nam's efforts to undertake an ambitious reform agenda, notably on the environmental and labour rights of the sustainable development chapter of the FTA; ***calls on the Vietnamese Government to take all appropriate legislative and non-legislative measures to ensure the highest attainable human rights standards- including but not limited to - environmental and labour standards, and guarantee that these are effectively upheld and implemented;*** welcomes the ratification of six out of eight core ILO Conventions, namely No. 29 on forced labour, Nos. 100 and 111 on non-discrimination, Nos. 138 and 182 on child labour and most recently No. 98 on the right to organise and collective bargaining; ***urges*** the Vietnamese Government to

quickly ratify the outstanding Conventions;

Or. en

Amendment 12
Fabio Massimo Castaldo

Draft opinion
Paragraph 3

Draft opinion

3. Acknowledges Viet Nam's efforts to undertake an ambitious reform agenda, notably on the environmental and labour rights of the sustainable development chapter of the FTA; welcomes the ratification of six out of eight core ILO Conventions, namely No. 29 on forced labour, Nos. 100 and 111 on non-discrimination, Nos. 138 and 182 on child labour and most recently No. 98 on the right to organise and collective bargaining; calls on the Vietnamese Government to quickly ratify the outstanding Conventions;

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Or. en

Amendment 13
Heidi Hautala
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 3

Draft opinion

Amendment

3. Acknowledges Viet Nam's efforts to undertake ***an ambitious*** reform agenda, notably on the environmental and labour rights of the sustainable development chapter of the FTA; welcomes the ratification of six out of eight core ILO Conventions, namely No. 29 on forced labour, Nos. 100 and 111 on non-discrimination, Nos. 138 and 182 on child labour and most recently No. 98 on the right to organise and collective bargaining; calls on the Vietnamese Government to quickly ratify the outstanding Conventions;

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Or. en

Amendment 14 **Leopoldo López Gil**

Draft opinion **Paragraph 3**

Draft opinion

3. Acknowledges Viet Nam's efforts to undertake an ambitious reform agenda, notably on the environmental and labour rights of the sustainable development chapter of the FTA; welcomes the ratification of six out of eight core ILO Conventions, namely No. 29 on forced labour, Nos. 100 and 111 on non-discrimination, Nos. 138 and 182 on child labour and most recently No. 98 on the right to organise and collective bargaining; ***calls on*** the Vietnamese Government to quickly ratify the outstanding Conventions;

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Or. es

Amendment 15

Heidi Hautala

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 3 a (new)

Draft opinion

Amendment

3 a. Deeply deplores the worsening climate for human rights defenders and journalists in Vietnam and condemns all acts of violence, politically motivated charges, arbitrary detention, use of intrusive surveillance, harassment, sentences and convictions in respect to these individuals; calls on the Vietnamese authorities to immediately and unconditionally release all human rights defenders and prisoners of conscience detained and sentenced for merely exercising their right to freedom of expression, and to drop all charges against them;

Or. en

Amendment 16

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Jytte Guteland, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion

Paragraph 3 a (new)

Draft opinion

Amendment

3 a. Stresses that labour rights and trade union freedoms, including those enshrined in the fundamental ILO conventions, are not reflected under the actual penal code; Remains concerned that Viet Nam rejected an high number of recommendations made during the Universal Periodic Review 2019 regarding the penal code in order to bring it in line with the International Covenant on Civil and Political Rights; Calls on Vietnamese authorities to implement these

recommendations, with clear and public benchmarks and calendar;

Or. en

Amendment 17

Phil Bennion

Draft opinion

Paragraph 4

Draft opinion

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and move towards abolition; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for periodic evaluation of the impact of the agreement;

Amendment

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and move towards abolition; ***deeply regrets that the number of political prisoners, human rights, labour, religious and environmental activists, journalists and bloggers has dramatically increased in recent years and calls for the immediate release of all persons detained for peaceful activities;*** highlights that human rights ***should*** constitute a cornerstone of the trade and sustainable development chapter of the FTA; ***regrets that the FTA focuses on a limited range of rights, mainly the core ILO conventions; calls therefore for a comprehensive human rights chapter to be accompanied by an enforcement mechanism to ensure its implementation in practice;*** calls for periodic ***independent*** evaluation of the impact of the agreement;

