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VIETNAM | Revised Constitution Fails to Answer Calls for Reform

A revised constitution for Vietnam, which was passed by a vote of almost 98% on Nov. 28, has disappointed religious leaders, intellectuals, activists and former officials hoping for political reform by preserving the dominance of the Communist Party.

The amended constitution will come into effect on Jan. 1, 2014. Both the 1992 constitution and the revised version contain clauses protecting the right to follow or not follow a religion, but also include caveats prohibiting the misuse of religions or beliefs to violate the law, which officials opposed to the growth of religion can use to repress religious leaders and groups.

In early 2013, the Vietnamese government invited the public to comment on the country's constitution and possible reforms. In response, a group of 72 prominent intellectuals and former government officials issued an alternative proposed constitution online, calling for democratic elections, freedom of the press, and private landownership. In March, Vietnamese Catholic bishops offered their own observations and propositions on the draft amendment promulgated by the government. These propositions included constitutional guarantees on human rights, including freedom of religion or belief and freedom of expression, respect for the right to participate in the governmental system at all levels, greater emphasis on the role of the National Assembly, and the independence of the legislative, executive and judicial authorities.

On Nov. 28, the National Assembly adopted an amended constitution which retained the dominance of the Communist Party in both the political and economic spheres. According to state media, National Assembly Chairman Nguyen Sinh Hung heralded the passing of the new constitution a "historic moment." The article states the new constitution "clearly and fully reflects the democratic and progressive nature of the Vietnamese State in the transitional period". In contrast, Catholic media described the result as "frustrating".

CSW's Chief Executive Mervyn Thomas said, "We share the frustration and disappointment expressed by religious leaders and others calling for greater freedoms in Vietnam. As Vietnam takes up a new position on the UN Human Rights Council, the government must ensure its laws and constitutional provisions are in line with international human rights standards, including standards on freedom of religion or belief. We also urge the authorities to take every opportunity to take on board the views and demands of civil society, including religious leaders, intellectuals, political commentators and legal experts."