

# **VIETNAM: Vietnam new law contravenes the fundamental right to freedom of religion or belief**

VCHR (19.11.2016) – The Vietnam Committee on Human Rights (VCHR) strongly denounces the adoption of a new Law on Belief and Religion by Vietnam's 14th National Assembly on Friday 18 November at the end of its second session. VCHR believes that the law, which replaces the current Ordinance 22 on Belief and Religion and various other decrees and regulations, is deeply flawed. It enables the communist authorities to interfere intrusively in all aspects of religious life and grossly contravenes the rights enshrined in Article 18 of the International Covenant on Civil and Political Rights (ICCPR).

“This is the first time Vietnam has adopted a law on religions, and it was an important opportunity to improve its people's rights” said VCHR President Võ Văn Ái. “But instead of adopting legislation to protect and promote the enjoyment of freedom of religion or belief as in most civilized countries, Vietnam is once again using the law to increase state control, criminalize independent religious activities and give the authorities a cloak of legality to continue harassing, arresting and convicting its citizens at will”.

Under the new law, registration remains mandatory, although the process is now accelerated (it will take 5 years instead of 23 years to obtain state recognition), and makes no provisions for religious groups who cannot, or choose not to register with the state, such as the Unified Buddhist Church

of Vietnam. Mandatory registration is a violation of Article 18 of the ICCPR, as UN Special Rapporteur on Freedom of Religion or Belief, Heiner Bielefeldt, stressed after his visit to Vietnam: “the right to freedom of religion or belief is a universal right which can never be “created” by administrative procedures. Rather, it is the other way around: registration should be an offer by the State but not a compulsory legal requirement”.

“Advocates of freedom of religion or belief risk imprisonment under the vaguely-worded “prohibited acts” cited in this law” said VCHR President Võ Văn Ái. He cited the case of UBCV Patriarch Thích Quảng Độ, who is under house arrest at the Thanh Minh Zen Monastery in Saigon after decades of arbitrary detention for his advocacy of religious freedom and human rights. “Vietnam acceded to the ICCPR over 30 years ago, but it continues to flagrantly violate its citizens’ rights, in violation of its binding international obligations”.

Unusually, whereas most laws come into force some months after their adoption, the Law on Belief and Religion will not come into force until 1st January 2018.

In October, in an initiative launched by VCHR and Christian Solidarity Worldwide, 54 religious bodies and civil society organizations sent a letter to National Assembly President Nguyễn Thị Kim Ngân, calling for an urgent revision of the draft law before it came up for vote.

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