Or. en

Amendment 18

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion

Paragraph 4

Draft opinion

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and move towards abolition; ***highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA***; calls for periodic evaluation of the impact of the agreement;

Amendment

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and move towards abolition; calls for periodic evaluation of the impact of the agreement; ***deeply regrets that the number of political prisoners, human rights, labour, religious and environmental activists, journalists and bloggers has dramatically increased in recent years, and calls for the immediate and unconditional release of all persons detained for the peaceful exercise of their freedom of expression***;

Or. en

Amendment 19

Malik Azmani, Liesje Schreinemacher, Ilhan Kyuchyuk, Klemen Grošelj, Petras Auštrevičius, Javier Nart

Draft opinion

Paragraph 4

Draft opinion

4. Remains concerned about human rights violations, including the application of the death penalty ***in Viet Nam***; calls on ***Viet Nam*** to introduce a moratorium ***and*** move towards abolition; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for periodic evaluation of the impact of the agreement;

Amendment

4. Remains ***very*** concerned about ***various and ongoing*** human rights violations ***in Vietnam***, including ***a crackdown on human rights defenders and civil society organisations, the curtailing of press freedom, freedom of expression and association as well as*** the application of the death penalty; calls on ***Vietnam*** to introduce a moratorium ***on the death penalty and to*** move towards abolition; ***also calls on Vietnam to repeal its cyber security law, to release all political prisoners and to introduce a swift timeline for the ratification and implementation of outstanding ILO conventions***; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for periodic evaluation of ***progress in the field of human rights and***

social development as well as the impact of the agreement;

Or. en

Amendment 20

Heidi Hautala

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 4

Draft opinion

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce *a* moratorium *and move* towards abolition; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for periodic evaluation of the impact of the agreement;

Amendment

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; *reiterates its opposition to the death penalty in all circumstances*; calls on Viet Nam to introduce *an immediate* moratorium *as a step* towards abolition; highlights that human rights *should* constitute a cornerstone of the trade and sustainable development chapter of the FTA; *regrets that instead it only focuses on a limited range of rights, mainly the core ILO conventions; stresses that this is insufficient and calls therefore for its revision in order to include human rights in a comprehensive way and to accompany it with an enforcement mechanism that will ensure its effective implementation*; calls for periodic evaluation of the impact of the agreement;

Or. en

Amendment 21

Traian Băsescu

Draft opinion

Paragraph 4

Draft opinion

4. Remains concerned about human

Amendment

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rights violations, including the application of the death penalty in Viet Nam; ***calls on*** Viet Nam to introduce a moratorium and ***move*** towards abolition; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; ***calls for periodic evaluation of the impact of the agreement;***

rights violations, including the application of the death penalty in Viet Nam; ***urges*** Viet Nam to introduce a moratorium and ***take immediate steps*** towards abolition; ***notes with concern the continued restriction of freedom of expression, association, and peaceful assembly in Viet Nam, as it has been repeatedly stressed – in the 14 December 2017 and 9 June 2016 urgency European Parliament’s resolutions –, Viet Nam’s human rights record raises grave concerns, and casts serious doubts about the country’s stated commitment to respect human rights:*** highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA;

Or. en

Amendment 22 Michal Šimečka

Draft opinion Paragraph 4

Draft opinion

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and move towards abolition; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for periodic evaluation of the impact of the agreement;

Amendment

4. Remains concerned about ***continuing*** human rights violations, including ***the sentencing, political intimidation, surveillance, harassment, assaults, kidnapping and unfair trials of political activists journalists, bloggers, dissidents and human rights defenders, as well as*** the application of the death penalty in Viet Nam; calls on Viet Nam to ***adhere international law and international human rights obligations and*** introduce a moratorium and move towards abolition; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for periodic evaluation of the impact of the agreement;

Or. en

Amendment 23
Fabio Massimo Castaldo

Draft opinion
Paragraph 4

Draft opinion

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and move towards abolition; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for periodic evaluation of the impact of the agreement;

Amendment

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and move towards abolition; ***recalls that the Vietnamese government has not implemented any modification to its legislation on national security; on the contrary, it has recently intensified its crackdown on human rights defenders, members of civil society, religious groups and individuals who express opinions deemed critical of the government; calls on the Vietnamese government to amend or repeal articles of the Penal Code that could be abused to repress dissent, such as articles 258 (331), 88 (117) and 79 (109), as well as its Cybersecurity Law;*** highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for periodic evaluation of the impact of the agreement;

