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VIETNAM

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Introduction

1. ADF International is a global alliance-building legal organization that advocates for religious freedom, life, and marriage and family before national and international institutions. As well as having ECOSOC consultative status with the United Nations (registered name "Alliance Defending Freedom"), ADF International has accreditation with the European Commission and Parliament, the Organization for Security and Co-operation in Europe, and the Organization of American States, and is a participant in the FRA Fundamental Rights Platform.
2. This report explains why Vietnam must ensure that the right to freedom of religion is fully respected and protected within its borders, as well as prevent and end all forms of religious persecution and discrimination, both by the State and by non-state actors, including violent attacks on Christians and their churches.

(a) Freedom of Religious Belief

3. Although Vietnam is officially an atheist state, a majority of the country holds religious beliefs. The Pew Research Center estimated that in 2010, 45.3% of the population followed a folk religion, 16.4% were Buddhist, 8.2% were Christian, 0.2% were Muslim, and 0.4% followed various other religions.¹ The right to freedom of religion is enshrined in Article 70 of the 1992 Constitution of Vietnam. However, the government recently enacted the new Law on Belief and Religion, which entered into force on January 1, 2018. The law subjects religious activities to a tighter degree of control through additional registration requirements, and limits them based on a broad set of factors, including national security, public order, and community well-being.²
4. Enforcement of the laws is uneven across different localities and religions, and many religious believers face discrimination or harm for their beliefs. In particular, followers of Christianity and Catholicism frequently face pressure from local authorities to forsake their religion because many communities view those religions as being unwelcome foreign influences that threaten old customs and traditions.³

Attacks on Believers

5. A husband, his wife and his daughter became Christian and began to attend local meetings with other believers. In response, village leaders warned the family at a meeting in March 2017 that if they did not leave their faith, the government would restrict social services being provided to his family, such as health care and the daughter's education, and the community would exile him. The next night, the husband's brother tried to persuade him to give up his beliefs, and beat him, injured his daughter, and destroyed some of his property when he refused.⁴

¹ Pew Research Center, "Religious Composition by Country, 2010-2050," 2nd April 2015, available at: www.pewforum.org/2015/04/02/religious-projection-table/2010/percent/all/.

² Nguyen Khac Huy, *Vietnam Law & Legal Forum*, "Draft Law upholds freedom of belief and religion," 10th May 2015, available at: <http://vietnamlawmagazine.vn/draft-law-upholds-freedom-of-belief-and-religion-4993.html>.

³ Reagan Hoezee, *Mission Network News*, "Christians face increased persecution in Vietnam," 24th October 2017, available at: <https://www.mnnonline.org/news/christians-face-increased-persecution-vietnam/>.

⁴ Open Doors, "Believer In Northern Vietnam Sustains Injuries After Refusing To Deny Jesus," 12th April 2017, available at: <https://www.opendoorsusa.org/take-action/pray/believer-northern-vietnam-sustains-injuries-refusing-deny-jesus/>

6. Local officials seized one man's farm in April 2017 because he converted to Christianity. The authorities commanded him to re-build a Buddhist altar, but he refused. Then the officials ordered his relatives to beat him, which they did twice, forcing the man to flee his village each time.⁵
7. One man was the first in his rural northwestern village to convert to Christianity. Abandoning his tribe's customary worship of spirits, he evangelized to other villagers and hosted worship and prayer gatherings at his house. The authorities demanded that he stop the meetings but he continued. In April 2017, a group of local officials and villagers, led by his brother, came to his house and beat him severely, breaking his arm. They served him an eviction notice and then destroyed his house, breaking down the walls, ceilings, and windows. Government officials forbade him from living in the village and threatened more violence if he stayed, and subsequently seized his land and his animals, eventually forcing him and his family to move away to central Vietnam.⁶
8. Another man from the same northwestern village became Christian, along with his son and daughter-in-law. His brother reported him to the authorities and then led a mob to his house to restrain and beat him. The group proceeded to drag him to a village hall, where the village secretary told him that if he did not give up his faith, he and his family would be banished from the village. They forced him to sign a paper giving up his faith. Later, as the man was searching for a new home, his brother raped his daughter-in-law.⁷
9. Four Hmong families, also in northwestern Vietnam, that had recently converted to Christianity were attacked by a village mob in March 2018 for their faith. Local authorities had told the families to renounce Christianity and threatened to force them to leave the village if they did not. Then, the village chief led a mob to attack the families, hospitalizing four of the believers for eight days with injuries.⁸

Persecution of Churches and Attacks on Property

10. One evening in July 2016, mobs stoned three houses in central Vietnam where families of Christians lived, while they were asleep. Local authorities had earlier rounded up the families and demanded that they renounce their faith. One woman was struck on her back by a large rock, and her 12-month-old baby was almost crushed as well.⁹

⁵ Open Doors, "Despite Government Restrictions, Vietnamese Churches Continue To Serve," 28th September 2017, available at: <https://www.opendoorsusa.org/take-action/pray/despite-government-restrictions-vietnamese-churches-continue-serve/>.

