



**EU Domestic Advisory Group under  
the EU-Vietnam FTA**

## **Statement of EU Domestic Advisory Group of EU-Vietnam FTA**

**29 September 2022**

Meeting for the 5<sup>th</sup> time on 20<sup>th</sup> September 2022, the members of the EU Domestic Advisory Committee to the EU-Vietnam Free Trade Agreement (EVFTA) heard reports from the European Commission and European External Action Service about the progress in implementing the Trade and Sustainable Development Chapter of the EVFTA.

The EU DAG was encouraged to hear that work is underway to ensure that the Roadmap on Labour Rights produced by the Vietnamese government ahead of the European Parliament's ratification of the EVFTA is progressing. The EU DAG looks forward to hearing concrete plans at the forthcoming Trade and Sustainable Development Committee, DAG-to-DAG meeting and Civil Society Forum in Hanoi (17-19 October 2022).

However, substantial concerns were raised in the meeting about the shrinking space for civil society in Vietnam. The EU DAG remains deeply concerned about the arrests, imprisonment and sentencing of several prominent environmental rights defenders in Vietnam.

A growing body of reports, opinions, statements and resolutions produced by the UN and the EU are documenting the grave violations of human rights occurring in Vietnam. The harassment of human rights defenders, civil society leaders and journalists based on the arbitrary use of the overly-broad wording of the Penal Code and the Tax Law, has already been denounced by the EU<sup>1</sup>, as well as by UN human rights monitoring mechanisms, including by the UN Human Rights Council (HRC) and the Working Group on Arbitrary Detention (WGAD)<sup>2</sup>.

The EU DAG insists that EU officials and representatives should be allowed to visit prisoners and observe trials, by submitting specific requests to the Vietnam authorities.

The EU DAG reiterates its call for the full respect of the rights of civil society organisations to scrutinize and monitor the implementation of the EVFTA under the TSD chapter. TSD chapters in

---

<sup>1</sup> European Parliament resolutions of: 21 January 2021 on the human rights situation in Vietnam, in particular the cases of human rights journalists Pham Chi Dung, Nguyen Tuong Thuy and Le Huu Minh Tuan; of 15 November 2018 on Vietnam, notably the situation of political prisoners; of 14 December 2017 on freedom of expression in Vietnam, notably the case of Nguyen Van Hoa; and of 9 June 2016 on Vietnam. Also European Parliament non-legislative resolution of 12 February 2020 on the draft Council Decision on the conclusion of the Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam.

<sup>2</sup> UN WGAD Opinions No 16/2020, No 15/2020, No 45/2019, No 44/2019, No 9/2019, No 8/2019 and No 46/2018. See also Concluding observations on the third periodic report of Viet Nam, August 2019, CCPR/C/VNM/CO/3, paras. 25–30, 33–36, 41–42, 45–46 and 51–52; CAT/C/VNM/CO/1, paras. 16–17, 24–25 and 30–31. Opinion No 42/2020 concerning Truong Duy Nhat (Thailand and Viet Nam); joint allegation letters by UN Special Procedures of 17 September 2020 on the three journalists and of 22 January 2020 on two individuals, including journalist Pham Chi Dung.

trade agreements can only live up to their promise if civil society is able to transparently monitor and scrutinize implementation.

Furthermore, as human rights are an essential element of the Partnership and Cooperation Agreement (PCA) between the EU and Vietnam, and consequently overarch the entire EVFTA, the intimidation and harassment of civil society actors monitoring the commitments undertaken by the Parties must be addressed assertively by the European Union. The EU DAG recalled the recent decision in July by the EU Ombudsman in this respect<sup>3</sup>.

The EU DAG reminded the EU and Vietnamese authorities that civil society organisations must be able to prepare properly to engage in joint meetings and therefore, extremely limited warning of meetings and lack of information on agendas and topics to be addressed endangers civil society scrutiny. For all the reasons laid out above, this is a particularly sensitive matter in the case of the EVFTA. Therefore, EU DAG members insist on greater involvement in the preparation of meetings in the future and long notice of dates.

---

<sup>3</sup> <https://www.ombudsman.europa.eu/en/doc/correspondence/en/158519>