Or. en

Amendment 24
Urmaz Paet

Draft opinion
Paragraph 4

Draft opinion

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and

Amendment

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and

move towards abolition; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for periodic evaluation of the impact of the agreement;

move towards abolition; ***calls for Vietnam to revise the penal code and the new Cyber Security Law in line with international standards***; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for periodic evaluation of the impact of the agreement;

Or. en

Amendment 25

Martin Horwood, Ilhan Kyuchyuk, Petras Auštrevičius, Irina Von Wiese

Draft opinion

Paragraph 4

Draft opinion

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and move towards abolition; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for ***periodic*** evaluation of the impact of the agreement;

Amendment

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and move towards abolition ***of the death penalty***; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for ***close and continuous*** evaluation of the ***human rights*** impact of the agreement ***through an independent monitoring and complaint mechanism***;

Or. en

Amendment 26

Leopoldo López Gil

Draft opinion

Paragraph 4

Draft opinion

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and

Amendment

4. Remains concerned about human rights violations, including the application of the death penalty in Viet Nam; calls on Viet Nam to introduce a moratorium and

move towards abolition; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for *periodic* evaluation of the impact of the agreement;

move towards abolition; highlights that human rights constitute a cornerstone of the trade and sustainable development chapter of the FTA; calls for *a yearly* evaluation of the impact of the agreement;

Or. es

Amendment 27
Traian Băsescu

Draft opinion
Paragraph 4 – subparagraph 1 (new)

Draft opinion

Amendment

Urges Viet Nam to adhere to international business and human rights standards, recalling the UN Guiding Principles on Business and Human Rights that demand a strict observation of supply chain due diligence, the creation of national legislative frameworks that guarantee corporate responsibility, transparency and accountability, as well as an obligation to prevent and mitigate adverse human rights impacts; stresses the importance of monitoring and assessing the impact of this Agreement on sustainable development through their respective policies, practices, participative processes and institutions;

Or. en

Amendment 28
Heidi Hautala
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4 a. Calls on the authorities of Vietnam to repeal, review or amend all repressive

laws, notably its Penal Code, its law on Cybersecurity and the Law on Belief and Religion, and to ensure that all legislation is in conformity with international human rights standards and obligations, including the ICCPR to which Vietnam is a party; calls on the government to bring legislation regulating public gatherings and demonstrations into conformity with the rights of freedom of assembly and association;

Or. en

Amendment 29
Isabel Wiseler-Lima

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4 a. Calls on Vietnam - in order to show its good will -to implement right away previously demanded human rights requirements as adopted in the EP resolution on the PCA with Vietnam of 17 December 2015, inter alia by revising the Criminal Code in order to refrain from suppression of peaceful exercise of the right to freedom of expression, assembly and association and to release prisoners of conscience,

Or. en

Amendment 30
Martin Horwood, Ilhan Kyuchyuk, Petras Auštrevičius, Irina Von Wiese, Urmas Paet

Draft opinion
Paragraph 4 a (new)

Draft opinion

Amendment

4 a. Notes, and subsequently regrets, that the text of the sustainability chapter

does not include any reference to human rights, which are a fundamental aspect of good and sustainable governance, and a part of the founding principles of the European Union; human rights ought therefore to be an integral part of any agreement between the EU and a third state;

Or. en

Amendment 31

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion

Paragraph 4 a (new)

Draft opinion

Amendment

4 a. calls on the authorities of Vietnam to repeal its law on Cybersecurity and to bring legislation regulating public gatherings and demonstrations into conformity with the international legislation on freedom of assembly and association;

Or. en

Amendment 32

Heidi Hautala

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 4 b (new)

Draft opinion

Amendment

4 b. Deplores the refusal of the European Commission to carry out a human rights impact assessment on the EU-Vietnam free trade agreement, which contradicts the decision of the EU Ombudsman of 2015 as well as the EU Action Plan on Human Rights and

Democracy; calls on the European Commission to carry out a human rights impact assessment before the ratification of the FTA takes place;

Or. en

Amendment 33

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion

Paragraph 4 b (new)

