

VIETNAM 2014 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The country's constitution states that all people have the right to freedom of belief and religion but government authorities continued to limit the activities of unregistered religious groups, particularly those the government believed to be engaged in political activity. Although registered religious groups were normally allowed to practice their faith, the government continued to restrict their activities in education and health and required authorization for many other activities. Some members of unregistered groups in particular reported various forms of governmental harassment, including but not limited to assault, short term detentions, prosecutions, monitoring, restrictions on travel, and denials of registration and/or other permissions. Religious followers report a higher number of harassment incidents by local rather than central authorities. Some local authorities systematically and openly used the local and national regulatory systems to slow, delegitimize, and suppress religious activities of groups that resisted close management of their leadership structures, training programs, assemblies, and other activities. Numerous reports of violations of religious freedom occurred in rural provinces in the Central and Northwest Highlands.

There are 38 officially recognized religious organizations and there were no reports of significant societal actions affecting religious freedom.

The U.S. Secretary of State, in meetings with senior government officials, called for continued improvements in religious freedom. The U.S. embassy and consulate general urged authorities to allow all religious groups to operate, including the United Buddhist Church of Vietnam, Protestant house churches, and independent Hoa Hao and Cao Dai groups; sought greater freedom for recognized religious groups; and urged an end to restrictions on and harassment of unregistered groups. U.S. officials maintained regular contact with religious leaders across the country. The U.S. Assistant Secretary of State for Democracy, Human Rights and Labor discussed concerns about religious freedom with government officials in the annual U.S.-Vietnam Human Rights Dialogue, and traveled to Vietnam in October, where he advocated for improvements to freedom of religion in law and practice.

Section I. Religious Demography

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The U.S. government estimates the total population at 93.4 million (July 2014 estimate). According to the government's Committee of Religious Affairs (CRA), approximately 90 percent of the population professes religious beliefs. More than half of the population identifies with Buddhism. Within that community, Mahayana Buddhism is the dominant affiliation by ethnic majority Kinh (Viet), while about 1.2 percent of the population, almost all from the ethnic minority Khmer group, identify with Theravada Buddhism. Roman Catholics constitute 7 percent of the population; Cao Dai, 2.5 to 4 percent; Hoa Hao, 1.5 to 3 percent; and Protestants, 1 to 2 percent.

Smaller religious groups that together comprise less than 0.1 percent of the population include 50,000 ethnic Cham, who mostly practice a devotional form of Hinduism in the south-central coastal area; 70,000 to 80,000 Muslims scattered throughout the country (approximately 40 percent are Sunnis; the remaining 60 percent practice Bani Islam); an estimated 8,000 members of the Bahai Faith; and approximately 1,000 members of The Church of Jesus Christ of Latter-day Saints (Mormons). Religious groups originating in country (Buu Son Ky Huong, Tu An Hieu Nghia, To Tien Chinh Giao) and religious groups relatively new to the country (Brahmanism, Bahai) comprise a total of 1.3 million adherents. There are also two Jewish registered groups to serve the small, mostly-foreign Jewish population – one in Hanoi, founded during the year, and one in Ho Chi Minh City.

Other citizens consider themselves nonreligious, or practice animism or the veneration of ancestors, tutelary and protective saints, national heroes, or local, respected persons. Followers of these traditional forms of worship may or may not term themselves religious.

Ethnic minorities constitute approximately 14 percent of the population. Based on adherents' estimates, two-thirds of Protestants are members of ethnic minorities, including groups in the Northwest Highlands (H'mong, Dzao, Thai, and others) and in the Central Highlands (Ede, Jarai, Sedang, and M'nong, among others). The Khmer Krom ethnic group overwhelmingly practices Theravada Buddhism.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The 2013 constitution states that all people have the right to freedom of belief and religion, a change from the previous constitution that granted such rights only to

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citizens. The constitution acknowledges the right to freedom of religion or belief of those whose rights are limited, including inmates or any foreigners and stateless persons. The constitution states all religions are equal before the law and the state must respect and protect freedom of belief and religion.

The constitution has language that prohibits citizens from “taking advantage of a belief or religion in order to violate the law.” In addition, the penal code establishes penalties for practices that undermine the state’s national unity policy.

