AMENDMENTS
1 - 36

Draft opinion
Tomas Tobé
(PE641.208v01-00)

on the draft Council decision on conclusion of the Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam (2018/0356M(NLE))
Amendment 1
Patrizia Toia, Pierfrancesco Majorino, Evin Incir, Marc Tarabella
on behalf of the S&D Group

Draft opinion
Paragraph -1 a (new)

Draft opinion  Amendment
-1a. Notes that Article 21 of the Treaty on European Union stipulates that the actions of the Union on the international scene shall be guided by the principles of democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law;

Or. it

Amendment 2
Patrizia Toia, Pierfrancesco Majorino, Evin Incir, Marc Tarabella
on behalf of the S&D Group

Draft opinion
Paragraph -1 b (new)

Draft opinion  Amendment
-1b. Recalls the European Parliament’s previous resolutions on the situation in Viet Nam, in particular the Resolutions of 14 December 2017 on freedom of expression in Viet Nam, of 9 June 2016 on Viet Nam, of 15 November 2018 on Viet Nam, in particular the situation of political prisoners;

Or. it
Amendment 3
Patrizia Toia, Pierfrancesco Majorino, Evin Incir
on behalf of the S&D Group

Draft opinion
Paragraph -1 c (new)

-1c. 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, notably under the institutional framework and procedures under the FTA and Investment Protection Agreement (IPA); 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 a significant economic, social and environmental impacts;

Amendment 4
Dominique Bilde, Bernhard Zimniok
on behalf of the ID Group

Draft opinion
Paragraph 1

1. Welcomes the inclusion of a comprehensive and binding chapter on Trade and Sustainable Development (TSD) with explicit references to Multilateral Environmental Agreements, the Paris Agreement and the 2030 Agenda for Sustainable Development;
allegations of possible infringements by Viet Nam of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), the lack of convincing results in combating illegal fishing, Viet Nam having been ‘pre-identified’ in 2017 as a non-cooperating country in the area of illegal, unreported and unregulated fishing, and the absence of any progress noted by the European Commission in this area in 2018; accordingly warns against the risks of deforestation and illegal fishing;

Amendment 5
Ellie Chowns, Michèle Rivasi
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 1

1. Welcomes the inclusion of a comprehensive and binding chapter on Trade and Sustainable Development (TSD) with explicit references to Multilateral Environmental Agreements, the Paris Agreement and the 2030 Agenda for Sustainable Development;

Amendment

1. Welcomes the inclusion of a comprehensive and binding chapter on Trade and Sustainable Development (TSD) with explicit references to Multilateral Environmental Agreements, the Paris Agreement and the 2030 Agenda for Sustainable Development; deplores, however, that the chapter on sustainable development is explicitly excluded from the state to state dispute settlement mechanism which provides for a suspension of trade preferences; underlines the importance of mandatory and enforceable provisions in the chapter on trade and sustainable development to contribute effectively to the strengthening of labour rights and environmental standards, including corporate responsibility;
Amendment 6
Manon Aubry, Miguel Urbán Crespo
on behalf of the GUE/NGL Group

Draft opinion
Paragraph 1

Draft opinion

1. **Welcomes** the inclusion of a comprehensive and binding chapter on Trade and Sustainable Development (TSD) with explicit references to Multilateral Environmental Agreements, the Paris Agreement and the 2030 Agenda for Sustainable Development;

Amendment

1. **Takes note of** the inclusion of a comprehensive and binding chapter on Trade and Sustainable Development (TSD) with explicit references to Multilateral Environmental Agreements, the Paris Agreement and the 2030 Agenda for Sustainable Development; **regret the absence of effective monitoring and enforcement mechanisms**;

   Or. en

Amendment 7
Patrizia Toia, Pierfrancesco Majorino, Evin Incir, Marc Tarabella
on behalf of the S&D Group

Draft opinion
Paragraph 1

Draft opinion

1. **Welcomes** the inclusion of a comprehensive and binding chapter on Trade and Sustainable Development (TSD) with explicit references to Multilateral Environmental Agreements, the Paris Agreement and the 2030 Agenda for Sustainable Development;