Draft opinion

Amendment

4 b. highlights that human rights should constitute a cornerstone of trade and the sustainable development chapter of the FTA; regrets that instead it only focuses on a limited range of rights; calls therefore for a comprehensive human rights chapter with implementation measures, benchmarks and calendar; calls for the evaluation of the impact of the agreement periodically;

Or. en

Amendment 34

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion

Paragraph 4 c (new)

Draft opinion

Amendment

4 c. Deplores the refusal of the European Commission to carry out a human rights impact assessment on the EU-Vietnam free trade agreement and calls on the Commission to carry out one, prior to the entry into force of the agreement

Amendment 35

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion

Paragraph 4 d (new)

Draft opinion

Amendment

4 d. Requests the application of the State to State dispute settlement to TSD Chapter

Amendment 36

Traian Băsescu

Draft opinion

Paragraph 5

Draft opinion

Amendment

5. Underlines that Article 13 of the FTA embodies a cooperative approach based on common values and interests, taking into account the differences in the Parties' respective levels of development; welcomes the possibility of first resolving matters that fall under Article 13 on trade and sustainable development through exchange in the Committee on Trade and Sustainable Development; recalls that a Party may request that a Panel of Experts be convened to examine such matters in the event that the Committee is unable to resolve them satisfactorily;

5. Underlines that Article 13 of the FTA embodies a cooperative approach based on common values and interests, taking into account the differences in the Parties' respective levels of development; ***stresses the importance of implementing all the principles enriched in Article 13 of the FTA, such as freedom of association, the elimination of all forms of forced or compulsory labour, the effective abolition of child labour; and the elimination of discrimination in respect of employment and occupation***; welcomes the possibility of first resolving matters that fall under Article 13 on trade and sustainable development through exchange in the Committee on Trade and Sustainable Development; recalls that a Party may request that a Panel of Experts be convened to examine such matters in the event that the Committee is unable to resolve them

satisfactorily;

Or. en

Amendment 37

Phil Bennion

Draft opinion

Paragraph 5

Draft opinion

5. Underlines that Article 13 of the FTA embodies a cooperative approach based on common values and interests, taking into account the differences in the Parties' respective levels of development; welcomes the possibility of first resolving matters that fall under Article 13 on trade and sustainable development through exchange in the Committee on Trade and Sustainable Development; ***recalls that*** a Party ***may*** request ***that a*** Panel of Experts ***be convened to examine such matters in the event that the Committee is unable to resolve them satisfactorily;***

Amendment

5. Underlines that Article 13 of the FTA embodies a cooperative approach based on common values and interests, taking into account the differences in the Parties' respective levels of development; welcomes the possibility of first resolving matters that fall under Article 13 on trade and sustainable development through exchange in the Committee on Trade and Sustainable Development; ***regrets that in case that the matters are not resolved, the second mechanism that allows a Party to request an independent Panel of Experts remains subordinated to the willingness and own procedure of the Parties;***

Or. en

Amendment 38

Heidi Hautala

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 5

Draft opinion

5. Underlines that Article 13 of the FTA embodies a cooperative approach based on common values and interests, taking into account the differences in the Parties' respective levels of development; welcomes the possibility of first resolving matters that fall under Article 13 on trade

Amendment

5. Underlines that Article 13 of the FTA embodies a cooperative approach based on common values and interests, taking into account the differences in the Parties' respective levels of development; welcomes the possibility of first resolving matters that fall under Article 13 on trade

and sustainable development through exchange in the Committee on Trade and Sustainable Development; *recalls that* a Party *may* request *that a* Panel of Experts *be convened to examine such matters in the event that the Committee is unable to resolve them satisfactorily*;

and sustainable development through exchange in the Committee on Trade and Sustainable Development; *regrets that in case that the matters are not resolved, the second mechanism that allows a party to request an independent Panel of Experts remains subordinated to the willingness and own procedure of the parties*;

Or. en

Amendment 39

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Isabel Santos, Andrea Cozzolino

Draft opinion Paragraph 5

Draft opinion

5. Underlines that Article 13 of the FTA embodies a cooperative approach based on common values and interests, taking into account the differences in the Parties' respective levels of development; welcomes the possibility of first resolving matters that fall under Article 13 on trade and sustainable development through exchange in the Committee on Trade and Sustainable Development; *recalls that* a Party *may* request *that a* Panel of Experts *be convened to examine such matters in the event that the Committee is unable to resolve them satisfactorily*;

