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*Plenary sitting*

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**B8-0526/2018**

13.11.2018

## **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 on Vietnam, notably the situation of political prisoners  
(2018/2925(RSP))

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on behalf of the ECR Group

**B8-0526/2018**

**European Parliament resolution on on Vietnam, notably the situation of political prisoners  
(2018/2925(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Vietnam, notably that of 14 December 2017 on freedom of expression in Vietnam, notably the case of Nguyen Van Hoa and of 9 June 2016 on Vietnam,
  - having regard to its resolution of 17 December 2015 on the draft Council decision on the conclusion, on behalf of the Union, of the Framework Agreement on Comprehensive Partnership and Cooperation between the European Union and its Member States, of the one part, and the Socialist Republic of Vietnam, of the other part,
  - having regard to the 7th round of the EU-Vietnam Human Rights Dialogue held in Hanoi on 1 December 2017,
  - having regard to the Local EU statement on the recent conviction of Mr Le Dinh Luong of 20 August 2018,
  - having regard to the Statement by the EEAS Spokesperson on the sentencing of human rights activists in Vietnam of 5 April 2018 and of 9 February 2018,
  - having regard to the conclusion of the EU-Vietnam Free Trade Agreement (FTA) and the EU-Vietnam Investment Protection Agreement (IPA),
  - having regard to the EU-Vietnam Partnership and Cooperation Agreement signed on 27 June 2012,
  - having regard to the Universal Declaration of Human Rights of 1948,
  - having regard to the International Covenant on Civil and Political Rights,
  - having regard to Rule 135 of its Rules of Procedure,
- A. whereas the EU considers Vietnam to be an important partner in Asia; whereas the scope of these relations has broadened rapidly, from trade and aid to a more comprehensive partnership; whereas a clear link exists between the Partnership and

Cooperation Agreement (PCA) and the EU-Vietnam Free Trade Agreement (FTA), whereby both parties committed to fulfil their human rights obligations;

- B. whereas Vietnamese authorities continue to imprison, detain, and intimidate human rights defenders, journalists, bloggers, human rights lawyers, and civil society activists in the country; whereas human rights defenders have faced long prison sentences for their human rights work and for exercising their right to freedom of expression;
- C. whereas Vietnam currently holds in prison at least 136 people for expressing critical views of the government, taking part in peaceful protests, participating in religious groups not approved by the authorities, or joining civil or political organizations that the Communist Party of Vietnam (CPV) deems to be a threat to its monopoly on power; whereas during the first six months of 2018 alone, the government convicted and imprisoned at least 26 rights bloggers and activists under various abusive laws;
- D. whereas Vietnam frequently uses vaguely worded and loosely interpreted provisions in its penal code and other laws to imprison peaceful political and religious activists; whereas in June 2017 the National Assembly passed a revised penal code that extends even wider liability to rights bloggers and activists and those who assist them, including new clauses that criminalize unspecified actions in preparation for committing an offense;
- E. whereas Vietnam's Criminal Procedure Code stipulates that the Procurator of the People's Supreme Procuracy can decide to hold a suspect for violation of national security in detention until investigation is concluded, and can restrict the detainee's access to legal counsel until after investigation is concluded; whereas as of June 2018 reportedly at least 16 rights activists are still held in police custody without trial, some since November 2016;
- F. whereas the government continues to prohibit the establishment or operation of human rights organizations and political parties; whereas authorities require approval for public gatherings and systematically refuse permission for meetings, marches, or public assemblies they deem to be politically unacceptable; whereas in June 2018, many people were reportedly harassed, detained and assaulted for participating in demonstrations throughout Vietnam to protest against the draft law on special economic zones;
- G. whereas freedom of religion or belief is repressed in Vietnam; whereas violations against every major religious community in Vietnam occur, including Buddhists, Catholics, Cao Daists, Hoa Hao Buddhists and Protestants; whereas these violations include harassment, intimidation, forced eviction, intrusive surveillance, disruption of religious services, confiscation of religious materials, arrest, imprisonment, torture and extra-judicial killing; whereas the situation for religious communities varies widely

and individuals who are both ethnic and religious minorities and those in remote areas suffer the most severe violations.

