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16. Appeals to the Indonesian Government to prevent attacks on humanitarian agencies and their workers and to take appropriate action against those implicated in such attacks, in accordance with its responsibilities under the UN Declaration on Human Rights Defenders of 9 December 1998;

17. Calls on the Indonesian Government to guarantee the right to a fair trial and access to defence counsel, and to reform and strengthen the judiciary so that the law can provide protection against human rights violations;

18. Calls for freedom of religion and condemns the restriction on freedom of the press provided for under martial law;

19. Requests that the Commission assist the Indonesian Government in its efforts to implement the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the recommendations made by the Committee against Torture, and the recommendations made by the UN Special Rapporteur on the independence of judges and lawyers;

20. Instructs its President to forward this resolution to the Commission, the Council, the Government and Parliament of Indonesia, the Governor and the Regional House of Representatives (DPRD) of Aceh, the Indonesian National Commission on Human Rights (Komnas HAM), the permanent members of the Secretariat of the Tokyo Preparatory Conference on Peace and Reconstruction in Aceh, the Henri Dunant Centre for Humanitarian Dialogue, the UN Secretary-General, the UN High Commissioner for Human Rights and the ASEAN Secretariat.

P5_TA(2003)0526

Vietnam: freedom of religion

European Parliament resolution on Vietnam

The European Parliament,

- having regard to its previous resolutions on Vietnam, in particular those of 16 November 2000 ⁽¹⁾, 5 July 2001 on religious freedom in Vietnam ⁽²⁾ and 15 May 2003 ⁽³⁾,
- having regard to the Cooperation Agreement between the European Community and the Socialist Republic of Vietnam of 17 July 1995, Article 1 of which lays down respect for human rights and democratic principles as the basis for cooperation,
- having regard to Articles 69 and 70 of Vietnam's Constitution, which guarantee freedom of religion in the following terms: 'the citizen (...) can follow any religion or follow none',
- having regard to Article 18 of the International Covenant on Civil and Political Rights, which Vietnam has ratified and which guarantees freedom of religion,
- having regard to the Cooperation Agreement signed between the European Union and Vietnam in 1985,
- having regard to its report on the situation of human rights in the world in 2002,
- having regard to the EC-Vietnam Strategy Paper 2002-2006,
- having regard to Rule 50(5) of the Rules of Procedure,

⁽¹⁾ OJ C 223, 8.8.2001, p. 337.

⁽²⁾ OJ C 65 E, 14.3.2002, p. 369.

⁽³⁾ P5_TA(2003)0225.

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- A. whereas freedom of religion is one of the fundamental freedoms defined by the Universal Declaration of Human Rights and guaranteed by various international conventions to which Vietnam is party,
- B. whereas the EU-Vietnam Cooperation Agreement is, precisely, based on respect for fundamental rights as defined in these conventions,
- C. whereas also, despite the repeated declarations of the Vietnamese authorities, the situation with regard to fundamental freedoms in Vietnam, especially freedom of religion, remains extremely worrying,
- D. having regard to the multiethnic, multicultural and multireligious character of the country,
- E. having regard to the hopes raised by the meeting in March this year between Prime Minister Phan Van Khai and the Most Venerable Thich Huyen Quang, 86, Patriarch of the Unified Buddhist Church of Vietnam (UBCV), who has spent 21 years in prison,
- F. regretting deeply that the unexpected and widely publicised meeting on 2 April 2003 between Prime Minister Phan Van Khai and the Most Venerable Thich Huyen Quang, Patriarch of the (outlawed) UBCV has been followed by the resumption and intensification of the repression of the UBCV, as well as by the continuing persecution of other non-recognised confessions such as the Protestant Churches of the Montagnards or the Hoa Hao Buddhist Church,
- G. deploring the decision to place the Patriarch Thich Huyen Quang and the Venerable Thich Quang Do under house arrest, and the immediate condemnation of the Venerables Thich Tue Sy, Thich Thanh Huyen and Thich Nguyen Ly, as well as the personal assistant of the Patriarch, the Venerable Thich Dong Tho, to two years' administrative detention by written order of the People's Committee of Ho Chi Minh City, and the condemnation of four other monks, Thich Thien Hanh, Thich Vien Dinh, Thich Thai Hoa and Thich Nguyen Vuong, to two years' administrative detention by 'verbal' order of the authorities of Hue and of Ho Chi Minh City,
- H. whereas respect for human rights is one of the essential elements of the Cooperation Agreement signed between the European Union and Vietnam,
- I. having regard to the meeting of the Joint EU-Vietnam Committee pursuant to the Cooperation Agreement,
- J. recalling the condemnation of Father Nguyen Van Ly and three of his relatives as well as the continual repression suffered by the Christian Montagnards and the Hoa Hao Buddhist Church,
- K. noting that other religious groups are under government surveillance as well despite Vietnam's constitutional guarantee of freedom of religion and belief for its citizens,
 - 1. Strongly condemns the new and more serious wave of repression of the religious freedom of the UBCV and of the Christian Montagnards in Vietnam and the deliberate policy of the Vietnamese regime of eliminating non-recognised Churches, especially the UBCV;
 - 2. Calls on the Vietnamese authorities to halt immediately the policies of repression of the UBCV, the Catholic Church, Montagnard Christian groups and Hoa Hao Buddhists and to adopt without delay all the reforms necessary to guarantee all these churches' legal status;
 - 3. Calls on the Vietnamese Government to release immediately all Vietnamese citizens detained on account of their faith, their religious practices or simply their attachment to the freedom of religion, beginning with the Most Venerable Thich Huyen Quang, Patriarch of the UBCV, and the Venerable Thich Quang Do, his deputy;
 - 4. Calls on the Vietnamese authorities to respect the freedom of religion of all religious groups and guarantee the right of all Vietnamese to practise the religion of their choice, including freedom of worship and assembly, and calls for the establishment of a judicial system independent of the political authorities;

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5. Calls on the Commission to place the question of freedom of religion in Vietnam at the top of the agenda for the meeting of the Joint EU-Vietnam Committee to be held in Brussels on 21 November 2003;
 6. Calls on the Council and Commission to use all political and diplomatic means to ensure that freedom of religion finally becomes a reality in Vietnam;
 7. Calls on the Commission and Council to ensure that the human rights clauses contained in the agreements and treaties concluded are strictly complied with;
 8. Calls on the diplomatic representations of the European Union and of its Member States in Vietnam to follow the case of the dignitaries of the UBCV imprisoned or kept under house arrest, to pay particular attention to the situation of religious freedom in the country, and to coordinate their efforts to promote this freedom in a concrete manner;
 9. Recommends the appointment of a delegation of the European Parliament to visit Vietnam, to appraise the religious situation, especially that of the UBCV, and to meet its leaders, first and foremost the Patriarch Thich Huyen Quang and the Venerable Thich Quang Do;
 10. Instructs its President to forward this resolution to the Council, the Commission, the President, the Prime Minister and the President of the People's Assembly of Vietnam, the Patriarch and the deputy Patriarch of the UBCV, the Secretary General of the United Nations and the Special Rapporteur of the United Nations on freedom of religion.
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