The 2004 Ordinance on Religion and Belief and the revised Implementation Decree (Decree 92), which came into effect in January 2013, serve as the primary documents governing religious practice. Both the ordinance and decree reiterate citizens’ rights to freedom of belief and religion while also stipulating that individuals may not use the right of belief and religious freedom to undermine peace, national independence, and unification; incite violence or propagate wars; conduct propagation in contravention of the state’s laws and policies; divide people, nationalities, or religions; cause public disorder, infringe upon the life, health, dignity, honor and/or property of others, or impede the exercise of civic rights and performance of civic obligations; or conduct superstitious activities or otherwise violate the law.

The CRA is responsible for implementing the 2004 ordinance and administrative modifications outlined in Decree 92. The decree reduces, in some cases by half, the stipulated government response time to local and national applications for administrative processes, and streamlines laws and regulations. Under the decree, all religious groups must submit proposed religious activities for government pre-approval.

Under the ordinance the government has regulatory oversight of religious groups, which must be officially registered or recognized as formal religious organizations. The ordinance stipulates that local government authorities must approve leadership, activities, and the establishment of seminaries or religious classes. Decree 92 requires religious organizations to register their religious leaders and officials with CRA at the central or provincial level. For a leader who is not a citizen, religious groups must obtain approval from the CRA at the national level. Decree 92 includes requirements for noncitizens specializing in religious activities in Vietnam, including those involved in religious training, ordination, and leadership. The decree specifies curriculum guidelines for religious training institutions, and extends the time an organization must be registered before it may qualify for national recognition from 20 to 23 years.

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The ordinance explicitly bans forced renunciations of faith. Religious organizations must inform appropriate provincial- and central-level authorities of their major celebrations, such as Christmas services, as well as the investiture and transfer of clerics. This is an informational requirement only; the law does not require pre-approval of those services and clerical appointments. Local governments have the authority to require additional forms of permission. While the ordinance encourages religious groups to conduct charitable activities in healthcare and education, the law prohibits religious groups from operating health or educational institutions, although kindergarten and preschool are allowed.

The government does not permit religious or atheistic instruction in public schools.

Decree 92 prescribes a multi-stage process in order to receive national recognition. To operate openly, an unrecognized religious organization must first register its places of worship, its clerics, and its activities in each local administrative area in which it operates by filing information about its structure, leadership, and activities. Local registration confers the ability to operate in that administrative locality. The next step is national registration, which requires the group to document 20 years of stable religious operation in the country and is granted by the national government through the CRA. National registration requires a license from the CRA. After maintaining national registration for three years, a religious group becomes eligible to apply for legal recognition after electing its leaders through a national convention. The CRA must approve the proposed leadership, structure, and activities. Benefits of recognition include permission to open, operate, and refurbish places of worship; permission to train religious leaders; and permission to publish materials. Nevertheless, each particular activity is subject to local and national approvals.

At every stage of the registration and recognition application process, the law specifies time limits for an official response, which can be up to 45 days, depending on the scope of the request. Although the law requires government authorities to explain formally any denial in writing, the denial may be for any reason, given the significant discretion the law gives to those authorities. There is no mechanism for appeal.

Decree 92 and the Law on Land stipulate that recognized religious organizations are permitted to acquire a land-use certificate as legal entities, but they must receive a grant of the land by the respective provincial people's committee, which

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also has the authority to approve or disapprove the construction of new religious facilities. If a religious organization has not yet obtained full legal status, members of the congregation may acquire a land use title individually, but not as a recognized religious establishment. The renovation or upgrade of religious facilities also requires notification to authorities, although it does not necessarily require a permit, depending on the extent of the renovation. The decree stipulates authorities must respond to a construction permit application within 20 days, although the law does not provide for accountability of authorities if they do not comply with the deadline.

The national-level CRA is charged with disseminating information to authorities and assuring uniform compliance with the legal framework on religion at the provincial, district, commune, and village levels. The CRA reported progress towards its goal of registering over 200 congregations in 2014.

