

KEY FINDINGS

In 2018, religious freedom conditions in Vietnam trended negative. Although the new Law on Belief and Religion, which came into effect on January 1, 2018, granted recognized religious organizations status as legal persons and reduced the waiting period for applications, it also required those organizations to seek prior approval for routine religious activities. Furthermore, the law closed the gray area in which independent religious groups had previously operated by outlawing groups that do not register, effectively criminalizing many peaceful religious practices and activities. During 2018, the government continued a nationwide crackdown on religious leaders, human rights defenders, peaceful activists, and other critics across the country, particularly in response to widespread protests against the draconian new Cybersecurity Law and a draft bill on special economic zones. As of December 31, 2018, there were an estimated 244 prisoners of conscience in Vietnamese jails, as well as 20 detained activists still awaiting trial, including some who advocated for freedom of religion or belief, and others who simply professed or practiced their faith. Local authorities continued to seize property from Catholic churches, Buddhist temples, and other religious groups for economic development projects

without providing just compensation. Vietnamese police harassed Catholic, Hoa Hao, and Cao Dai religious leaders for participating in religious freedom conferences overseas and for meeting with foreign diplomatic personnel. Ethnic minority communities faced especially egregious persecution for the peaceful practice of their religious beliefs, including physical assault, detention, or banishment. An estimated 10,000 Hmong and Montagnard Christians in the Central Highlands remain stateless because local authorities have refused to issue ID cards, in many instances in retaliation for refusing to renounce their faith.

Based on these systematic, ongoing, egregious violations of religious freedom, USCIRF again finds that Vietnam merits designation in 2019 as a “country of particular concern,” or CPC, under the International Religious Freedom Act (IRFA), as it has recommended every year since 2002. Although the U.S. Department of State removed Vietnam from the CPC list in 2006, the government of Vietnam has continued to persecute religious individuals and organizations—despite some modest improvements—and the overall situation for religious freedom has regressed since the short-lived progress under the CPC designation.

RECOMMENDATIONS TO THE U.S. GOVERNMENT

- Enter into a binding agreement with the Vietnamese government, as authorized under section 405(c) of IRFA, setting forth mutually agreed commitments that would foster reforms to improve religious freedom;
- Pursue both public and private high-level engagement with Vietnamese government officials about prisoners of conscience and religious freedom concerns, not only in the context of

the annual U.S.-Vietnam Human Rights Dialogue, but also as part of discussions about security, economic, and development issues; and

- Prioritize funding for programs that build the capacity of religious leaders, human rights defenders, and civil society organizations to negotiate with local authorities, especially as pertains to disputes over property and land.

The U.S. Congress should:

- Send regular delegations focused on religious freedom and related human rights to Vietnam and request to visit areas impacted by restrictions on religious freedom, such as the Central Highlands, Northern Highlands, and Mekong Delta, as well as request to visit prisoners of conscience.

COUNTRY FACTS

FULL NAME

Socialist Republic of Vietnam

GOVERNMENT

Communist State

POPULATION

97,040,334

GOVERNMENT-RECOGNIZED RELIGIONS/FAITHS

43 religious organizations from 16 religious traditions: Buddhism, Catholicism, Hoa Hao, Cao Dai, Protestantism, Islam, the Baha'i faith, Church of Jesus Christ of Latter-day Saints, Buu Son Ky Huong, Tinh Do Cu Si Phat Hoi, Tu An Hieu Nghia, Phat Duong Nam Tong Minh Su Dao, Minh Ly Dao Tam Tong Mieu, Khmer Brahmanism, Hieu Nghia Ta Lon Buddhism, and Vietnam Adventist Church; officially atheist

RELIGIOUS DEMOGRAPHY*

(Note: figures are outdated and difficult to confirm)

7.9–14.9% Buddhist
6.6–7.4% Catholic
1.5–1.7% Hoa Hao
0.9–1.2% Cao Dai
1.1% Protestant
0.1% Muslim (including ethnic Cham Muslims)
45.3% Folk Religion/Animism/Traditional Practices

OTHER GROUPS

The Baha'i faith, Falun Gong, Hindu, members of the Church of Jesus Christ of Latter-day Saints, Jehovah's Witnesses, and practitioners of local religions or other forms of traditional worship

*Estimates compiled from the CIA World Factbook and the U.S. Department of State

BACKGROUND

The Socialist Republic of Vietnam is officially atheist, but the constitution allows citizens to “follow any religion or follow none.” According to article 70, “All religions are equal before the law” and the government “respects and protects” freedom of religion. However, article 14(2) authorizes the government to override human rights, including religious freedom, for reasons of “national security, social order and security, social morality, and community well-being,” which government officials have sometimes exploited to impede religious gatherings and the spread of religion to certain ethnic groups.

