

Dear Members of the European Parliament,

We, the undersigned Vietnamese human rights organizations and human rights defenders, **in light of recent appalling brutality and human rights abuses in Dong Tam village, the epitome of a larger human rights crisis, are writing to urge you to postpone the ratification of the EU – Vietnam Free Trade Agreement (EVFTA) until the Vietnamese government concretely improves human rights of its citizens.**

The government of Vietnam has consistently shown an utter disregard for human rights, and rather than reward such behavior with a lucrative trade agreement, the European Union must demand accountability according to the Action Plan on Human Rights and Democracy.

Only two weeks into the new year, the Vietnamese government has already significantly escalated a crackdown on civil society. At around 3:00 AM on 9 January 2020, some 3,000 police forces descended on Dong Tam village – the latest chapter in a long-simmering land dispute over the construction of an airport, which threatens to displace Dong Tam's 9,000 residents. Without a warrant, police forced their way into the home of 85-year old village leader, Le Dinh Kinh, and shot him twice in the head. His wife has testified on video that the police tortured her to deliver a forced confession that her husband had threatened the police. Witnesses have recounted other acts of brutality by police. Dong Tam has been completely locked down, with Internet black-outs and cut phone lines – thereby escalating government oppression in a country already ranked among the worst in freedom of expression and information.

At first, the authorities refused to even release Le Dinh Kinh's body until his family agreed to sign false documentation regarding his death. Meanwhile, several members of his family, along with more than 20 villagers, have been arrested on fabricated charges. Following Kinh's death, hundreds of people donated more than \$20,000 to support his family, but the Ministry of Public Security has arbitrarily frozen the account and denied the family access to these funds. Numerous Facebook posts and some accounts of human rights defenders have been blocked, making independent monitoring impossible. Rather than launch an independent investigation, authorities continue to intimidate civil society.

The Vietnamese government's brutality in Dong Tam, including the killing of Le Dinh Kinh and mass arrests, along with efforts to censor any discussion of the land dispute and human rights abuses, is an escalation of an already appalling lack of respect for human rights that must not be rewarded with trade preferences. Furthermore, how can the European Union expect Vietnam to comply with its obligations to allow independent participation in the FTA if it routinely intimidates and detains civil society engaged in human rights monitoring? This is especially so as land rights and development related issues such as these will have important connections with international trade.

If the FTA is going to help the people of Vietnam, then ensuring the government makes concrete improvements before ratification is the only way to ensure the EVFTA is implemented in a free and fair way, committed to transparency and sustainability, and grounded in basic human rights. **Therefore, while we support the EVFTA overall, we reiterate that ratification must be postponed until the Vietnamese government has made real changes.**

We respectfully ask that as a Member of the European Parliament you take the following immediate steps in relation to Dong Tam:

- In coordination with the European Commission, demand an effective, independent investigation into Le Dinh Kinh's death and the overall brutality by law enforcement at Dong Tam, with a guarantee of accountability and remedies for human rights violations.
- In coordination with the European Commission, demand the release of those arbitrarily arrested following the Dong Tam brutality, an end to social media censorship of the event, and the immediate unfreezing of all private accounts meant to assist the victims of the Dong Tam brutality.

We also request that as Members of the European Parliament, you postpone ratification of the EVFTA until the Government of Vietnam has made concrete human rights improvements:

- The government of Vietnam must release all political prisoners. While we are happy Human Rights Defender Tran Thi Nga is no longer imprisoned, we are concerned that her freedom from arbitrary imprisonment was premised on her accepting a life of exile in the United States. Political prisoners must have the choice to remain in Vietnam if they wish.
- The government of Vietnam must commit to amend or repeal of abusive provisions within its Penal Code in line with Vietnam's commitments under international law, especially the International Covenant on Civil and Political Rights to which Vietnam is a State-Party. These include Articles 109, 116, 117, 118, and 331. It should also repeal the Cyber Security law and take immediate measures to ensure the freedom of expression and information online and offline.
- It is not enough that Vietnam commits to a roadmap for the ratification of remaining ILO Conventions 87 and 105, especially when the new Labor Code passed in November does nothing to establish domestic legislation for effective independent labor unions and the freedom of assembly and association. Instead, the Labor Code and related legislation must be amended in line with international standards to ensure protections for truly independent union organizing and labor rights education. Labor law reforms are also useless if the Penal Code is not amended as above, exactly as ILO experts recently confirmed before an INTA hearing.
- We furthermore request that, in coordination with the European Commission, you insist on the creation of an independent monitoring and complaints mechanism to address human rights impacts of the EVFTA, and ensure the Domestic Advisory Groups at the center of civil society's role within the monitoring of the EVFTA are comprised of authentically independent civil society members, free of harassment and intimidation.

While we deplore the brutality at Dong Tam, it further demonstrates the need for postponement of ratification of the EVFTA. This is a unique opportunity to exercise leverage over Vietnam. Please do not waste it.

Respectfully,

1. Defend the Defenders
2. Duong Noi Land Grab Victims
3. Green Trees
4. Free Việt Labor Federation (Liên Đoàn Lao Động Việt Tự Do)
5. The 88 Project
6. The Independent Journalist Association of Vietnam
7. Viet Labor Movement (Phong Trào Lao Động Việt)
8. VOICE