Amendment

1. **Underlines the importance of** the inclusion of a comprehensive and binding chapter on Trade and Sustainable Development (TSD) with explicit references to Multilateral Environmental Agreements, the Paris Agreement and the 2030 Agenda for Sustainable Development;

   Or. en

Amendment 8
Dominique Bilde, Bernhard Zimniok
Draft opinion
Paragraph 1 a (new)

Draft opinion

1. Points out that, under Article 13 of the Treaty on the Functioning of the European Union, the Union ‘shall, since animals are sentient beings, pay full regard to the welfare requirements of animals’ in the implementation of its policies; stresses that certain livestock and fishery products, in particular chicken meat, on which duties should be reduced to 0% after a transitional period of ten years, are covered by the free trade agreement and should be subject to phytosanitary and animal welfare standards at least equivalent to those of the European Union; considers that, in the event of ratification of the agreement, the European Union should, in particular, implement the animal welfare provisions thereof whenever necessary and that animal welfare requirements must also extend to aquaculture products; calls on the Commission to monitor closely the question of animal welfare in the context of the agreement and to keep Parliament regularly updated;

Or. fr

Amendment 9
Janina Ochojska
on behalf of the PPE Group

Draft opinion
Paragraph 1 a (new)

Draft opinion

1a. Recalls that EU-Vietnam relationship is grounded in the Partnership and Cooperation Agreement
(PCA), which covers non-economic areas, including political dialogue, human rights, education, science and technology, justice asylum and migration;

Or. en

Amendment 10
Stéphane Bijoux
on behalf of the Renew Group

Draft opinion
Paragraph 1 a (new)

Draft opinion
Amendment

1a. Stresses the need to respect the principle of policies aligned with development cooperation objectives in accordance with Article 208 TFEU;

Or. fr

Amendment 11
Dominique Bilde, Bernhard Zimniok
on behalf of the ID Group

Draft opinion
Paragraph 2

Draft opinion
Amendment

2. Urges the Commission to earmark specific funding for civil society organisations, such as the domestic advisory groups (DAGs), in order to fulfil the key objectives of the TSD chapter, which include an increased monitoring of commitments, the development of action plans for areas where concerns have been identified, and the triggering of dispute settlement processes in the event that action plans have not been respected;

2. Urges the Commission to spare no effort in order to fulfil the key objectives of the TSD chapter, including through civil society organisations such as the Domestic Advisory Groups (DAGs), which include an increased monitoring of commitments together with the relevant Vietnamese authorities, the development of action plans for areas where concerns have been identified, including, but not limited to, deforestation and illegal fishing, and the triggering of dispute settlement processes in the event that
action plans have not been respected;

Or. fr

**Amendment 12**
Ellie Chowns, Michèle Rivasi
on behalf of the Verts/ALE Group

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

<table>
<thead>
<tr>
<th>Draft opinion</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. Urges the Commission to earmark specific funding for civil society organisations, such as the domestic advisory groups (DAGs), in order to fulfil the key objectives of the TSD chapter, which include an increased monitoring of commitments, the development of action plans for areas where concerns have been identified, and the triggering of dispute settlement processes in the event that action plans have not been respected;</td>
<td>2. Urges the Commission to earmark specific funding for civil society organisations, such as the domestic advisory groups (DAGs), in order to fulfil the key objectives of the TSD chapter, which include an increased monitoring of commitments, the development of action plans for areas where concerns have been identified, and the triggering of dispute settlement processes in the event that action plans have not been respected; regrets that the mandate of the DAGs is limited to monitoring the TSD Chapter only; regrets that the promotion of gender equality and women empowerment is not prominently mentioned in the FTA;</td>
</tr>
</tbody>
</table>

Or. en

**Amendment 13**
Dominique Bilde, Bernhard Zimniok
on behalf of the ID Group

**Draft opinion**
**Paragraph 2 a (new)**

<table>
<thead>
<tr>
<th>Draft opinion</th>
<th>Amendment</th>
</tr>
</thead>
<tbody>
<tr>
<td>2a. Stresses that, in the event of ratification of the agreement, it is essential to ensure full implementation and enforcement by Viet Nam of</td>
<td></td>
</tr>
</tbody>
</table>

AM\1190113EN.docx 9/23 PE641.386v01-00
international law on intellectual property and trademark law and of the safeguards associated with protected geographical indications; is concerned at the insufficient protection afforded to certain protected geographical indications, which is in certain cases limited by transitional periods, for example ten years in the case of champagne;