The government has officially recognized 39 religious organizations and granted operating licenses to four other religious organizations, representing in total more than 25 million followers affiliated with 16 different religions—including Buddhism, Catholicism, Protestantism, Hoa Hao, and Cao Dai. However, some Buddhist, Protestant, Hoa Hao, and Cao Dai religious communities do not participate in government-approved religious associations due to fear of persecution or concern for their

independence, leading to both government-sponsored and independent organizations competing to represent the religion. For example, the government created the Vietnam Buddhist Sangha (VBS) in 1981 as the sole representative of Vietnamese Buddhism and required all Buddhist monks to join the organization, effectively banning the independent Unified Buddhist Church of Vietnam (UBCV).

In June 2018, tens of thousands of people across the country protested draft laws on cybersecurity and special economic zones—the largest public demonstrations since reunification in 1976. Catholic priests were among the most vocal critics of both laws. After the National Assembly passed the Cybersecurity Law (which went into effect on January 1, 2019, just after the reporting period), the Federation of Vietnamese Catholic Mass Media criticized the law's lack of privacy protections and claimed it had already reduced online traffic to Catholic websites. Rights defenders expressed concern that the proposed law on special economic zones would give China too much influence over the economy. The government took an aggressive approach against any perceived criticism

of these two bills. According to human rights groups, by November 2018 at least 127 people had been arrested and convicted for participating in the protests.

In January 2019, after the reporting period, Vietnam went before the United Nations (UN) Human Rights Council for its third [Universal Periodic Review](#); the outcome of the review is expected later in 2019. Several international civil society organizations submitted information and recommendations about religious freedom in Vietnam to be incorporated into the formal review process.

RELIGIOUS FREEDOM CONDITIONS 2018

Although the Vietnamese government generally embraces its religious diversity and publicly expresses support for religious freedom, the overall situation for religious groups deteriorated in 2018.

Communities in rural parts of some provinces, especially in ethnic minority areas, face ongoing and severe violations of freedom of religion or belief. However, religious freedom violations are not equally distributed across Vietnam. Religious followers in urban, economically developed areas usually are able to exercise their religion or belief freely, openly, and without fear.

Positive Developments

Vietnam has taken some positive steps to improve religious freedom and related human rights. Certain parts of the government have demonstrated the willingness to listen to and engage with international stakeholders about religious freedom concerns. Moreover, the central government reportedly has tried to intervene in or mediate property disputes on behalf of religious communities.

The Law on Belief and Religion (discussed in more detail below) did bring some positive changes, including granting registered religious organizations legal personhood and reducing the waiting period for religious groups to apply for recognition from 23 years to five years. USCIRF has received reports that local governments are now more likely to reply in writing to registration applications for new houses of worship,

which seldom happened before the enactment of the law. In 2018, the government approved registration for the Full Gospel Church and the United Gospel Outreach Church, which previously had faced serious persecution. In December, the state-recognized Evangelical Church of Vietnam (South) held an outdoor, public Christmas event for 20,000 people—the first time in eight years it was permitted to do so.

Although the Vietnamese government released several prominent prisoners of conscience in 2018, their freedom was conditional upon them immediately leaving the country. In June, authorities released Christian human rights lawyer Nguyen Van Dai and his colleague Le Thu Ha; both immediately boarded a flight to Germany. In October, environmental activist Nguyen Ngoc Nhu Quynh, a Catholic woman popularly known as

“Mother Mushroom,” was freed and sought asylum in the United States, along with her elderly mother and two young children. These releases, while welcome, stood in stark contrast to the overall

increase in the number of prisoners of conscience in 2018 (see below).

Law on Belief and Religion

On January 1, 2018, Vietnam’s new Law on Belief and Religion went into effect. The law nominally obliges the government to protect religious freedom and, for the first time, gives Vietnamese religious organizations a right to legal personhood. However, it also requires religious groups to register with the Government Committee for Religious Affairs (GCRA) and to report on routine activities like festivals and conferences. Article 5 grants the government discretion to reject religious activities that “infringe upon national security” and “violate social morality.” The implementing regulations, which came into force in June 2018, impose fines on organizations deemed to abuse “religion to infringe upon the interests of the state or engage in fabrication or slander.” Several human rights organizations have expressed concern that these provisions are overly vague and potentially allow authorities to arbitrarily punish religious groups.

