



Plenary sitting

B[9-/2021

[18.01.2021]

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 144 of the Rules of Procedure

on the human rights situation in Vietnam, in particular the case of human rights journalists Pham Chi Dung, Nguyen Tuong Thuy and Le Huu Minh Tuan
([2021/](RSP)

Anna Fotyga, Karol Karski,
on behalf of the ECR Group

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United in diversity

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B[9-/2021]

European Parliament resolution on the human rights situation in Vietnam, in particular the case of human rights journalists Pham Chi Dung, Nguyen Tuong Thuy and Le Huu Minh Tuan

([2021/](RSP))

The European Parliament,

- having regard to its previous resolutions on Vietnam,
- having regard to the statement by the EEAS spokesperson of 6 January 2021 on the sentencing of three journalists,
- having regard to the joint press release of 15 December 2020 on the second Joint Committee under the EU-Vietnam Comprehensive Partnership and Cooperation Framework Agreement (PCA),
- having regard to the Joint Allegation Letter by UN Special Rapporteurs of 10 November 2020 on the arrest and detention of five human rights defenders in response of their advocacy following the Dong Tam village raids in January 2020,
- having regard to the Joint Allegation Letter by UN Special Rapporteurs of 17 September 2020 on the three journalists,
- having regard to the regional statement by the UN High Commissioner for Human Rights of 3 June 2020 about the clampdown on freedom of expression during COVID-19 in Asia, which also covers Vietnam,
- having regard to the 2019 concluding observations of the UN Human Rights Committee on the third periodic report of Vietnam,
- having regard to the Universal Declaration of Human Rights,
- having regard to the International Covenant on Civil and Political Rights (ICCPR),
- having regard to Rule 144 of its Rules of Procedure,

A. whereas Pham Chi Dung, Nguyen Tuong Thuy and Le Huu Minh Tuan, respectively chairperson, the vice-chairperson and a young member of the Independent Journalist Association, a civil society organisation which promotes free speech, press freedom and freedom of association, were convicted on 5 January 2021 by the People’s Court in Ho Chi Minh City of “making, storing, spreading information, materials, items for the purpose of opposing the State” under Article 117 of the Criminal Code;

B. whereas Pham Chi Dung, who was sentenced to 15 years in prison, and Nguyen Tuong Thuy and

Le Huu Minh Tuan, who were sentenced to 11 years in prison, were held in lengthy pre-trial detentions and whereas despite assurances given by the Vietnamese Government that due process was followed, there are serious concerns about whether their rights to a fair trial were fully respected;

C. whereas these three journalists have joined hundreds of peaceful activists, bloggers and human rights defenders who languish behind bars in Vietnam, where those who criticize the government or party face police intimidation, harassment, restricted movement, physical assault, arbitrary arrest, detention and imprisonment; whereas Vietnam ranks 175 out of 180 countries, according to the Press Freedom Index produced by Reporters Without Borders;

D. Whereas the communist party of Vietnam has long worked to suppress words and deeds that could shake one-party rule; whereas the communist government has strengthened its internet surveillance last year establishing special cybersecurity monitoring centres; whereas the presence of social media, especially Facebook and You Tube, plays an important role in a country that does not have a free press; whereas those platforms removed hundreds of posts and videos at the government's request putting profit over principle by censoring users without transparent rules and in contradiction with universal standards such as the U.N. Guiding Principles on Business and Human Rights and their own codes of conducts;

E. whereas the conviction of these three journalists and a new wave of arrests, such as the arrest on 6 October 2020 of Pham Doan Trang, one of Vietnam's highest profile human rights defenders, continue a negative trend of repression ahead of the communist party of Vietnam's 13th party congress in January 2021;

F. whereas the right to freedom of expression is guaranteed by the Vietnamese constitution, the Universal Declaration of Human Rights and other international conventions which Vietnam has signed up to, including the ICCPR;

G. whereas the UN High Commissioner for Human Rights and a number of UN human rights mechanisms, including the UN Human Rights Committee which oversees implementation of the ICCPR, have repeatedly called on Vietnam to refrain from using restrictive legislation to curtail fundamental freedoms and to uphold its international human rights obligations;

H. whereas in the context of the Universal Periodic Review, Vietnam accepted recommendations to guarantee and lift restrictions on freedom of opinion and expression;

I. whereas at the annual EU-Vietnam Human Rights Dialogue on 19 February 2020 particular emphasis was made by the EU on the importance and effective protection and promotion of civil and political rights, freedom of expression, association and assembly;

J. whereas the second Joint Committee under the EU-Vietnam PCA, that met online on 15 December 2020, reviewed proposals for the cooperation in the field of human rights, including implementing accepted recommendations under the Universal Periodic Review and the ICCPR: whereas the EU hoped that those important recommendations would be implemented soon;

1. Expects the Vietnamese authorities to immediately and unconditionally release Pham Chi Dung, Nguyen Tuong Thuy and Le Huu Minh Tuan, as well as all journalists, bloggers and human rights defenders imprisoned for having peacefully expressed their views;

2. Calls on the Vietnamese authorities to cease the harassment, intimidation, arrest, prosecution and

conviction of journalists, human rights defenders, activists and all individuals engaged in the peaceful exercise of their right to freedom of expression and other human rights on- and offline;

3. Calls on the Vietnamese authorities to take immediate legislative, administrative, judicial and other measures to bring the country into compliance with its international human rights obligations;
4. Urges the Vietnamese authorities to end the arbitrary censorship of independent news and media for both domestic and international news outlets, to cease restrictions on online information sources and internet usage, and to create a favourable environment for public debate even when the opinions expressed are contrary to those held by the authorities; calls on the social media platforms including Facebook and YouTube to introduce transparent tools to secure in Vietnam the freedom of speech online in compliance with universal standards guaranteeing freedom of expression;
5. Asks the Commission and the EEAS to continue to monitor and work with the Vietnamese authorities and all relevant stakeholders to improve the human rights situation in Vietnam; to use the next human rights dialogue with the Vietnamese government to demand an end to its crackdown on civil society, the full and quick implementation of accepted recommendations under the Universal Periodic Review, the amendment of repressive laws and the immediate and unconditional release of all political prisoners; and to inform the European Parliament on the follow-up by the Vietnamese authorities;
6. Instructs its President to forward this resolution to the Council, the Commission, the HR/VP, the Secretary-General of ASEAN, and the Government and National Assembly of Vietnam.