



UNITED STATES COMMISSION *on* INTERNATIONAL RELIGIOUS FREEDOM

COUNTRY UPDATE: VIETNAM

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USCIRF's Mission

To advance international freedom of religion or belief, by independently assessing and unflinchingly confronting threats to this fundamental right.

Religious Freedom in Vietnam in 2021

By Mingzhi Chen, Policy Analyst

Introduction

In 2021, religious freedom violations persisted in Vietnam. This report provides an overview of these violations and highlights U.S. policy efforts to advance human rights, including religious freedom, in Vietnam. Despite its notable improvement compared to the previous religious ordinance, the 2018 Law on Belief and Religion (2018 Law) remains restrictive in nature and is plagued by uneven and inconsistent applications throughout the country. Government persecution continues to be a harsh reality facing unregistered independent religious groups, with many of them being designated as “strange, false, or heretical” religions. Lastly, authorities continue to subject believers and religious freedom advocates to long-term imprisonment, during which some reported deteriorating health due to ongoing abuse and mistreatment in prison.

Background

Vietnam's Legal Framework and Religious Landscape

Vietnam's *constitution* states that citizens “can follow any religion or follow none” and “all religions are equal before the law.” The constitution also mandates respect and protection for freedom of belief and religion. However, it allows authorities to *restrict* human rights, including religious freedom, for reasons of “national defense, national security, social order and security, social morality, and community wellbeing.” Vietnam's *2018 Law on Belief and Religion* contains similar provisions permitting restrictions on the right to religious freedom.

Vietnam is a religiously *diverse* country with religious demographics *varying* greatly across research studies and reports. Religious traditions with a significant presence in the country include Buddhism, Hoa Hao Buddhism, Cao Dai, Catholicism, and Protestantism. At the end of 2020, the government had officially recognized a total of 16 religions and 43 religious organizations. Many groups, however, refuse to register for fear of persecution or concern over their independence, which has led state-sponsored and independent religious groups competing to represent their religions in some cases.

Vietnam's CPC Designation

Since the United States and Vietnam normalized diplomatic relations in 1995, bilateral relations have grown increasingly cooperative and comprehensive, spanning many areas *including* trade, security, education, and public health. Vietnam's religious freedom and human rights records, however, have prevented the two countries from forging a more fruitful relationship.



The United States’ principled engagement with Vietnam on its religious freedom violations led the Department of State to designate it as a “country of particular concern,” or CPC, in 2004 and 2005. The State Department ultimately lifted Vietnam’s CPC designation in 2006 following a series of diplomatic negotiations with Vietnam that resulted in a formalized binding agreement. To date, this remains the only known instance of a binding agreement that the U.S. government has reached with a foreign government under the [International Religious Freedom Act of 1998 \(IRFA\)](#), as amended. The content of the binding agreement between the United States and Vietnam was never disclosed publicly.

The United States Commission on International Religious Freedom (USCIRF) [noted](#) in a 2017 assessment that Vietnam’s brief CPC designation and the strategic use of the binding agreement produced tangible improvements in religious freedom conditions in the country, albeit not enduring ones. At the time, USCIRF characterized Vietnam’s religious freedom situation as one of “modest improvements paired with repressive government control,” with systematic, ongoing, and egregious violations continuing in the decade since Vietnam’s removal from the State Department’s CPC list. For this reason, USCIRF urged persistent U.S. engagement on religious freedom in Vietnam to ensure that progress is both far-reaching and sustainable. More recently, USCIRF has continued to express similar concerns—including in its [2021 Annual Report](#)—over Vietnam’s religious freedom violations and has consistently recommended that it be designated as a CPC.

Religious Freedom Violations in Vietnam

Implementation of the 2018 Law on Belief and Religion

Government authorities have continued to use the 2018 Law on Belief and Religion—including complex registration requirements and vaguely worded national security provisions—to actively restrict religious freedom in Vietnam. The law, as written and implemented, contravenes [international human rights standards](#) and systematically violates religious freedom, particularly of independent religious groups.

Despite some notable improvements—such as reducing the waiting period for religious organizations to register with the government and granting legal personhood to registered religious organizations—in comparison to the 2004 ordinance, the 2018 Law imposes burdensome and complex requirements on religious groups to register with the government. For example, the law requires religious groups to register with the government for religious activities, religious gatherings, and official recognition. Each of these steps entails a separate registration process, requiring groups to submit extensive information about their religious organizations and activities to authorities. Furthermore, a group seeking official recognition must have legally operated for at least five years before applying for registration as a religious organization.

As noted in USCIRF’s 2019 [Vietnam Country Update](#), religious groups have encountered issues with registration due to the local government authorities’ uneven and inconsistent application of the law. This past year, USCIRF received reports of local authorities

denying independent religious groups' requests to register for religious activities. Authorities reportedly told some believers to renounce or leave their groups and to join state-approved religious organizations instead. In one instance, local police authorities interrogated and threatened a member of an independent Protestant group with long-term imprisonment, over his church's request to register religious activities with the government.

The United Nations (UN) Special Rapporteur on freedom of religion or belief has [stated](#) unequivocally that registration "should not be compulsory" and "should not be a precondition for [practicing] one's religion, but only for the acquisition of a legal personality and related benefits." USCIRF has long recommended that registration of religious groups [should not be mandatory](#); and has [urged](#) the U.S. government to encourage the Vietnamese government to amend its 2018 Law on Belief and Religion, including by making registration optional and not using it as a burdensome tool to control religious groups and their activities.