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During the year, some recognized religious groups found it more difficult to obtain government approval for routine activities since the law went into effect. For unrecognized groups, the law criminalizes activities not approved in advance by the government, effectively closing the gray area in which they had previously operated. Indeed, throughout 2018 local authorities cited the law to justify prohibiting informal religious activity that the previous legal framework had tolerated, if not endorsed. For example, local authorities in Quang Binh Province banned Catholic priest Cao Duong Dong from making home visits to conduct prayer services, as he had been doing since 2014. In January 2018, the Quynh Ngoc Province People's Committee cited the new law to declare a Catholic Mass illegal because the parish allegedly had not registered the meeting. Local authorities also cited the law as justification for seizing religious sites and temples associated with independent religious groups.

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Harassment of Religious Groups and Individuals

Vietnamese local authorities, police, or hired thugs regularly target certain religious groups and individuals because of their faith; ethnicity; advocacy for democracy, human rights, or religious freedom; historic ties to the West; or desire to remain independent of government control. During 2018, USCIRF received multiple reports of local police “inviting” individuals for questioning without citing a specific charge and subsequently interrogating them about their religious beliefs or association with certain religious organizations. In March 2018, police in Soc Trang Province summoned the Venerable Lieu Ny—a Khmer Krom Buddhist monk who advocated for the linguistic and cultural preservation of the Khmer Krom people—to question him about his activities since his 2017 release from prison. Throughout 2018, state-run media and local authorities in northern Vietnam continued to publicly denounce Catholic priests for their role in protesting the government’s handling of the 2016 Formosa Steel Plant

environmental disaster. Occasionally, this harassment led to violence. In June, after local authorities imposed a fine on Hua Phi—sub-dignitary of the independent Cao Dai—for his religious activities, men in civilian clothes reportedly broke into his house, assaulted him, and cut off his beard.

Local authorities also have prevented religious groups from holding public activities, even if the under-

lying activity does not violate the law. In July 2018, police and plain-clothes security agents surrounded the UBCV’s Long Quang Pagoda in Hue to prevent children from attending a Buddhist youth camp. There were

also reports that security forces and government employees prevented monks and adherents from entering An Cu Pagoda in Danang and Lien Tri Temple in Ho Chi Minh City during major religious festivals. Local authorities in An Giang Province kept followers of the unrecognized Central Church of Pure Hoa Hao Buddhism (CCPHHB) from celebrating important holy days, including the founder’s birthday, by erecting roadblocks and temporary police stations. In January 2018, members of the government-run Cao Dai Tay Ninh Sect (or 1997 Sect) in Tay Ninh Province—supported by local officials—attempted to prevent several independent Cao Dai from burying a deceased relative in Cuc Lac Thai Binh Cemetery, insisting the ceremony use clergy from the 1997 Sect.

Ethnic minorities in Vietnam face particularly severe and persistent harassment because of their religion or belief. Throughout 2018, USCIRF received reports of local government officials and police interrupting house worship sessions in Hoa Thang Commune, Ea Drong Commune, and other Montagnard Christian communities. In April 2018, police in Tuong Duong District disrupted a Hmong worship group affiliated with the government-sponsored Evangelical Church of Vietnam (Northern Region), claiming it was not properly registered (an estimated 40 percent of Hmong are Christian). In numerous instances, local authorities attempted to coerce members of independent religious groups to renounce or recant their faith, sometimes employing threats of physical assault or banishment. Local

authorities in Krong Pac District publicly berated and humiliated Montagnards for their affiliation with the unrecognized Evangelical Church of Christ. Meanwhile, an estimated 2,000 Protestant Hmong and Montagnard households—approximately 10,000 individuals—in the Central Highlands continued to be stateless because local authorities refused to issue ID cards, household registration, and birth certificates, in many instances in retaliation for refusing to renounce their faith.

“Red Flag” militant groups continued to harass dissidents during the reporting period, particularly Catholics in Nghe An Province. Unlike plain-clothes thugs, Red Flag groups are organized and do not pretend to be a spontaneous mob; they often work closely with—and sometimes at the direction of—local authorities. Moreover, the government has shown little willingness to prosecute or discipline those involved in the attacks. For example, when Father Nguyen Duc Nhan of Ke Gai Parish asked provincial authorities to investigate members of a Red Flag group who attacked individuals involved in a land dispute, the police instead summoned his parishioners for questioning.

