

EUROPEAN PARLIAMENT

2004



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Session document

28.11.2005

B6-0622/2005 }
B6-0625/2005 }
B6-0626/2005 }
B6-0627/2005 }
B6-0629/2005 }
B6-0631/2005 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 103(4) of the Rules of Procedure, by

- Charles Tannock, Antonio Tajani, Mario Mauro, Jas Gawronski, on behalf of the PPE-DE Group
- Pasqualina Napoletano, Bernard Poignant and María Elena Valenciano Martínez-Orozco, on behalf of the PSE Group
- Graham Watson, István Szent-Iványi, Marco Pannella and Jules Maaten, on behalf of the ALDE Group
- Hélène Flautre, Monica Frassoni, Raül Romeva i Rueda and Frithjof Schmidt, on behalf of the Verts/ALE Group
- Vittorio Agnoletto and Jonas Sjöstedt, on behalf of the GUE/NGL Group
- Konrad Szymański and Inese Vaidere, on behalf of the UEN Group

replacing the motions by the following groups:

- UEN (B6-0622/2005)
- ALDE (B6-0625/2005)
- PSE (B6-0626/2005)
- GUE/NGL (B6-0627/2005)
- PPE-DE (B6-0629/2005)
- Verts/ALE (B6-0631/2005)

on the human rights situation in Cambodia, Laos and Vietnam

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PE 366.039v01-00}
PE 366.042v01-00}
PE 366.043v01-00}
PE 366.044v01-00}
PE 366.046v01-00}
PE 366.048v01-00} RC1

European Parliament resolution on the human rights situation in Cambodia, Laos and Vietnam

The European Parliament,

- having regard to the EU Annual Report on Human Rights 2005,
 - having regard to its earlier resolutions on Cambodia, Laos and Vietnam and, in particular, its resolution on human rights in the world 2004,
 - having regard to the cooperation agreements of 1997 between the European Community on the one hand and the Kingdom of Cambodia and the Lao People's Democratic Republic on the other, and the cooperation agreement of 1995 between the EU and the Socialist Republic of Vietnam,
 - having regard to the EU guidelines on the protection of human rights defenders, approved by the European Council in July 2004,
 - having regard to Article 103(4) of its Rules of Procedure,
- A. recognising the important progress made in recent years by the three countries in economic development, and supporting their efforts to engage with regional and non-regional partners in multilateral fora,
- B. supporting the actions taken by the European Union, its Member States and other members of the international community to assist their governments' programmes to reduce poverty,
- C. regretting that economic and social reforms are not yet matched by adequate political and civil rights reforms,
- D. welcoming the holding of the first meetings in June 2005 of the EU-Vietnam and EU-Laos Working Groups on Institution Building, Administrative Reform, Governance and Human Rights, but taking the view that the fundamental rights situation remains a matter of concern,

CAMBODIA

- E. whereas on 3 February 2005 the National Assembly of the Kingdom of Cambodia waived the parliamentary immunity of three members of the Sam Rainsy Party (SRP), namely its chairman, Sam Rainsy, and Chea Poch and Cheam Channy,
- F. whereas Cheam Channy and his deputy Khom Piseth were tried by a military tribunal despite the fact that under Cambodian national law civilians cannot be brought before military courts,
- G. whereas the rights of the defence were not observed by this military tribunal and whereas

RC\591610EN.doc

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Cheam Channy was sentenced to a seven-year prison term and subsequently deprived of his parliamentary seat,

- H. whereas the situation of women in Cambodia is especially preoccupying as they face discrimination and extreme difficulties in various areas, as stated in its resolution of 13 January 2005,
- I. whereas the waiver of the parliamentary immunity of these three opposition Members of Parliament, the recent arrest and detention of journalists (Mam Sonando, director of Beehive radio station) and teachers (Rong Chhun, President of the Cambodian Independent Teachers Association) and the charges brought against the President of the Free Trade Union Workers, the President of the Civil Servants Association and a member of the Student Movement for Democracy, are symptomatic of a general deterioration in respect for civil liberties in Cambodia and of a crackdown on political dissidents,
- J. whereas there is no guarantee as to the independence and impartiality of the judiciary, and therefore as to its ability to conduct the trials of the Khmer Rouge leaders in the specially created court without political interference,