Amendment 14
Ellie Chowns, Michèle Rivasi
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 2 a (new)

Draft opinion

2a. Deplores the fact that no human rights impact assessment was ever carried out prior to the launching of negotiations in spite of serious concerns regarding the protection of human rights in Vietnam, notably following the decision of the European Ombudsman of 26 February 2016, which concluded that the refusal of the European Commission to carry out a prior human rights impact assessment of the EU/Vietnam Free Trade Agreement is unjustified and constitutes a case of maladministration;

Amendment 15
Dominique Bilde, Bernhard Zimniok
on behalf of the ID Group

Draft opinion
Paragraph 3
3. **Congratulates Viet Nam on ratifying** six of the ILO’s eight fundamental 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 outstanding convention No 105 on forced labour and No 87 on the freedom of association, and highlights the crucial importance of ensuring that all of these conventions are fully implemented;

**Amendment**

3. **Notes that** Viet Nam **has ratified only** six of the ILO’s eight fundamental 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; **asks** the Vietnamese Government, **if the proposed agreement enters into force**,** promptly** ratify outstanding convention No 105 on forced labour and No 87 on the freedom of association, and highlights the crucial importance of **verifying** that all of these conventions are rigorously implemented **if the agreement enters into force**;

**Or. fr**

---

**Amendment 16**

Ellie Chowns, Michèle Rivasi
on behalf of the Verts/ALE Group

**Draft opinion**

**Paragraph 3**

3. Congratulates Viet Nam on ratifying six of the ILO’s eight fundamental 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 outstanding convention No 105 on forced labour and No 87 on the freedom of association, and highlights the crucial importance of ensuring that all of these conventions are fully implemented;

**Amendment**

3. Congratulates, **as a first step**, Viet Nam on ratifying six of the ILO’s eight fundamental 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 outstanding convention No 105 on forced labour and No 87 on the freedom of association, and highlights the crucial importance of ensuring that all of these conventions are fully implemented **into its legal system, prior to European Parliament ratification of the FTA; urges equally the Vietnamese**
Government to secure tangible improvements on human rights, i.e. by releasing all imprisoned human rights defenders and by repealing penal code provisions that criminalise free speech and association prior to ratification; more broadly, urges for the creation of an effective remedy and compensation mechanism for cases of human rights violations in the EVFTA;

Or. en

Amendment 17
Stéphane Bijoux
on behalf of the Renew Group

Draft opinion
Paragraph 3

3. Congratulates Viet Nam on ratifying six of the ILO’s eight fundamental 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 outstanding convention No 105 on forced labour and No 87 on the freedom of association, and highlights the crucial importance of ensuring that all of these conventions are fully implemented;

Amendment

3. Congratulates Viet Nam on ratifying six of the ILO’s eight fundamental 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 outstanding convention No 105 on forced labour and No 87 on the freedom of association, and highlights the crucial importance of ensuring that all of these conventions are rigorously implemented and enforced;

Or. fr

Amendment 18
Manon Aubry, Miguel Urbán Crespo
on behalf of the GUE/NGL Group

Draft opinion
Paragraph 3
3. Congratulates Viet Nam on ratifying six of the ILO’s eight fundamental 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 outstanding convention No 105 on forced labour and No 87 on the freedom of association, and highlights the crucial importance of ensuring that all of these conventions are fully implemented;

3. Welcomes the commitment of Viet Nam to ratifying six of the ILO’s eight fundamental 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 outstanding convention No 105 on forced labour and No 87 on the freedom of association, and highlights the crucial importance of ensuring that all of these conventions are fully and promptly implemented in accordance with a clear timetable;
Amendment 20
Dominique Bilde, Bernhard Zimniok
on behalf of the ID Group
Draft opinion
Paragraph 3 a (new)

3a. Is concerned that, according to the International Labour Organisation, ‘many children are at risk of labour and sexual exploitation’ in Viet Nam, and that ‘recent reports indicate a rise in internal migration and the number of unregistered families and children found in urban centres’, making children and families particularly vulnerable to the abovementioned types of exploitation;