⁶ Open Doors, "Why One Christian In Vietnam Wants To Preach To His Persecutors," 9th February 2018, available at: <https://www.opendoorsusa.org/christian-persecution/stories/one-christian-vietnam-wants-preach-persecutors/>; Open Doors, "'Pray I Never Give Up,' Says Displaced Vietnam Evangelist," 10th November 2017, available at: <https://www.opendoorsusa.org/christian-persecution/stories/displaced-vietnam-evangelist/>.

⁷ World Watch Monitor, "The 'remarkable religious transformation' of Vietnam's Hmong," 16th November 2017, available at: <https://www.worldwatchmonitor.org/2017/11/remarkable-religious-transformation-vietnams-hmong/>.

⁸ World Watch Monitor, "Hmong Christians hospitalised after mob attack in Vietnam's northwest," 15th March 2018, available at: <https://www.worldwatchmonitor.org/2018/03/hmong-christians-hospitalised-mob-attack-vietnams-northwest/>.

⁹ Open Doors, "Believers' Homes Stoned In Vietnam," 12th August 2016, available at: <https://www.opendoorsusa.org/take-action/pray/believers-homes-stoned-in-vietnam/>.

11. Plain clothes policemen and thugs stormed the Thien An Catholic monastery in Huế, a city in central Vietnam, in June 2017. The attackers tore down a large cross and a statue of Jesus, and also beat and threw stones at the monks who tried to protect the religious icons, knocking one monk unconscious. Prominent local police officers were recognized among the group of assailants. Pro-government mobs had previously attacked the monastery in 2015 and 2016, each time destroying the cross and statue, which the monastery then replaced.¹⁰
12. A historic Catholic church was destroyed by fire in August 2017. Parishioners discovered that a fire had started in the sanctum, but fire engines from the district only arrived several hours later, leaving the church to burn.¹¹
13. Another church was displaced when authorities ordered a landlord to evict tenants who had been hosting church services in their rented house. The police have forced churches to report the names of every one of their members.¹²
14. The government restricts the distribution of Christian materials, leading some Christian believers to smuggle them into the country at great personal risk. One man was caught with a number of Bibles after police officers interrupted a religious service being held in a home. The police officers seized the materials, detained the man for a day, and then threatened the other attendees at the service, saying that the government would halt the food supply to the area if they talked to the man with the Bibles.¹³ Another two men were imprisoned and their motorbikes seized for transporting hymnals in May 2016.¹⁴
15. In January 2018, the People's Committee of Quỳnh Ngọc used the new Law on Belief and Religion to declare a Catholic mass illegal because the parish allegedly did not register the meeting with local authorities.¹⁵

(b) Freedom of Expression

16. Religious believers in Vietnam have also been targets of violence for supporting vulnerable communities or speaking out against the government. After a massive toxic spill in Han Tinh province killed 15 tons of fish and left millions of people from coastal fishing communities unemployed, the Catholic community came to the assistance of the victims of the disaster, helping them request compensation from the government. In response, local government officials launched a campaign of false accusations against two priests, organizing rallies condemning their “anti-revolutionary” behavior and calling for the two clergymen to be removed from their

¹⁰ AsiaNews, “Thiên An monastery cross demolished; Monks and faithful assaulted,” 30th June 2017, available at: www.asianews.it/news-en/Thiên-An-monastery-cross-demolished;-Monks-and-faithful-assaulted-41166.html.

¹¹ Herald Malaysia, “Historic church in Vietnam destroyed by fire,” 8th August 2017, available at: www.heraldmalaysia.com/news/historic-church-in-vietnam-destroyed-by-fire/37646/1.

¹² “Despite Government Restrictions, Vietnamese Churches Continue To Serve,” *supra* note 5.

¹³ Open Doors International, “Why This Bible Smuggler Risks His Life In Vietnam,” 17th November 2017, available at: <https://www.opendoorsusa.org/christian-persecution/stories/vietnams-bible-smuggler-persecution/>.

¹⁴ Brianna Nishie, *Open Doors*, “Two Men Arrested For Transporting Hymnals,” 18th May 2016, available at: <https://www.opendoorsusa.org/christian-persecution/stories/two-men-arrested-for-transporting-hymnals/>.