LAOS

- K. whereas the authorities of the Lao People's Democratic Republic, despite strong representations from the European Union, international organisations and other members of the international community, continue to take measures that limit freedom of expression, of the press, of association, of assembly and of religion,
- L. whereas the international media and human rights organisations continue to report abuses against the Lao-Hmong people, whose humanitarian situation remains appalling,
- M. whereas the main leaders of the peaceful Movement of 26 October 1999, who called for democratic reforms, Thongpraseuth Keuakoun, Seng-Aloun Phengphanh, Bouavanh Chanmanivong and Keochay, are still in detention and another of its leaders, Khamphouvieng Sisa-At, died in prison following ill-treatment and deprivation,
- N. whereas foreign observers, in particular those from Amnesty International, have been denied free access to the territory of Laos,

VIETNAM

- O. welcoming the adoption by Vietnam in June 2005 of a 'Master Plan on its Present and Future Relations with the EU' as well as the government's increased willingness to discuss human rights issues,
- P. recognising the substantial progress made by the Socialist Republic of Vietnam towards economic and social rights, as indicated by social indicators and the UNDP Human Development Index,

RC\591610EN.doc

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- Q. whereas the Vietnamese authorities are still putting restrictions on freedom of expression and the freedom of the press, in particular by establishing a police force in 2004 to censor the Internet and imprisoning cyber-dissidents including Nguyen Dan Que, Pham Hong Son, Nguyen Vu Binh and Nguyen Khac Toan, for espionage, simply for having circulated information on the Internet,
- R. whereas the indigenous minorities of the high plateaux (Centre and North), in particular the Montagnards, suffer from discrimination and measures such as confiscation of ancestral lands or religious repression,
- S. whereas since 1975 the Unified Buddhist Church of Vietnam (UBCV) has been systematically persecuted for its commitment to religious freedom, human rights and democratic reform, whereas it has been banned since 1981, its property confiscated and its schools, universities and social and cultural institutions destroyed, and whereas UBCV Patriarch Thich Huyen Quang and his Deputy Thich Quang Do have been arbitrarily detained for almost twenty-five years,
- T. whereas the members of UBCV local committees set up in 2005 in nine provinces of central and southern Vietnam have been systematically harassed by police for providing aid to people in these poor provinces, and whereas UBCV monk Thich Vien Phuong has been sentenced to pay a fine equivalent to 43 months' basic wage simply for filming an appeal for human rights and democracy in Vietnam which was sent by Thich Quang Do to the UN Commission on Human Rights in April 2005,
- U. taking note of the testimony given by the Buddhist monk Thien Minh, who recently left a re-education camp after 26 years in detention, concerning the terrible conditions endured by prisoners in the Z30A camp in Xuan Loc, in particular the Roman Catholic priest Pham Minh Tri, Nguyen Duc Vinh, who was held for more than 18 years, and a member of the Buddhist Hoa Hao sect, Ngo Quang Vinh, aged 87,
- V. taking note that, despite a new Act on Belief and Religion being introduced in 2004 to codify all aspects of religious life, numerous restrictions on the Unified Buddhist Church of Vietnam and the Protestant Churches, including the Mennonite Church, have remained in place,
- W. whereas the United Nations Human Rights Committee has made recommendations (ref. CCPR/CO/75/VNM of 26 July 2002) to the Vietnamese authorities with regard to the Legal System Development Strategy, a ten-year plan partly funded by donor countries, including some European Union Member States,

CAMBODIA

1. Expresses its support to the Special Representative of the UN Secretary-General for Human Rights in Cambodia and insists on establishing as soon as possible the independent Khmer

RC\591610EN.doc

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Rouge Tribunal, as agreed with the UN in June 2003;