Government agents reportedly harassed, interrogated, or restricted the freedom of religious leaders and activists because of their association with foreign diplomatic personnel. Several of the incidents involving Sub-Dignitary Hua Phi occurred shortly before he was scheduled to meet with diplomats from the United States, Europe, and Australia.

Arrests and Imprisonments

According to the NOW! Campaign—a coalition of human rights organizations working for the unconditional release of all Vietnamese prisoners of conscience—as of December 31, 2018, there were 244 prisoners of conscience serving sentences in Vietnam, as well as 20 detained activists still awaiting trial, including many who “promoted or protected the right to freedom of religion or belief and others who simply professed or practiced their faith.”

Throughout 2018, the government arrested and convicted members of religious organizations for protesting limits on their freedom. In February 2018, local authorities in An Giang Province tried and convicted six independent Hoa Hao Buddhists—Bui Van Trung, his wife Le Thi Hen, his daughter Bui Thi Bich Tuyen, his son Bui Van Tham, Nguyen Hoang Nam, and Le Thi Hong Hanh—to between three and five years in prison for staging a public protest against religious repression in April 2017. In April 2018, the government sentenced Nguyen Bac Truyen—a Hoa Hao Buddhist who ran the independent civil society organization the Vietnamese Political & Religious Prisoners Friendship Association and provided legal advice to rights victims—to 11 years in prison. Four Falun Gong practitioners were sentenced to three years’ imprisonment for “stealing from a police station” because they sought to retrieve items police had confiscated.

According to the NOW! Campaign, almost one quarter of prisoners of conscience were Hmong, Montagnard, or Khmer Krom. In March 2018, Gia Lai Province police, in coordination with the Central

Highlands Security Department, arrested 25 Montagnards for allegedly proselytizing Dega Protestantism—which combines aspirations for independence with evangelical Christianity—under the direction of

Montagnards living overseas. The arrests included former prisoner of conscience Siu Blo, who was forced to publicly renounce his religion and confess his alleged wrongdoings.

USCIRF also received reports about poor prison conditions for detained religious leaders and activists, as well as their access to religious services and facilities. Pastor Nguyen Trung Ton, president of the Brotherhood for Democracy, was sentenced in April 2018 to 12 years in prison for allegedly undertaking “activities aiming to overthrow the people’s administration” and reportedly denied hospital treatment for various medical conditions and kept in solitary confinement. In November 2018, authorities reportedly transferred both Bui Van Trung and Nguyen Hoang Nam from a detention center

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in Tien Giang Province after the two prisoners complained about the use of forced labor in the prison. Do Thi Hong—a leader of the Buddhist An Dan Dai Dai sect who was sentenced to 13 years’ imprisonment in 2013 on the charge of “plotting to overthrow the government”—is reportedly in poor health. The Venerable Thach Thuol, a Khmer Krom Buddhist monk, has been imprisoned since 2013 for peacefully exercising his right to teach Khmer in his temple school. Several Montagnard and Hmong religious freedom activists—including Nhi, Nuh, Kpa Binh, Sui Wiu, Siu Koch, Roh, Ro Mah Klit, Ro Lan Ju, and Kpa Sinh—were scheduled to be released upon completion of their sentences in late 2018, but USCIRF had not received confirmation of their release by the end of the reporting period.

In a positive development, after 19 years under effective house arrest the Most Venerable Thich Quang Do—UBCV patriarch—was able to leave Thanh Minh Zen Monastery in October 2018 and travel to his home province of Thai Binh. He later returned to Ho Chi Minh City—to reside at Tu Hieu Pagoda, but at the end of the reporting period continued to face pressure from the government to return to Thai Binh where he would be isolated from fellow UBCV members. USCIRF has advocated on his behalf as part of the [Religious Prisoners of Conscience Project](#).

Land Grabbing and Destruction of Property

Expropriation and destruction of religious property at times may have little to do with religious freedom, as when authorities expropriate land for economic development projects. However, such actions do disrupt or interfere with religious practices and can increasingly threaten how religious communities observe their faith. Often these incidents are precipitated by local authorities rather than the national government. In some instances, human rights groups allege that the primary purpose of seizing property was to intimidate adherents of independent religious groups.