In total the government has granted recognition to 38 religious organizations, 36 of which hold full recognition. These 38 religious organizations were affiliated with 12 distinct religious traditions. The 12 religious traditions are: Buddhism, Islam, the Bahai Faith, Catholicism, Protestantism, Mormonism, Hoa Hao, Cao Dai, the Pure Land Buddhist Home Practice, the Four Debts of Gratitude, the Threefold Enlightened Truth Path, and the Threefold Southern Tradition. Distinct denominations within these religious traditions must seek their own registration and/or recognition.

The law requires prior approval by government authorities of the publication of all religious texts. The law states only the Religious Publishing House, or another government approved publishing house, may publish religious books. It permits the Bible to be printed in Vietnamese and a number of other languages, including Chinese, Ede, Jarai, Banar, M'ong, H'mong, C'ho, and English. Other published texts include, but are not limited to, works pertaining to ancestry worship, Buddhism, Christianity, Islam (including the Quran), and Cao Dai. Any bookstore may legally sell religious materials.

Religious affiliation is indicated on citizens' national identification cards and household registration documents. An individual or household may decline to state affiliation. In practice, many persons who consider themselves religious choose not to indicate a religious affiliation on their identification cards, and government statistics include them as nonreligious. The law allows an individual

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to change his or her religious affiliation on national identification cards through a set of cumbersome procedures.

Government Practices

The constitutional right to religious belief and practice continued to be subject to uneven interpretation and protection, especially involving ethnic minorities in some provinces of the Central and Northwest Highlands. Government authorities, particularly at the local level, continued to limit the activities of unregistered religious groups, and members of these and other groups reported convictions, assaults, excessive use of force, detentions, monitoring, hindering of movement, denials of registrations and other permissions, and other harassment. Nevertheless, in some areas, local authorities tacitly approved activities of unregistered groups.

The government stated it continued to monitor the activities of certain religious groups because of their political activism and invoked national security and solidarity provisions in the constitution to override laws and regulations providing for religious freedom. This included impeding some religious gatherings and blocking attempts by religious groups to proselytize to certain ethnic groups in border regions deemed to be sensitive, as well as in the Central Highlands.

In February a group of Hoa Hao Buddhists from an unregistered congregation reported an assault by police as they attempted to visit then-detained human rights activist Nguyen Bac Truyen in Dong Thap province. In August a court in Dong Thap Province sentenced unregistered Hoa Hao follower Nguyen Van Minh to two and a half years imprisonment for “disturbing public order” for his involvement in the incident, although several witnesses denied he assaulted a police officer.

Members of the same group reported that authorities in Lam Dong Province detained and harassed them when they attempted to visit human rights activist Do Thi Minh Hanh soon after her early release from prison in July.

Family members of Hoa Hao adherent Mai Thi Dung reported that her health continued to deteriorate in Thanh Xuan prison. Dung continued to serve an 11-year prison sentence for protesting restrictions on Hoa Hao Buddhist gatherings.

Falun Gong followers reported in May that local authorities in Xuan Thanh village, Dong Nai Province detained and assaulted Falun Gong adherent Pham Thi Ngoc Chau. According to the report, police took Chau to the police station after

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authorities observed her providing Falun Gong materials to residents of the village. Police released her the next day but reportedly confiscated her identity papers and some personal property.

Mennonite pastors in Binh Duong Province reported police, local authorities, and hired men began a campaign of harassment in June, which was ongoing at year's end. Pastors reported government forces raided a Bible class in June and subsequently detained 29 pastors and 47 students, who were beaten before authorities released them the following day. In October pastors said local police harassed congregation members on their way to church and, in a separate incident, came to a follower's workplace, escorted him to the police station, and beat him. In November independent media sources reported that hired men vandalized a Mennonite church, barred followers from leaving their house, and brought several Mennonites into the police station for questioning. While no large disruptions to holiday services occurred, Mennonite communities in both Binh Duong and Ho Chi Minh City reported continued harassment in December. In Ho Chi Minh City, Mennonites were able to hold Christmas services but a pastor said authorities subsequently cut the power to his church in order to prevent a service planned for December 31. In Binh Duong, a pastor reported that unknown individuals vandalized the kitchen of the Mennonite church in My Phuoc and impeded followers from entering a Christmas service.