¹⁵ Joseph Huy, *AsiaNews*, “Mass declared illegal in Nghệ An under a new law that hinders religious activities,” 29th January 2018, available at: <http://www.asianews.it/news-en/Mass-declared-illegal-in-Ngh%E1%BB%87-An-under-a-new-law-that-hinders-religious-activities-42957.html>.

positions, sent to jail, or sentenced to death.¹⁶

17. Subsequently, pro-government militias called Red Flag groups have carried out numerous violent attacks on Catholic churches and parishioners. In May 2017, over 1,000 people wearing red T-shirts surrounded a parish in Nghe An as it was celebrating Mass. The group shouted at congregants, threw bricks and rocks at their vehicles and houses, and beat the parishioners, injuring dozens.¹⁷
18. In the following days, Red Flag Association mobs continued to break into parishioners' homes and businesses, destroying property and religious icons such as statues and paintings of the Virgin Mary. One victim whose home was invaded faced around 150 million VND (or approximately \$6,700) in property damage. Local authorities have ignored reports of the violence, neglecting to investigate incidents or compensate victims.¹⁸
19. Christians have not been the only targets of religious oppression. Six Hoa Hao Buddhists peacefully demonstrated in April 2017 against the government's suppression of religious freedom after the police stopped them from commemorating a death in the community. They were arrested for "disrupting public order" and sentenced to imprisonment for several years. The police also confiscated two motorbikes belonging to attendees and beat the son of one of the Buddhists when he protested. Although the government officially recognizes Hoa Hao Buddhism as a religion, some adherents have been harassed because they have refused to join the official Hoa Hao Administrative Council, which is under the leadership of the Communist Party of Vietnam.¹⁹
20. Due to incidents such as these, Vietnam ranks number 18 on Open Doors' 2018 World Watch List of countries where Christians face the most persecution.²⁰ Despite the government's nominal protection of religious freedom, local authorities intimidate or use physical force against believers to coerce them to abandon their beliefs, and also turn a blind eye to the violence inflicted by pro-government groups.
21. All of these issues constitute violations of international human rights law, especially the right to freedom of religion under Article 18 of the ICCPR, including the right to manifest one's religion or belief in worship, observance, practice, and teaching, as well as the rights to freedom of opinion and expression under Article 19 and the right to freedom of association under Article 22. Furthermore, the hostility towards religious believers will not abate with the passage of the new Law on Belief and Religion, which imposes even more onerous registration burdens on religious organizations, and whose vague language on national security leaves room for religious intolerance and discriminatory enforcement at a local level.

¹⁶ Peter Đàng, *AsiaNews*, "Catholic media launch appeal for Vietnamese priests defamed by the government," 12th May 2017, available at: <http://www.asianews.it/news-en/Catholic-media-launch-appeal-for-Vietnamese-priests-defamed-by-the-government-40719.html>; Minh Trang, *AsiaNews*, "Bishop Kiệt tells slandered Vietnamese priests to continue defending victims' rights," 29th May 2017, available at: <http://www.asianews.it/news-en/Bishop-Ki%E1%BB%87t-tells-slandered-Vietnamese-priests-to-continue-defending-victims%E2%80%99-rights-40873.html>.

¹⁷ Boat People SOS, "Red Flag Associations: An emerging threat to Catholic communities in Vietnam," 27th March 2018, available at: <http://dvov.org/wp-content/uploads/2018/03/BPSOS-Report-on-Red-Flag-Associations-03-27-18.pdf>.

¹⁸ *Ibid*.

¹⁹ CSW, "Six Vietnamese Hoa Hao Buddhists Sentenced," 12th February 2018, available at: <https://www.csw.org.uk/2018/02/12/press/3839/article.htm>.

²⁰ Hoozee, *supra* note 3; Open Doors, "World Watch List," available at: <https://www.opendoorsusa.org/christian-persecution/world-watch-list/>.

Recommendations

22. In light of the aforementioned, ADF International suggests the following recommendations be made to Vietnam:
- a. Remove burdensome and oppressive registration requirements and rescind intrusive governmental practices, including monitoring and raiding, which infringe upon the right to freedom of religion or belief;
 - b. Prosecute and punish all cases of religiously-motivated violence against individuals and vandalism and destruction of places of worship, and work to eliminate the occurrence of such atrocities;
 - c. Cease all restrictions on the right to freedom of opinion and expression, and ensure that the right to manifest one's religion in private or in public is fully protected and realized;
 - d. Remove criminal prohibitions on religious or belief communities operating on an unregistered basis, as international human rights law does not allow the enforcement of any such alleged obligation; and
 - e. Cease all restrictions on the right to freedom of opinion and expression, and ensure that the right to manifest one's religion in private or in public is fully protected and realized, including in the production and reproduction of religious literature and materials without being subject to oppressive censorship regulations and controls.



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