Amendment 21
Janina Ochojska
on behalf of the PPE Group
Draft opinion
Paragraph 3 a (new)

3a. Highlights that according to Article 4.1(b) of Regulation 978/2012 (GSP Regulation), after FTA’s conclusion and entry into force the Socialist Republic of Vietnam will lose the status of an eligible country to benefit from tariff preferences provided under the general GSP arrangement, expresses hope that FTA will contribute to greater growth, development, and employment in the Socialist Republic of Vietnam than under the GSP arrangement;
Draft opinion

Paragraph 4

4. Welcomes Viet Nam’s commitment to revise and quickly ratify its Labour Code, highlighting the importance of the promotion and practical enforcement of gender equality and female empowerment; reiterates that gender inequality should no longer be seen as a purely social issue, but as an economic one that presents a key challenge to attaining inclusive and sustainable growth; calls on the Commission to monitor developments closely and to keep Parliament regularly updated on the situation.

Amendment

4. Notes Viet Nam’s commitment to revise and quickly ratify its Labour Code, highlighting the importance of the promotion and practical enforcement of gender equality and female empowerment; reiterates that gender inequality should no longer be seen as a purely social issue, but as an economic one that presents a key challenge to attaining inclusive and sustainable growth; notes with concern that, according to the International Labour Organisation, girls are particularly at risk of labour or sexual exploitation in Viet Nam; calls on the Commission to monitor developments closely and to keep Parliament regularly updated on the situation.

Amendment 22

Dominique Bilde, Bernhard Zimniok
on behalf of the ID Group

Draft opinion

Paragraph 4

Draft opinion

4. Welcomes Viet Nam’s commitment to revise and quickly ratify its Labour Code, highlighting the importance of the promotion and practical enforcement of gender equality and female empowerment;

Amendment

4. Welcomes Viet Nam’s commitment to revise and quickly ratify its Labour Code, which shall allow effectively the formation of independent trade unions; highlight the importance of the promotion
reiterates that gender inequality should no longer be seen as a purely social issue, but as an economic one that presents a key challenge to attaining inclusive and sustainable growth; calls on the Commission to monitor developments closely and to keep Parliament regularly updated on the situation.

Amendment 24
Stéphane Bijoux
on behalf of the Renew Group

Draft opinion
Paragraph 4

4. Welcomes Viet Nam’s commitment to revise and quickly ratify its Labour Code, highlighting the importance of the promotion and practical enforcement of gender equality and female empowerment; reiterates that gender inequality should no longer be seen as a purely social issue, but as an economic one that presents a key challenge to attaining inclusive and sustainable growth; calls on the Commission to monitor developments closely and to keep Parliament regularly updated on the situation.

Amendment 25
Manon Aubry, Miguel Urbán Crespo
on behalf of the GUE/NGL Group

Draft opinion
Paragraph 4

4. Welcomes Viet Nam’s commitment to revise and quickly ratify its Labour Code, in order to promote decent work for all, highlighting the importance of practical enforcement of gender equality, female empowerment and child protection; reiterates that gender inequality should no longer be seen as a purely social issue, but as an economic one that presents a key challenge to attaining inclusive and sustainable growth; calls on the Commission to monitor developments closely and to keep Parliament regularly updated on the situation.
4. Welcomes Viet Nam’s commitment to revise and quickly ratify its Labour Code, highlighting the importance of the promotion and practical enforcement of gender equality and female empowerment; reiterates that gender inequality should no longer be seen as a purely social issue, but as an economic one that presents a key challenge to attaining inclusive and sustainable growth; calls on the Commission to monitor developments closely and to keep Parliament regularly updated on the situation.

Draft opinion
Paragraph 4 a (new)

4a. Points out that arbitrary expropriation are common phenomena in Vietnam where the land belongs to the State; expresses its concern that the new export opportunities offered by the EU-Vietnam agreement for the European agri-food industry may exacerbate land conflict, while undermining family farming;

Amendment

4a. Welcomes Viet Nam’s commitment to revise and quickly ratify its Labour Code, highlighting the importance of the promotion and practical enforcement of gender equality and female empowerment; reiterates that gender inequality should no longer be seen as a purely social issue, but as an economic one that presents a key challenge to attaining inclusive and sustainable growth; encourages the Vietnamese authorities to cut working time in the private sector from 48 hours per week to 40 hours per week; calls on the Commission to monitor developments closely and to keep Parliament regularly updated on the situation.