- H. whereas on 1 January 2018 Vietnam's first ever Law on Belief and Religion came into effect, obliging all religious groups in the country to register with the authorities and to inform them about activities; whereas the authorities can reject or hinder registration applications and ban religious activities they arbitrarily deem contrary to the "national interest," "public order," or "national unity"; whereas with the law the government has institutionalized its interference in religious affairs and state supervision of religious groups;
- I. whereas the Vietnamese government continues to prohibit independent or privately-owned media outlets to operate and exerts strict control over radio and TV stations and printed publications; whereas criminal penalties apply to those who disseminate materials deemed to oppose the government, threaten national security, or promote "reactionary" ideas; whereas the authorities block access to politically sensitive websites, frequently attempt to shut down blogs, and require internet service providers to remove contents or social media accounts arbitrarily deemed politically unacceptable; whereas in June 2018, the National Assembly passed a broad and vague cyber security law that gives authorities wide discretion to determine when expression must be censored as "illegal";
- J. Whereas Nguyen Phu Trong, the CPV General Secretary, recently became the first party leader to also serve as president since the days of the Vietnam war, which puts in danger the political power balance in Vietnam;
- K. whereas during the 7th EU-Vietnam Human Rights Dialogue, freedom of expression, association, assembly, religion and belief, and access to information were discussed; whereas the EU underlined the deterioration of civil and political rights in Vietnam; whereas it encouraged Vietnam to issue standing invitations to UN Special Procedures; whereas the relationship between the European Union and Vietnam must fundamentally be based on respect for human rights, democracy and the rule of law, and on upholding international standards in that regard;

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1. Expresses concern at the deteriorating human rights situation in Vietnam, and the continuing threats and attacks on human rights defenders and civil society activists; is concerned that the recent power concentration may negatively impact the human rights situation in the country;
2. Calls on the Vietnamese government to release all people imprisoned for simply expressing critical views of the government, or for joining political or religious groups

disapproved by the government; urges Vietnamese authorities to quash outstanding sentences and drop existing charges against human rights defenders for the legitimate human rights work and emphasises that Vietnamese authorities must cease all surveillance threats, and physical and psychological attacks against human rights defenders and civil society activists in the country;

3. Underlines that the Vietnamese government must deliver concrete progress and demonstrable tangible steps to improve human rights conditions in the country, including guaranteeing that all human rights defenders in Vietnam are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions; calls on the government to bring legislation regulating public gatherings and demonstrations into conformity with the rights of free assembly and association;
4. Insists that the Vietnamese government must ensure that the treatment of all detainees, while in detention, adheres to the conditions set out in the “Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment”, adopted by UN General Assembly resolution 43/173 of 9 December 1988, and that it ends abusive practices like the transfer of prisoners to regions distant from their families, colleagues, and legal counsel; insists furthermore that all detainees must have access to adequate medical care, legal counsel, and contact with their families; calls in this light on to repeal article 74 and article 173 of the Criminal Procedure Code;
5. Calls on the Vietnamese government to repeal repressive articles of the penal code and ensure it is in conformity with the ICCPR, to which Vietnam is a state party;
6. Calls on the authorities to allow all religious organizations, both recognized and non-recognized ones, to freely conduct religious activities and govern themselves; urges the authorities to end harassment, forced denunciation of faith, arrests, prosecutions, imprisonment, and ill-treatment of people because they are followers of disfavoured religions, and release anyone currently being held for peaceful exercise of the rights to freedom of religion and belief, expression, assembly and association. Calls on the authorities to revise the Law on Belief and Religion to bring it in line with Article 18 of the ICCPR, notably by abolishing the requirement of mandatory registration;
7. Calls on the government to allow the publication of uncensored, independent, privately-run newspapers and magazines and to remove filtering, surveillance, and other restrictions on internet usage; Urges the Vietnamese government to revise its the Law on Cyber Security and bring it into compliance with international human rights standards;
8. Welcomes the strengthened partnership and Human Rights Dialogue between the EU and Vietnam and recalls the importance of the Dialogue as a key instrument to be used in an efficient manner to accompany and encourage Vietnam in the implementation of

the necessary reforms; welcomes the fact that the EU raised the issues of freedom of expression and association and the increasing number of detentions, arrests and convictions during the 7th EU-Vietnam Human Rights Dialogue; strongly encourages the Commission to monitor progress under the Dialogue through the introduction of benchmarks and monitoring mechanisms;

9. Calls on the EEAS to maintain appropriate contact, including in-person visits, with imprisoned human rights defenders and prisoners of conscience and to press the government of Vietnam to ensure them regular access to their families, human rights monitors, adequate medical care, and proper legal representation; urges the Commission and the VP/HR to continue to raise the issue of freedom of expression and freedom of religion in its regular dialogues with Vietnam;
10. 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 Secretary-General of the Association of Southeast Asian Nations (ASEAN), and the Government and National Assembly of Vietnam.