Independent Cao Dai congregants in Vinh Long Province continued to report official obstruction of their religious practices, including harassment and monitoring by local authorities during a traditional memorial for a deceased Cao Dai worshiper in January. Followers of an unregistered Cao Dai group reported local authorities and hired men assaulted them when they were attending a ritual at a temple in Tay Ninh province in August. The followers said authorities threw shrimp paste and waste at them and deflated their motorbike tires.

In September the Gia Lai provincial court sentenced two members of the Christian Ha Mon religious group to seven and one half to eight and one half years in prison for "sabotaging the policy on solidarity" after a prayer gathering at a holy site interfered with construction of a hydroelectric plant. Local authorities accused the group of attempting to establish a separatist state for ethnic minority people in the Central Highlands. This followed the May 2013 sentencing of eight other Ha Mon members on the same charge. Followers had also clashed with local authorities in 2005 and 2006 when plans to construct a hydropower plant included razing Ha Mon village, the holy site of the group.

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Local and central authorities continued to call on the H'mong people in the Northwest Highlands, including Tuyen Quang, Cao Bang, Bac Can, and Thai Nguyen Provinces, to disavow the Duong Van Minh religious group and dismantle all *nha don*, public buildings used for funeral rites. Local authorities established steering committees to implement national directives to suppress the growth of the Duong Van Minh religious group. Since October 2013, authorities have convicted eight members of the unregistered Duong Van Minh group for “abusing democratic freedoms.”

In February members of Protestant churches reported that local authorities in Dien Bien Dong District in Dien Bien Province forced Protestants to renounce their faith. According to the reports of the incident, some local authorities shredded Bibles, seized and destroyed followers' property, and physically assaulted followers. By year's end, there had been no official investigation of the local authorities' actions.

A Buddhist nun in Bac Giang province reported that authorities harassed members of her pagoda, belonging to the recognized Vietnam Buddhist Sangha, over a period of several years. She said the harassment included intimidation of monks and nuns, breaking into the pagoda, destruction of pagoda property, and theft of cash donations.

Family members of imprisoned Lutheran pastor Nguyen Cong Chinh said police continued to harass them, including by displacing them from their homes, placing them under heavy surveillance, and confiscating and destroying their personal belongings. Due to the harassment, the education of Pastor Chinh's four children was severely disrupted.

The government continued to say some Montagnards, an ethnic minority in the Central Highlands, were operating Protestant organizations that advocated separatism for ethnic minorities. The Southern Evangelical Church of Vietnam (SECV) and house churches in the provinces of Dak Lak, Gia Lai, Kon Tum, Binh Phuoc, Phu Yen, and Dak Nong continued to report government scrutiny because of perceived association with separatist groups overseas. Followers of the unsanctioned Church of Christ reported local authorities in the Central Highlands provinces harassed them. Followers said police pressured them to abandon the church and accused the church of links to an ethnic minority separatist organization.

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Several hundred Evangelical Church of Vietnam (ECVN) congregations continued to await action on their applications to register local meeting places, in contravention of time periods outlined by Decree 92. Government officials reportedly rarely adhered to the stipulated response times and often did not include specific reasons for refusals. Authorities attributed the delays and denials to the failure of applicants to complete forms correctly or to provide complete information. Local authorities also cited vague security concerns, such as political destabilization or potential conflict between followers of long established ethnic traditional religious beliefs and newly introduced Christian beliefs. Some Protestant house churches reported local authorities used registration requirements to harass followers and exert pressure on the religious groups to cease religious activities.

According to some Catholic bishops, parishes in remote areas with majority ethnic minority populations faced difficulty registering, uneven and inconsistent enforcement of national laws, and a lack of accountability on the part of provincial authorities.

SECV leaders reported that local authorities in the Central Highlands provinces required small congregations, some with as many as 100 followers, to combine together into larger groups of up to 1,500 individuals in order to gain official recognition. The church leaders called such requests unreasonable, saying many of the congregations were composed of a variety of ethnic minority groups with different languages and incongruent worship practices. Mountainous terrain and lack of infrastructure in the rural highlands prevented churches from sustaining a required minimum number of followers necessary to qualify for local registration.

Some Buddhist, Protestant, Cao Dai, and Hoa Hao groups did not affiliate with any government-recognized or government-registered religious organizations, nor did they seek their own registration or recognition.