Amendment 26
Ellie Chowns, Michèle Rivasi
on behalf of the Verts/ALE Group

Or. en
Amendment 27
Stéphane Bijoux
on behalf of the Renew Group

Draft opinion
Paragraph 4 a (new)

Draft opinion

4a. Underlines the need for corrective measures in response to any infringements of human rights or commitments entered into under the Paris Agreement; points out that the chapter on sustainable development needs to be closely and rigorously monitored and enforcement thereof treated as a priority;

Or. fr

Amendment 28
Patrizia Toia, Pierfrancesco Majorino, Evin Incir, Marc Tarabella
on behalf of the S&D Group

Draft opinion
Paragraph 4 a (new)

Draft opinion

4a. Recalls that ILO conventions no 87 and 98 are crucial with a view to the constitution of Domestic Advisory Groups under the EU-Viet Nam Free Trade Agreement; Emphasises the importance of full involvement of CSOs and NGOs in implementing and monitoring the provisions of the FTA; 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;

Or. en
Amendment 29
Ellie Chowns, Michèle Rivasi
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4b. 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 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 30
Stéphane Bijoux
on behalf of the Renew Group

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4b. Notes that Viet Nam is one of the countries most vulnerable to the effects of
climate change, in particular extreme weather events such as storms and floods; urges the Government of Viet Nam to introduce effective adaptation measures and to ensure the effective implementation of legislation relating to environmental and biodiversity protection.

Amendment 31
Patrizia Toia, Pierfrancesco Majorino, Marc Tarabella
on behalf of the S&D Group

Draft opinion
Paragraph 4 b (new)

Draft opinion

Amendment

4b. Points out that full implementation of the above ILO conventions would also require a revision of social legislation, the Penal Code and the Code of Criminal Procedure currently in force in Viet Nam;

Amendment 32
Ellie Chowns, Michèle Rivasi
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 4 c (new)

Draft opinion

Amendment

4c. Expresses its concern about the impact of the new stringent provisions on Intellectual Property Rights on Vietnamese access to medicine; calls for the removal of such restrictions to protect the right of access to generic medicines and to healthcare.
Amendment 33
Patrizia Toia, Pierfrancesco Majorino, Marc Tarabella
on behalf of the S&D Group

Draft opinion
Paragraph 4 c (new)

Draft opinion

4c. Welcomes the legal link between the EVFTA/IPA and the EU-Viet Nam Partnership and Cooperation Agreement (PCA); in the framework of the PCA asks the Commission to actively promote projects in the field of tackling child and forced labour for women in order to improve the working conditions of these groups; urges the Commission to use all available tools in the Agreements, including suspension when needed, to protect and promote fundamental freedoms;

Or. en

Amendment 34
Ellie Chowns, Michèle Rivasi
on behalf of the Verts/ALE Group

Draft opinion
Paragraph 4 d (new)

Draft opinion

4d. Recalls that the E.C. issued a “yellow card” to Vietnam in October 2017, in view of his failure to tackle effectively illegal, unreported, and unregulated (IUU) fishing; urges the Vietnamese government to comply effectively with EU recommendations prior to the ratification of EVFTA.

Or. en
Amendment 35
Patrizia Toia, Pierfrancesco Majorino, Marc Tarabella
on behalf of the S&D Group

Draft opinion
Paragraph 4 d (new)

4d. Underlines that addressing the abovementioned concerns is a key prerequisite to consider recommending that Parliament gives its consent to the proposal for Conclusion of the Free Trade Agreement between the European Union and the Socialist Republic of Vietnam (INTA/8/14829); asks the Commission to fully engage into close monitoring of all developments in the areas of concern and to propose a suspension, if deemed necessary, at any stage;

Or. en

Amendment 36
Manon Aubry, Miguel Urbán Crespo
on behalf of the GUE/NGL Group

Draft opinion
Paragraph 5 (new)

5. Notes the persistence in Vietnam of cases of human and social rights violations, and that more efforts are needed in this regard by the Vietnamese authorities. Call the Vietnamese government for a moratorium on the death penalty, with a view to its full abolition.

Or. en