

# EUROPEAN PARLIAMENT

2004



2009

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*Session document*

10.7.2007

B6-0301/2007

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Pasqualina Napoletano, Marc Tarabella,

on behalf of the PSE Group

on Vietnam

**European Parliament resolution on Vietnam**

*The European Parliament,*

- having regard to the EU-Vietnam Cooperation Agreement of 1995 and particularly to Article 1 thereof,
  - having regard to the 2002 UN Human Rights Committee recommendations on the Legal Reform Strategy and the Judicial Reform Strategy,
  - having regard to the UN Declaration on Human Rights Defenders of 1998 and to the EU Guidelines on Human Rights Defenders adopted by the Council in 2004,
  - having regard to the International Covenant on Civil and Political Rights to which Vietnam is a party since 1982,
  - having regard to its previous resolutions on Vietnam and in particular its resolution on human rights situation in Cambodia, Laos and Vietnam of 28.11.2005,
  - having regard to Rule 115(5) of its Rules of Procedure,
- A whereas since November 2006 increased repression against human rights defenders and political dissidents in Vietnam has led to harassment, arbitrary arrests and condemnations of prominent religious personalities, pro-democracy movements' leaders, trade unionists and lawyers;
- B whereas this renewed repression takes place after a period of a relative relaxation in the public policy sphere that allowed Vietnam's accession to the WTO and its removal from the US list of "Countries of Particular Concern" in relation to human rights;
- C whereas tight controls on freedom of expression, including Internet and media freedom prevent any criticism of the government policies while independent journalists face harassment, detainment or imprisonment; whereas several 'cyber-dissidents' have been detained without charge or trial since August 2006;
- D whereas the situation of religious freedom in Vietnam remains grave despite regulations to streamline the registration process; whereas religious communities unrecognised by the authorities, and especially the Unified Buddhist Church of Vietnam, banned since 1981, as the country's largest civil society movement, are major targets of repression;
- E whereas Vietnam disregards its commitments towards the UN and the EU on human rights and democratisation by adopting new restrictive human rights legislation or

refusing to abrogate existing restrictive legislation; whereas the authorities proceed to arbitrary detention and trials of the citizens under Article 88 of the Criminal Code of Vietnam for merely expressing their thoughts on freedom and democracy through their writings and campaigns;

- F. whereas ethnic minorities and in particular the Montagnards of the Central Highlands are still victims of discrimination, expropriation and religious persecution forcing them to leave the country and seek refuge in the neighbouring Cambodia where their conditions are precarious;
- G. whereas the EU offers significant financial assistance to Vietnam, which has been recently increased by 30%; whereas the EU is Vietnam's main trade partner and Vietnam is a large beneficiary of the EU's GSP scheme;
1. Condemns the renewed crackdown by the Vietnamese authorities on peaceful dissidents by sanctioning their legitimate right to freedom of expression and association, as a violation of international conventions ratified by Vietnam and of its own Constitution;
  2. Calls upon the government to cease all forms of repression against those who exercise their rights to freedom of expression, freedom of belief and freedom of assembly in accordance with international human rights standards; reiterates its calls on the authorities to urgently reform provisions relating to national security and ensure they are either removed or brought into line with international law;
  3. Urges the authorities to immediately and unconditionally release all human rights defenders, political prisoners and prisoners of conscience as their detention is arbitrary; also requests the authorities to guarantee their physical and psychological integrity in all circumstances;
  4. Calls on Vietnam to undertake authentic political and institutional reforms with a view to creating a truly democratic state based on the rule of law with multi-party system and free media;
  5. Reiterates its request to the authorities to recognise in law all religious communities in Vietnam; further calls on the authorities to abolish the death penalty and to put an end to the widespread torture;
  6. Recalls that the human rights dialogue between the EU and Vietnam should not be an objective in itself but should lead to concrete progress on human rights and democratisation; in this respect calls on the Council and the Commission to implement Article 1 of the 1995 EU-Vietnam Cooperation Agreement and to review its policy towards Vietnam in case of lack of progress and deterioration of the situation;
  7. Instructs its President to forward this resolution to the Council, the Commission, the President and the government of Vietnam, the UN Secretary General, the UN High Commissioner for Human Rights and the governments of the ASEAN Member States.