2. Calls on the Cambodian authorities to:

- release immediately and unconditionally Cheam Channy, return his parliamentary mandate and restore the parliamentary immunity of Sam Rainsy and the two other representatives of his party, as already requested by the EP in its resolution of 10 March 2005 and the Inter-Parliamentary Union in its resolution of 19 October 2005;
- engage in political and institutional reforms to build a democratic state governed by the rule of law and founded on respect for fundamental freedoms;
- demonstrate their will to combat effectively the endemic scourges of corruption, massive deforestation resulting in the displacement of people, and the sex tourism industry, to refuse the current culture of impunity and to bring to justice all those involved in such activities;

3. Calls on the Council and the Commission to establish a Working Group on Institution Building, Administrative Reform, Governance and Human Rights and to report its results to the European Parliament;

4. Suggests, inter alia, that an ad hoc EP Delegation visit Cambodia as soon as possible to evaluate the situation of detained parliamentarians, media representatives and trade union leaders in the country and to end the detention of all political prisoners;

LAOS

5. Calls on the Laotian authorities to:

- release all political prisoners and prisoners of conscience, including the leaders of the Movement of 26 October 1999, Christians imprisoned for not having renounced their faith, the Hmong and, in particular, Thao Moua and Pa Phue Khang, the guides employed by visiting European journalists and arrested in 2003;
- undertake political reforms leading to democracy and the rule of law, starting through a multi-party system and the right for all currents of opinion to express their views;
- implement programmes allowing the integration of the Lao-Hmong population and other ethnic and religious minorities into Laotian society, while preserving their social and political rights so as to urgently improve their human rights and living conditions;
- allow specialised UN agencies and representatives of humanitarian organisations unrestricted access, so that they can visit political prisoners, the Hmong population, and all ethnic and religious minorities in Laos;
- ratify without delay the International Covenant on Civil and Political Rights;

6. Calls on the Commission closely to monitor the situation of the Lao-Hmong community and the government's programmes designed for the ethnic minorities;

VIETNAM

7. Calls on the Vietnamese authorities to:

- pursue on the occasion of the 30th anniversary of the end of the Vietnam war a genuine dialogue involving all sections of the population in the economic, social, intellectual and political development of Vietnam;
- undertake political and institutional reforms leading to democracy and the rule of law, starting by allowing a multi-party system and guaranteeing the right of all currents of opinion to express their views;
- apply the Legal System Development Strategy in accordance with the recommendations made by the UN Human Rights Committee and with the provisions of the International Covenant on Civil and Political Rights;
- end all forms of repression of members of the Unified Buddhist Church of Vietnam and officially recognise its existence and that of other non-recognised Churches in the country;
- release all Vietnamese political prisoners and prisoners of conscience detained for having legitimately and peacefully exercised their rights to freedom of opinion, freedom of expression, freedom of the press and freedom of religion, in particular Thich Huyen Quang and Thich Quang Do who are regarded by the United Nations as victims of arbitrary detention (Opinion 18/2005, Working Group on Arbitrary Detention, 26 May 2005);
- guarantee full enjoyment of the fundamental rights enshrined in the Vietnamese Constitution and the International Covenant on Civil and Political Rights, in particular by allowing the creation of a genuinely free press;
- ensure the safe repatriation, under the Cambodia-Vietnam-UNHCR agreement, of the Montagnards who fled Vietnam, and allow proper monitoring of the situation of the returnees by the UNHCR and international NGOs;

GENERAL

8. Supports the projects to be funded by the Commission to promote the development of journalism and to support capacity-building programmes at the National Assembly in Laos as well as the activities in Vietnam that emerge from the Working Group on Institution Building, Administrative Reform, Governance and Human Rights;

9. Calls on the Council and Commission to fully involve Parliament in the work of the EU-Vietnam and EU-Laos Working Groups on Institution Building, Administrative Reform, Governance and Human Rights;
10. Calls on the Council and the Commission to make a detailed assessment of the implementation policies conducted in Cambodia, Laos and Vietnam since the signing of the association and cooperation agreements, mindful of Article 1 of these agreements, which reiterates that respect for democratic principles and fundamental rights is an essential element of the agreements, and to report back to Parliament;
11. Instructs its President to forward this resolution to the Council, the Commission, the Secretary-General of the United Nations and the governments and parliaments of Laos, Vietnam and Cambodia.