

Resolution

Presented by the Vietnam Committee for the Defence of Human Rights

The International Federation of Human Rights (FIDH), meeting at its XXXVII Congress in Yerevan, Armenia,

Considering that Vietnam has demonstrated, during its Universal Periodic Review (UPR) (September 2009), its failure to protect and promote human rights, rejecting more than 40 concrete and common sense recommendations to improve the situation of human rights.

Considering that Vietnam has chaired, since 1 January 2010, the recently established ASEAN's Intergovernmental Commission on Human Rights, within which it applies, with the complicity of other member States, a double-tongued discourse, as demonstrated by the failure of the Commission at its first meeting in Jakarta (28 March -1 April, 2010), to meet with civil society and investigate complaints on the grounds of non-interference in internal affairs of States members;

Considering that Vietnam is pursuing a relentless campaign against freedom of expression on the Internet, with arrests and harassment against bloggers, cyber-attacks and closures of websites deemed unacceptable by the government, computer hacking (Trojan discovered in late March in the software VPSkeys used to spy on its users);

Considering that Vietnam continues to use vague offences and to consider anything related to « *national security* » as « *spying* », « *propaganda against the state* », activities « *aimed at overthrowing the Government* », or as « *abuses of democratic freedom* » in order to heavily suppress dissidents, human rights defenders or demonstrators, for example most recently:

- In October 2009, nine pro-democracy activists were sentenced to 10 years imprisonment (Nguyen Xuan Nghia, Nguyen Van Tuc Nguyen Manh Son, Nguyen Van Tinh, Ngo Quynh, Nguyen Kim Nhan, Vu Van Hung, Tran Duc Thach Phan and Van Troi) whose cases had just been denounced by the Working Group on Arbitrary Detention (Opinion 1 / 2009, May 2009).
- On 28 December 2009 and 20 January, 2010, five other dissidents were sentenced to up to 16 years in prison for their commitment to democracy and human rights (Tran Huynh Duy Thuc, Nguyen Tien Trung, Tran Anh Kim Le The Cong Dinh and Thang Long.)

Considering that if not in prison, dissidents are all kept under house arrest, and this sometimes for decades, as in the case of Thich Quang Do, Patriarch of the Unified Buddhist Church of Vietnam (UBCV, Historic Church, independent, arbitrarily banned since 1981), who has been held for more than 28 years under house arrest.

Considering that in the absence of independent human rights organisations, « not officially recognised » religious communities often play the role of human rights defenders and that Vietnam persists in repressing them;

Calls on Vietnam and ASEAN member States to commit to ensuring that the Intergovernmental Panel on ASEAN Human Rights protects and promotes human rights effectively. To this end, the Commission must be given adequate resources to fulfil its mission and the States must not invoke their "*national sovereignty*" to conceal their violations of human rights;

Calls on Vietnam to establish a genuine and sincere cooperation with the United Nations on human rights, including calling for *on-site visits* of Special Rapporteurs on freedom of expression, religious freedom, torture, and even the Working Group on Arbitrary Detention, and by dismantling its anti-human rights legislative arsenal as repeatedly recommended by the UN;

Calls on Vietnam to immediately and unconditionally release all those who have been detained simply for peacefully and legitimately exercising their rights to fundamental freedoms, notably Thich Quang Do and the dissidents and human rights defenders mentioned above;

Calls on Vietnam to end its campaign against freedom of expression aimed at creating a climate of fear, to allow a free press, free trade unions, "real" NGOs and to stop the persecution against « not officially recognised » religions such as UBCV, and to restore their legal status;

Calls on the international community to impose the strongest standards on human rights in its trade or diplomatic relations with Vietnam.