Amendment

5. Underlines that Article 13 of the FTA embodies a cooperative approach based on common values and interests, taking into account the differences in the Parties' respective levels of development; welcomes the possibility of first resolving matters that fall under Article 13 on trade and sustainable development through exchange in the Committee on Trade and Sustainable Development; *regrets that in case that the matters are not resolved, the second mechanism that allows a Party to request a Panel of Experts remains subordinated to the willingness of the parties and lacks legal guarantees*;

Or. en

Amendment 40

Phil Bennion

Draft opinion Paragraph 5 a (new)

Draft opinion

Amendment

5 a. Urges the establishment of a monitoring mechanism on human rights and an independent complaint mechanism providing affected citizens and local stakeholders with effective recourse with a view to addressing potential negative impacts on human rights and the establishment of a dispute settlement mechanism with provision for fines and the suspension of trade benefits equivalent to mechanisms for market access provisions;

Or. en

Amendment 41

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion

Paragraph 5 a (new)

Draft opinion

Amendment

5 a. urges the establishment of an independent complaint mechanism providing affected citizens and local stakeholders with effective recourse with a view to addressing potential negative impacts on human rights and the establishment of a dispute settlement mechanism with provision for fines and the suspension of trade benefits;

Or. en

Amendment 42

Isabel Wiseler-Lima

Draft opinion

Paragraph 5 a (new)

Draft opinion

Amendment

5 a. Calls for the establishment of an inter-parliamentary group between the

National Assembly of Vietnam and the EP for the speedy establishment of broad and as independent as possible Domestic Advisory Groups (DAGs); recalls the role of empowered DAGs in the pursuit of efforts to monitor and scrutinize the correct implementation of the FTA;

Or. en

Amendment 43

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion

Paragraph 6

Draft opinion

6. Highlights that the FTA creates an institutional and legally binding link to the PCA; points out that Article 1 of the PCA contains a standard human rights clause which can trigger appropriate measures, including, as a last resort, the suspension of the PCA, or parts thereof, without delay;

Amendment

6. Highlights that the FTA creates an institutional and legally binding link to the PCA; points out that Article 1 of the PCA contains a standard human rights clause which can trigger appropriate measures, including, as a last resort, the suspension of the PCA, or parts thereof, without delay; *recalls that the European Ombudsman, in case 1409/2014/MHZ on the EU-Vietnam FTA, found that the preamble of the EU-Vietnam FTA and other traditional tools, such as the ‘essential element’ clause of PCA and the human rights dialogue, are insufficient to adequately respect EU obligations, especially when the third country’s legislation is not in line with international human rights standards;*

Or. en

Amendment 44

Martin Horwood, Ilhan Kyuchyuk, Petras Auštrevičius, Irina Von Wiese, Urmas Paet

Draft opinion

Paragraph 6

Draft opinion

6. Highlights that the FTA creates an institutional and legally binding link to the PCA; points out that Article 1 of the PCA contains a standard human rights clause which can trigger appropriate measures, including, as a last resort, the suspension of the PCA, or parts thereof, without delay;

Amendment

6. Highlights that the FTA creates an institutional and legally binding link to the PCA; points out that Article 1 of the PCA contains a standard human rights clause which can trigger appropriate measures, including, as a last resort, the suspension of the PCA, or parts thereof, without delay; ***notes however that there is no precedent for the EU suspending bilateral trade agreements and believes that for such conditions to be credible, consequences must follow from breaches of agreements;***

Or. en

Amendment 45
Isabel Wiseler-Lima

Draft opinion
Paragraph 6

Draft opinion

6. Highlights that the FTA creates an institutional and legally binding link to the PCA; points out that Article 1 of the PCA contains a standard human rights clause which can trigger appropriate measures, including, as a last resort, the suspension of the PCA, or parts thereof, without delay;

Amendment

6. Highlights that the FTA creates an institutional and legally binding link to the PCA; points out that Article 1 of the PCA contains a standard human rights clause which can trigger appropriate measures, including, as a last resort, the suspension of the PCA, or parts thereof, without delay; ***calls for the establishment of a mechanism to monitor the implementation of the human rights clause;***

Or. en

Amendment 46
Traian Băsescu

Draft opinion
Paragraph 6

Draft opinion

6. Highlights that the FTA creates an institutional and legally binding link to the PCA; points out that Article 1 of the PCA contains a standard human rights clause which can trigger appropriate measures, including, as a last resort, the suspension of the PCA, or parts thereof, without delay;