Unregistered Buddhist, Cao Dai, Hao Hoa, and Christian religious groups regularly reported some provincial authorities used local registration laws to pressure, intimidate, threaten, extort, harass, and assault their members.

During the year, the CRA granted recognition to the Interim Management Board of Hanoi Al-Noor Masjid and Interim Representative Board of The Church of Jesus Christ of Latter-day Saints (Mormons) of Vietnam.

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Authorities continued to deny prisoners and detainees the right to worship, although the constitution guarantees in principle the right of prisoners to practice their beliefs. Family members reported prison guards prevented Lutheran pastor Nguyen Cong Chinh from praying. Some prisoners, however, were allowed to read the Bible and practice their beliefs while incarcerated.

A significant number of religious groups reported their ability to meet openly for worship had improved. The government, however, continued to require religious groups to register their activities in advance and used this requirement to restrict and discourage participation in certain unregistered religious groups, including the United Buddhist Sangha of Vietnam (UBCV) and some Protestant and Hoa Hao groups.

According to some religious leaders, some local officials continued to assert publicly that national laws did not apply to their jurisdictions. Both registered and unregistered Protestant groups reported they successfully appealed some local decisions to higher level authorities.

Religious believers, particularly members of organizations that had not applied for or been granted legal registration, continued to report intimidation by local security officials about attending religious services. In a number of instances, local officials forced church gatherings to disperse, advised or required groups to limit important celebrations in scope or content, closed unregistered house churches, or pressured individuals to renounce their religious beliefs and cease religious activities.

In March followers of the unregistered Pure Hoa Hao Buddhist Church and Traditional Hoa Hao Buddhist Church in several southern provinces reported police and local authorities prevented a gathering to celebrate a major Hoa Hao religious holiday. The followers reported an assault by police and the cordoning off of their homes. Police reportedly put the followers and their family members under strict surveillance beginning several days prior to the holiday.

Falun Gong adherents said plainclothes police frequently interrupted Falun Gong religious activity in Ho Chi Minh City parks.

Leaders of the SECV said the CRA bureaucratically impeded a planned first joint assembly meeting with its northern counterpart, the ECVN. SECV leaders said the

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meeting would have been an important step toward reunifying the two churches, which were divided along with the country in 1954. Although the CRA agreed in principle to the unification of the SECV and the ECVN in January 2013, SECV leadership said the CRA laid out an onerous process designed to impede reunification. The request for unification was first made in late 2010. In October 2013, the ECVN reached an agreement among its internal leadership to move forward on the unification process; a similar agreement was reached by the SECV internal leadership in November 2013.

Although the law prohibits nongovernment publishing of religious materials, in practice some private, unlicensed publishing houses unofficially printed and distributed religious texts without active government interference.

The government continued to restrict the number of students that could enroll in Catholic and Protestant seminaries to numbers the churches' leadership said were inadequate to meet demand.

The government permitted clergy to teach at universities in subjects in which they were qualified. Catholic, Protestant, Muslim, Bahai, and Buddhist groups were allowed to provide religious education to adherents in their own facilities. Students continued to participate in training sessions on fundamental Buddhist philosophy organized at pagodas nationwide during summer holidays. Some religious leaders said some provincial authorities used Decree 92 to suppress religious expression because the decree requires religious leaders to request permission to preach outside of their religious establishment.

There were reports that local authorities subjected two Khmer Krom monks to harassment and interrogation as a result of their meeting with the UN special rapporteur for religious freedom in July. The special rapporteur also reported that his attempts to visit religious leaders and other adherents in An Giang, Gia Lai, and Kon Tum Provinces were interrupted when authorities placed several of these individuals under heavy surveillance and prevented them from leaving their homes.

In August Ho Chi Minh City authorities informed Lien Tri Pagoda's Abbot Thich Khong Tanh that the city planned to raze the pagoda as part of an urban development project, although at year's end no action had been taken. The pagoda is affiliated with the unregistered UBCV and reported significant levels of harassment and surveillance by Ho Chi Minh City authorities in the past. Abbot Thich Khong Tanh also has been a prominent human rights and religious freedom

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activist who released public statements critical of the government restrictions on religious organizations in the past.