Incidents of land grabbing and destruction of property significantly affect Vietnam’s Catholic communities. Throughout 2018, there were reports that

developers had built ancestor temples and other structures on land owned by the Thien An Benedictine monastery in Hue. In early November, the local government said it would investigate the monastery’s claims. In November 2018, local authorities in Danang seized land from seven households in Con Dau Parish on behalf of Sun Group, a private real estate corporation. Rights groups were concerned that the local government would seize the remaining 80 households in the parish. Also in November, the state-run Trang An Elementary School began construction on land owned by the Hanoi Archdiocese, despite protests by church leaders. According to church records, the government has confiscated 95 hospitals, schools, and other facilities run by the Hanoi Archdiocese since 1954. Local authorities in some of these cases reportedly granted developers illegal or inaccurate ownership papers. In January 2019, after the reporting period, authorities in Ho Chi Minh City demolished at least 112 residential houses on land claimed by the Catholic Church.

Land grabbing and destruction of property have also affected other religious communities in Vietnam. By the end of 2018, the UBCV had only 12 temples. In November 2018, the People’s Committee of Son Tra District demolished Ang Cu—a UBCV-affiliated temple—and evicted the Venerable Thich Thien Phuc in order to build a road. In Tra Vinh Province, Khmer Krom Buddhists reported concerns with the government’s ongoing confiscation and demolition of structures and land used by followers. Of the more than 300 Cao Dai temples in Vietnam, all but approximately 15 have been seized by the government-sponsored 1997 Sect

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during the previous two decades. In November, authorities in Long An Province allegedly set fire to a storeroom on a farm owned by Sub-dignitary Hua Phi, which he believed was an act of retaliation for meeting with U.S. diplomats in Ho Chi Minh City. Between April 20 and June 30, the 1997 Sect demolished at least 15 graves at Cuc Lac Thai Binh Cemetery belonging to independent Cao Dai followers whose families refused to join the 1997 Sect. The government has long harassed followers of Duong Van Minh, a small

Christian sect, and destroyed or burned funeral sheds central to the group's core practices; in 2018, authorities destroyed at least 36 sheds in Tuyen Quang, Bac Kan, and Cao Bang provinces. Such destructions also often involve arrests and physical assaults.

U.S. POLICY

As part of their Comprehensive Partnership, the United States and Vietnam have a robust defense relationship and regularly cooperate on maritime security, peacekeeping, counterterrorism, and humanitarian issues. In March 2018, the [USS Carl Vinson visited Danang](#), becoming the first U.S. aircraft carrier to visit Vietnam since 1975. In the past two decades, U.S.-Vietnam bilateral trade grew by 8,000 percent to \$49 billion worth of goods and services through October 2018. In September, the State Department [expressed condolences](#) at the passing of Vietnamese president Tran Dai Quang, calling him a strong supporter of the U.S.-Vietnam relationship.

On May 17, 2018, the State Department hosted the 22nd [U.S.-Vietnam Human Rights Dialogue](#), where U.S. officials raised concerns about religious freedom generally and individual prisoners of conscience with Vietnamese government officials. In addition, a State Department spokesperson condemned the imprisonment of [Le Dinh Luong](#), [Nguyen Van Dai](#), [Le Thu Ha](#),

[Pham Van Troi](#), [Pastor Nguyen Trung Ton](#), [Nguyen Bac Truyen](#), [Truong Minh Duc](#), [Hoang Duc Binh](#), and [Nguyen Nam Phong](#), and called upon the government of Vietnam to release all prisoners of conscience immediately. On June 7, the U.S. House of Representatives Committee on Foreign Relations held a [hearing](#) about human rights in Vietnam, which included testimony about religious freedom conditions. Also in June, the U.S. Embassy in Hanoi [condemned](#) Vietnam's new Cybersecurity Law, claiming it would violate Vietnam's international trade commitments and stifle online dissent.

Due to Vietnam's systematic, ongoing, and egregious religious freedom violations, the State Department designated Vietnam as a CPC from 2004 to 2006 and entered into a binding agreement with the government under IRFA. When the CPC designation was lifted, USCIRF concurred with the State Department's assessment that the designation and binding agreement had brought about modest improvements in religious freedom. Nevertheless, USCIRF felt it was too soon to determine if the new policies would be permanent or effective over the long term. Since the CPC designation was lifted, the government of Vietnam has continued to persecute religious individuals and organizations, at times even regressing from the short-lived progress under the CPC designation and binding agreement.