Amendment

6. Highlights that the FTA creates an institutional and legally binding link to the PCA; points out that Article 1 of the PCA contains a standard human rights clause which can trigger appropriate measures, including, as a last resort, the suspension of the PCA, or parts thereof, without delay, ***should no efforts or visible progress be evident during periodic evaluations;***

Or. en

Amendment 47

Heidi Hautala

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 6 a (new)

Draft opinion

Amendment

6 a. Calls on the EU and Vietnam to set up an independent monitoring and complaint mechanism on human rights providing affected citizens and local stakeholders with effective recourse to remedy and a tool to address potential negative impacts on human rights arising from the Free Trade Agreement;

Or. en

Amendment 48

Heidi Hautala

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 7

Draft opinion

Amendment

7. Encourages the Commission to step up technical assistance and available funding to Viet Nam and its independent

7. Encourages the Commission to step up technical assistance and available funding to Viet Nam and its independent

civil society in order to support Viet Nam's compliance with its international human rights obligations and the monitoring of the proper implementation of Article 13 of the FTA.

civil society in order to support Viet Nam's compliance with its international human rights obligations and the monitoring of the proper implementation of Article 13 of the FTA; *notes with concerns that Vietnamese independent civil society has been harshly repressed and largely operates underground for fear of persecution and retaliations; calls on the Commission to ensure that genuinely independent civil society groups will be included in the domestic advisory groups foreseen in the sustainable development chapter and calls on the Commission to clarify what mechanisms will be in place to ensure that they can properly and safely play their role without fear of reprisal;*

Or. en

Amendment 49

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Jytte Guteland, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion Paragraph 7

Draft opinion

7. Encourages the Commission to step up technical assistance and available funding to Viet Nam and its independent civil society in order to support Viet Nam's compliance with its international human rights obligations and the monitoring of the proper implementation of Article 13 of the FTA.

Amendment

7. Encourages the Commission to step up technical assistance and available funding to Viet Nam and its independent civil society in order to support Viet Nam's compliance with its international human rights obligations and the monitoring of the proper implementation of Article 13 of the FTA; *notes with concerns that Vietnamese independent civil society has been violently repressed; calls on the Commission to indicate which Vietnamese independent civil society groups will be included in the domestic advisory groups and how it will ensure that their independence is preserved;*

Or. en

Amendment 50
Fabio Massimo Castaldo

Draft opinion
Paragraph 7

Draft opinion

7. Encourages the Commission to step up technical assistance and available funding to Viet Nam and its independent civil society in order to support Viet Nam's compliance with its international human rights obligations and the monitoring of the proper implementation of Article 13 of the FTA.

Amendment

7. Encourages the Commission to step up technical assistance and available funding to Viet Nam and its independent civil society in order to support Viet Nam's compliance with its international human rights obligations and the monitoring of the proper implementation of Article 13 of the FTA; ***calls, in this regard, for the European Commission to ensure the creation of an effective independent monitoring and complaints mechanism for human rights protection and to guarantee that the Domestic Advisory Group in Vietnam is composed of truly independent and impartial members;***

Or. en

Amendment 51
Phil Bennion

Draft opinion
Paragraph 7

Draft opinion

7. Encourages the Commission to step up technical assistance and available funding to Viet Nam and its independent civil society in order to support Viet Nam's compliance with its international human rights obligations and the monitoring of the proper implementation of Article 13 of the FTA.

Amendment

7. Encourages the Commission to step up technical assistance and available funding to Viet Nam and its independent civil society in order to support Viet Nam's compliance with its international human rights obligations and the monitoring of the proper implementation of Article 13 of the FTA; ***notes with concern that Vietnamese independent civil society has been harshly repressed and largely operates underground for fear of persecution and retaliation;***

Amendment 52
Leopoldo López Gil

Draft opinion
Paragraph 7

Draft opinion

7. Encourages the Commission to step up technical assistance and available funding *to Viet Nam and* its independent civil society in order to support Viet Nam's compliance with its international human rights obligations and the monitoring of the proper implementation of Article 13 of the FTA.