Adherence to a religious group generally did not seriously disadvantage individuals in nongovernmental civil, economic, and secular life, although some religious leaders said unofficial policies of the Communist Party of Vietnam (CPV) and the government hampered advancement of religious adherents within those organizations. Practitioners of various religions served in local and provincial government positions and were represented in the National Assembly. Some religious organizations, such as the Vietnam Buddhist Sangha, as well as other clergy and religious followers, were members of the Vietnam Fatherland Front. High-ranking government officials sent greetings and visited churches during Christmas and Easter and attended Vesak activities.

Leaders of unregistered Protestant denominations continued to report that local authorities in the Central Highlands discriminated against their followers. The Protestant leadership stated local authorities threatened to exclude their followers from state run social welfare programs if they did not denounce their faith. They further reported that students who were openly Protestant often suffered discrimination. SECV pastors reported some of their student followers received low marks in the category of “moral integrity” after publicly announcing their faith.

Father Phan Van Loi and Cao Dai Sub-dignitary Nguyen Bach Phung reported authorities blocked their exit from Vietnam as they attempted to travel to the United States to testify before the Tom Lantos Human Rights Commission in March. Nguyen Bach Phung reported police surrounded her house and cut internet service and power throughout the hearing.

Although his passport was revoked in 2013, authorities permitted Pastor Pham Dinh Nhan, head of the unregistered United Gospel Outreach Church, to travel abroad. He reported, however, that police took his passport after he returned.

UBCV Supreme Patriarch Thich Quang Do stated authorities prevented followers from visiting him or regularly questioned them after any such visit, although he could meet diplomats within his pagoda. UBCV leaders said the government continued to restrict their movement, although they reported less harassment than in previous years and were able to meet with some foreign diplomats, visit other UBCV members, and maintain contact with associates overseas. Authorities

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closely monitored these activities, the leaders said. Provincial UBCV leaders throughout the southern region reported routine surveillance by local authorities. UBCV followers reported that, on August 9 and 10, local authorities in Da Nang City prevented them from traveling to the UBCV An Cu pagoda to observe the Vu Lan holiday. They also stated authorities had earlier presented a video to local citizens claiming the UBCV was a “reactionary” organization.

Section III. Status of Societal Respect for Religious Freedom

Authorities cited some tensions between new and established religious groups, for example, between Protestant groups from the south who moved north to areas with established Protestants groups.

Section IV. U.S. Government Policy

The U.S. Embassy in Hanoi and the Consulate General in Ho Chi Minh City regularly raised concerns about religious freedom with a wide range of government officials and CPV leaders, including the president, prime minister, and senior officials in the Ministry of Foreign Affairs, the CRA, the Ministry of Public Security, and other offices in Hanoi, Ho Chi Minh City, and the provinces.

The U.S. Secretary of State, in meetings with senior government officials, called for continued improvements in religious freedom. Other visiting senior Department of State officials raised religious freedom concerns during their meetings with government officials and civil society representatives. The U.S. Assistant Secretary of State for Democracy, Human Rights and Labor headed the bilateral Human Rights Dialogue with government officials and traveled to Vietnam, where he engaged government officials on religious freedom issues and met with civil society representatives to discuss the state of religious freedom.

The Ambassador and embassy officials urged authorities to allow all religious groups to operate, including the UBCV, Protestant house churches, and dissenting Hoa Hao groups; sought greater freedom for recognized religious groups; and urged an end to restrictions on unregistered groups. The Ambassador and embassy officials raised specific cases of government harassment against Catholics, the UBCV, unrecognized Hoa Hao groups, and Protestant churches with the CRA, Ministry of Foreign Affairs, and Ministry of Public Security. The Ambassador also requested the government investigate reported abuses of religious believers and punish any officials found to be responsible. Embassy officials called for the

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registration of church congregations around the country and for improvement in registration policies to make them more uniform and transparent. U.S. government officials also repeatedly urged the government to peacefully resolve outstanding land rights disputes with religious organizations.

Embassy and consulate general officials traveled throughout the country to monitor religious freedom, meet with religious leaders, and stress to government officials that progress on religious freedom and human rights was critical to an improved bilateral relationship. Representatives of the embassy and the consulate general had frequent contact with leaders of all major religious communities.