Persecution of Independent Religious Groups

Vietnamese authorities have continued to actively harass, or otherwise persecute, unregistered independent religious communities, including ethnic Hmong and Montagnard Christians, Hoa Hao Buddhists, Unified Buddhists, Cao Dai followers, Catholics, as well as other adherents of new religious movements such as the Ha Mon religion, Falun Gong, Duong Van Minh, World Mission Society Church of God, and others. The Vietnamese government has [designated](#) many of these independent religious groups as "false," "strange," or "heretical" religions, or otherwise known as "cults." As of April 2021, the Government Committee for Religious Affairs (GCRA) [listed](#) 85 groups as "strange religions." Authorities have routinely disrupted religious services, training, and ceremonies and harassed, threatened, detained, and imprisoned religious adherents and activists belonging to these groups. Moreover, government authorities often have cited security grounds for banning these independent groups, causing some—such as the Ha Mon religion—to reportedly face [extinction](#).

USCIRF continues to be concerned about the condition of ethnic minority Christian communities in Vietnam's remote Central and Northern Highlands. In 2021, local authorities reportedly harassed, detained, and intimidated members of unregistered Montagnard Protestant groups, including by forcing them to [renounce](#) their faith in public. As reported in USCIRF's [2020](#) and [2021](#) Annual Reports, thousands of Hmong and

Montagnard Christians remain effectively stateless because local authorities refused to issue them identity cards and household registration documents, in many instances in retaliation against Christians who refuse to renounce their faith.

In 2020, USCIRF was [encouraged](#) by the local government's efforts to resettle stateless Hmong Christian households in Subdivision 179 in Dam Rong District of Lam Dong Province. USCIRF likewise expressed cautious optimism that progress in subdivision 179 could serve as a model for ameliorating the plight of Christian minorities in other ethnic minority regions. In May 2021, in a positive development, Lam Dong provincial authorities announced a decision to issue identity cards to all residents of Subdivision 179 and the neighboring Subdivision 181, and local authorities allowed members of these communities to vote in elections, effectively recognizing their status as local residents.

Religious Prisoners of Conscience

USCIRF has long [expressed](#) concerns about the conditions of religious prisoners of conscience in Vietnam. This year, many believers and religious freedom advocates remained in prison, serving long sentences. These prisoners included Hoa Hao Buddhist [Nguyen Bac Truyen](#) (sentenced to 11 years); Montagnard Christian pastor [Y Yich](#) (sentenced to 12 years); founder of the Buddhist An Dan Dai Dao religious group [Phan Van Thu](#) (sentenced to life imprisonment); and many others who reportedly have been abused or otherwise mistreated in prison and are suffering from deteriorating health conditions. Specifically, USCIRF has consistently advocated for the release of Nguyen Bac Truyen—a renowned religious freedom advocate adopted under USCIRF's [Religious Prisoners of Conscience \(RPOC\) project](#)—who remained imprisoned in 2021. Truyen reportedly was in poor health. In November 2020, he [protested](#) prison conditions and the lack of medical care with a hunger strike.

U.S. Policy

The Biden administration has [emphasized](#) that human rights—which includes the fundamental freedom of religion and belief—is an integral part of U.S. foreign policy, including policy toward [Vietnam](#). In his July 2021 visit to the country, U.S. Secretary of Defense Lloyd Austin [expressed](#) concerns over Vietnam's human rights record. Prior to U.S. Vice President Kamala Harris' trip to Vietnam in August 2021, [members of Congress](#) and politicians in [other countries](#), as well as [civil society](#)



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groups, called on the Vice President to raise Nguyen Bac Truyen's case with and urge the government of Vietnam to release him immediately and unconditionally. Vice President Harris later said at a news conference in Hanoi that she had *raised* the issues of human rights abuses and the release of dissidents with her Vietnamese counterparts. Then nominee for U.S. ambassador to Vietnam Marc Knapper voiced the same concerns during his Senate confirmation hearing and *said* that bilateral relations could only reach fullest potential if Vietnam makes significant progress on human rights.

With U.S.-Vietnam relations trending in a positive direction and the United States considering a potential *upgrade* of bilateral relations from a "Comprehensive Partnership" to a "Strategic Partnership," the U.S. government should ensure that geo-political, economic, and security considerations do not outweigh religious freedom and other related human rights in the growing relationship.

Conclusion

USCIRF acknowledges the efforts on the part of both the U.S. and Vietnamese governments to improve religious freedom conditions in Vietnam. Since the signing of the binding agreement between the two countries in 2005, the government of Vietnam has created more space for many individuals and religious communities to exercise their religion or belief freely, openly, and without fear. Nevertheless, significant trouble spots remain, including the government's implementation of the 2018 Law on Belief and Religion, persecution of independent religious groups, and the treatment of religious prisoners of conscience. Today, the religious freedom situation in Vietnam remains one of modest improvements paired with repressive government control. For this reason, USCIRF urges the U.S. government to continue to engage with the Vietnamese government to push for meaningful, far-reaching, and sustainable progress.

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The U.S. Commission on International Religious Freedom (USCIRF) is an independent, bipartisan federal government entity established by the U.S. Congress to monitor, analyze, and report on religious freedom abroad. USCIRF makes foreign policy recommendations to the President, the Secretary of State, and Congress intended to deter religious persecution and promote freedom of religion and belief.