Amendment

7. Encourages the Commission to step up technical assistance *to Viet Nam* and available funding *for the sound development of* its independent civil society in order to support Viet Nam's compliance with its international human rights obligations and the monitoring of the proper implementation of Article 13 of the FTA.

Amendment 53
Phil Bennion

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7 a. Underlines the need for the European Parliament to closely follow and monitor developments in Viet Nam and the implementation of all parts of the FTA, once it enters into force, so that the European Parliament can respond to developments on the ground in the event of documented and proven serious breaches of human rights;

Amendment 54
Phil Bennion

Draft opinion
Paragraph 7 b (new)

Draft opinion

Amendment

7 b. Strongly believes that improvement of the rule of law, good governance, sustainable development and the respect of human rights in Viet Nam are necessary; Recommends that the European Parliament should consider giving its consent only when the government of Viet Nam has agreed a timetable with the EU Commission for the improvement of human rights in Viet Nam including proposals for revisions to those aspects of the penal code that currently legislate against freedom of speech, association and assembly.

Or. en

Amendment 55
Heidi Hautala
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 7 a (new)

Draft opinion

Amendment

7 a. Calls on the Commission and External Action Service to formally report to the European Parliament prior to the consent vote on the FTA regarding the commitment of Vietnam to make progress on a series of human rights issues, including the release of those who are being held solely for expressing peaceful dissent, the revision of the Criminal Code and the Law on Cyber Security and the Law on Belief and Religion to bring them in compliance with international human rights standards, the recognition of independent labour unions and the ratification of ILO conventions No 87 and 105, since respect for human rights and

freedoms in conformity with Vietnam's commitments under the PCA are essential in view of the ratification of the EU-Vietnam Free Trade Agreement;

Or. en

Amendment 56

Martin Horwood, Ilhan Kyuchyuk, Petras Auštrevičius, Irina Von Wiese, Urmas Paet

Draft opinion

Paragraph 7 a (new)

Draft opinion

Amendment

7 a. Points out that civil society in Viet Nam is not allowed to operate freely and unrestricted from state interference, as restrictions on freedom of expression, assembly and association in Viet Nam continue to persist; calls, in this regard, on the Commission to ensure that civil society groups, especially those which will be part of the Domestic Advisory Groups, will be allowed to operate independently, impartially, thoroughly, and safely from any repercussions;

Or. en

Amendment 57

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Jytte Guteland, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion

Paragraph 7 a (new)

Draft opinion

Amendment

7 a. calls for closer interaction with the European Parliament in preparation for the annual Human Rights Dialogues, debriefings and in updating of the EU Human Rights Country Strategy for Vietnam;

Amendment 58

Martin Horwood, Ilhan Kyuchyuk, Petras Auštrevičius, Irina Von Wiese

Draft opinion

Paragraph 7 b (new)

Draft opinion

Amendment

7 b. Strongly believe that improvement of the rule of law, good governance, sustainable development and the respect of human rights in Viet Nam are necessary; calls therefore on Parliament to give its consent to the agreement only when they deem that these recommendations, in particular the release of all political prisoners, the revision of the penal code, freedom of speech, association, assembly, movement and freedom of information are legally and effectively protected;

Or. en

Amendment 59

Heidi Hautala

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 7 b (new)

Draft opinion

Amendment

7 b. Underlines the need for the European Parliament to closely follow and monitor the implementation of all parts of the FTA; calls therefore on the HRVP to regularly update the European Parliament on the human rights developments on the ground, including in relation to high level meetings she may hold and Human Rights Dialogues with the country;

Amendment 60

Raphaël Glucksmann, Maria Noichl, Maria Arena, Bettina Vollath, Isabel Santos, Andrea Cozzolino, Nacho Sánchez Amor

Draft opinion

Paragraph 7 b (new)

Draft opinion

Amendment

7 b. *Calls therefore the EP to give its consent to the agreements only when these recommendations, are legally and effectively protected;*

Or. en

Amendment 61

Heidi Hautala

on behalf of the Verts/ALE Group

Draft opinion

Paragraph 7 c (new)

Draft opinion

Amendment

7 c. *Believes that the ratification of the FTA between the EU and Vietnam should only take place when the Vietnamese authorities express its commitment, including a clear timeline, to review its Criminal Code and the Law on Cyber Security in conformity with international human rights standards, the recognition of independent labour unions and the ratification of ILO conventions No 87 and 105;*

Or. en