Resolution on freedom of expression in Vietnam, notably the case of Nguyen Van Hoa

2017/3001(RSP) - 14/12/2017 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution on freedom of expression in Vietnam, notably the case of Nguyen Van Hoa.

The text adopted in plenary was tabled by the EPP, S&D, ECR, ALDE, Greens/EFA and EFDD groups.

Nguyen Van Hoa, a 22 year-old videographer and blogger, was detained by the police without an official warrant and arrested under Article 258 of the Vietnamese Penal Code and charged with 'abusing democratic freedoms to infringe upon the interests of the state'.

In April 2017, these charges were upgraded to a violation of Article 88 on propaganda which has been widely used against human rights defenders (HRDs) who have highlighted abuses in Vietnam.

On 27 November 2017, Nguyen Van Hoa was sentenced to seven years' imprisonment for having disseminated online information, including videos, on the environmental disaster in Ha Tinh Province that took place in April 2016, when Formosa Ha Tinh, a Taiwanese steel company, caused an illegal discharge of toxic industrial waste into the ocean, killing marine life and making people ill.

The People's Court of Ha Tinh Province found Nguyen Van Hoa guilty of producing propaganda against the state under Article 88 of the Penal Code. He was not permitted access to a lawyer to represent him at the hearing.

Parliament condemned the sentencing of Nguyen Van Hoa to seven years in prison and stressed that Nguyen Van Hoa had exercised his right to freedom of expression.

Therefore, it urged the Vietnamese authorities to **release Nguyen Van Hoa immediately and unconditionally**.

Parliament expressed its concern about the rise in the number of detentions, arrests and convictions of Vietnamese citizens related to the expression of their opinions. Concern was also expressed at the restrictions placed on freedom of movement to prevent bloggers and activists from participating in public events such as human rights discussions and attending trials of fellow activists.

In this regard, the Vietnamese authorities are called on to:

- release all citizens detained for peacefully exercising their freedom of expression;
- end all restrictions on and acts of harassment against HDRs and to guarantee in all circumstances that they are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment;
- establish a **moratorium** on the death penalty as a first step towards the abolition of capital punishment for all crimes;
- address the environmental disaster in the Ha Tinh Province through legislative measures aimed at restoring and rehabilitating the local economy;
- amend certain articles in its Penal Code, including Article 88 on propaganda and Article 79 on activities aimed at overthrowing the administration, which have been denounced by the OHCHR as being in breach of international human rights law.

While welcoming the strengthened partnership and Human Rights Dialogue between the EU and Vietnam, Parliament encouraged the Commission to **monitor progress** under the Dialogue through the introduction of benchmarks and monitoring mechanisms.

Lastly, the Commission and the VP/HR are urged to continue to raise the issue of freedom of expression in its regular dialogue with Vietnam, including during the next Asia-Europe Meeting (ASEM) Summit in Brussels in 2018.