



Plenary sitting

B8-0761/2016

7.6.2016

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 135 of the Rules of Procedure

on Vietnam
(2016/2755(RSP))

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on behalf of the Verts/ALE Group

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**European Parliament resolution on Vietnam
(2016/2755(RSP))**

The European Parliament,

- having regard to its previous resolutions, notably the one of 18 April 2013 on Vietnam, in particular freedom of expression, of 26 November 2009 on the situation in Laos and Vietnam, and of 22 October 2008 on democracy, human rights and the new EU-Vietnam Partnership and Cooperation Agreement;
- having regard to the EU-Vietnam Framework Agreement on Comprehensive Partnership and Cooperation (resolution), as well as the European Parliament Resolution of 17 December 2015 accompanying its assent;
- having regard to the declaration of 3 June 2016 which has been endorsed by the UN Special Rapporteur on the situation of human rights defenders, Mr. Michel Forst; the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Mr. Maina Kiai; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Mr. David Kaye; the Special Rapporteur on violence against women, its causes and consequences, Ms. Dubravka Šimonović; and the Working Group on Arbitrary Detention.
- having regard to Rule 122 of its Rules of Procedure,
- Whereas the Vietnamese government continues to systematically suppress freedom of expression, association, and peaceful assembly.
- Whereas in March 2016, in the space of two weeks alone, at least 7 human rights activists were arbitrarily sentenced to a total of 22 years in prison simply for exercising their right to freedom of expression and peaceful demonstration;
- Whereas the repression targets all those who speak out for human rights, including bloggers, government critics, human rights defenders, members of “non-recognised” religions and social activists, and has led to a persistent pattern of arrests, harassment, physical assaults surveillance and even detention in psychiatric institutions, perpetrated either by police officers or plain-clothed security agents and hired thugs.
- Whereas during the visit of US President Barack Obama to Vietnam in 22-25 May 2016, dozens of activists were prevented from leaving their homes by uniformed and plain-clothes police and several were physically attacked or temporarily detained. The authorities’ crackdown also included surveillance and intimidation of activists, banning of BBC journalists, and the blocking of social media sites.
- Whereas in April-May 2016 Vietnam was hit by an unprecedented environmental catastrophe caused by 300 tons of toxic waste water released by a giant steel conglomerate which has polluted over 200 kilometers of Central Vietnam’s coastal waters and extended as far as the Philippines, causing millions of dead fish to be washed ashore and ruining

fishing prospects in the region;

- Whereas this disaster provoked widespread indignation amongst the Vietnamese population; a vast mobilisation of social networks took place and massive peaceful demonstrations were staged in all the large cities of Vietnam; the Vietnamese authorities reacted by momentarily blocking access to social networks, violently repressing demonstrations and arresting protesters;
- Whereas Vietnam persists in invoking vaguely-worded « national security » provisions in the Criminal Code such as “anti-State propaganda”, “subversion” or “abuse of democratic freedoms” to incriminate and silence religious and political dissidents, human rights defenders and perceived government critics;
- Whereas despite persistent appeals from the international community, Vietnam has maintained the death penalty for “national security” crimes in its reformed Criminal Code (adopted in November 2015);
- Whereas in April 2016 Vietnam adopted a Law on Access to Information and an amended Press Law which restrict freedom of expression and reinforce censorship, as well as regulations banning demonstrations outside Courts during trials;
- Whereas the National Assembly is expected to pass a Law on Associations and a Law on Belief and Religion which are incompatible with international norms of freedom of association and freedom of religion or belief;
- Whereas human rights defender Nguyễn Văn Đài was arrested on 16 December 2015, only one day after the EU-Vietnam human rights dialogue, on charges of “conducting anti-State propaganda” simply because he held human rights workshops for activists; he has not been able to meet with his family since his arrest;
- Whereas there is serious concern for the deteriorating health of Buddhist dissident Thich Quang Do, 2016 Nobel Peace Prize nominee, caused by prolonged isolation under house arrest; Thich Quang Do has been detained almost uninterruptedly since 1982 for his peaceful advocacy of human rights and religious freedom in Vietnam;
- Whereas many people wishing to run as independent candidates in the legislative elections on 22 May 2016 were prevented from standing and Communist Party candidates took precedence;
- Whereas Vietnam did not abolish the death penalty for « national security » provisions in its amended Criminal Code, and continues to condemn to death an average of 100 persons each year;
- Whereas Vietnam has adopted an arsenal of laws and regulation which criminalise the peaceful exercise of fundamental rights and empower the authorities to repress and detain with total impunity all those who seek to claim their rights;
- Whereas Vietnam’s policy of censorship and assault on freedom of expression and opinion, using persistent crackdowns, arrests, and Police brutality to create a climate of fear amongst all those who seek to speak freely or participate in public affairs;

- Whereas in March 2015, the EU Ombudsman pronounced the European Commission guilty of maladministration for refusing to conduct a Human Rights Impact Assessment prior to the negotiations of the EU-Vietnam Free Trade Agreement; whereas the Commission has refused to carry out this impact assessment in spite of the Ombudsman's ruling;
 - Calls for the immediate unconditional release of all persons detained simply for the peaceful exercise of their fundamental rights, including Buddhist dissident Thich Quang Do and human rights lawyer Nguyen Van Dai,
 - Urges Vietnam to comply with its international human rights obligations to the United Nations by issuing a standing invitation to Special Procedures, in particular the Special Rapporteur on Freedom of Opinion and Expression and the Special Rapporteur on Human Rights Defenders to visit Vietnam, and give them free and unfettered access to all parties they wish to consult;
 - Deplores in this regard, the interference into the visit of the UN Special Rapporteur on Freedom of Religion or Belief, Heiner Bielefeldt, during his visit to Vietnam in July 2014;
 - Call upon Vietnam to withdraw the 5th Draft of the Law on Belief and Religion currently under debate in the National Assembly and prepare a new draft that conforms to Vietnam's obligations under Article 18 of the ICCPR;
 - insists that Vietnam uphold its commitment to respect human rights;
 - Strongly deplores the failure of the European Commission to take corrective action following the decision of the EU Ombudsman in relation to the EU-Vietnam Free Trade Agreement ; urges the Commission to carry out a human rights impact assessment without delay in order to allow the Parliament to take an informed decision in the consent procedure; reiterates that the EU should ensure that all trade and investment agreements are based on the respect for human rights, and contain specific human safeguards, monitoring and enforcement mechanisms including complaint mechanisms for peoples whose human rights are affected;
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.