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## **VIETNAM | Draft Law Causes Concerns Regarding Religious Activities**

Christian Solidarity Worldwide (CSW) is concerned a draft law on religion or belief, currently being reviewed by the legislature in Vietnam, will “prevent rather than protect the enjoyment of full freedom of religion or belief.”

On Aug. 14, the Standing Committee of the National Assembly reviewed a draft law on religion and belief, the first such law in Vietnam. Additionally, officials reportedly met with representatives from 32 religious organizations Aug. 16. It is not clear whether independent religious organizations, many of which have strong reservations about the draft, were invited to attend.

At present, there is no law on religion or belief in Vietnam. The Ordinance on Belief and Religion (2004) and Decree 92 (2013), which provides guidance on the implementation of the ordinance, have been criticized by lawyers, religious leaders and human rights activists for focusing on the management and control of religious activities rather the protection of the right to freedom of religion or belief. There are fears the new law on religion and belief will further cement rather than address such issues.

CSW’s research, drawing on analyses by human rights organizations, religious freedom experts, legal professionals, and religious leaders in Vietnam, concluded that the draft “maintains the government’s approach of regulating and controlling religious affairs, lacks the necessary safeguards to protect against the abuse of power, and contains ambiguous language and administrative burdens which prevent rather than protect the enjoyment of full freedom of religion or belief.”

According to TUOI TRE NEWS, at the review Aug. 14, lawmakers reiterated the need for a law on belief and religion and stated that freedom of belief and religion is “one of the fundamental and important human rights stated in the 2013 Constitution.” However, many legislators also said that “banned behaviors and practices related to belief and religion should be regulated in more details in the draft law.”

Following the review, the President of the Vietnam Fatherland Front (VFF) Central Committee reportedly met with nearly 100 dignitaries representing 32 religious organizations. However, it is not clear whether independent religious communities not registered with the authorities were invited to share their views on the draft. Prior to the August review, religious leaders were given an opportunity to provide feedback, but some religious leaders say the time allotted was prohibitively short.

The draft law has drawn considerable criticism from human rights activists, religious leaders and independent experts on freedom of religion or belief; Catholic Bishop Hoang Duc Oanh and Bishop Emeritus Tran Thanh Chung of Kontum have stated that the draft law contradicts the Universal Declaration of Human Rights and the Constitution of the Socialist Republic of Vietnam, while one independent legal expert told CSW he believes the draft gives the state a lot of control, and seems to focus on regulating religious affairs, rather than affording freedom.

CSW's Chief Operating Officer Andy Dipper said, "The draft law on religion and belief, the first of its kind in Vietnam, is an opportunity to bring domestic law into conformity with international human rights law and to strengthen protection of the right to freedom of religion or belief. However, we know from our research that many religious leaders and community representatives have serious concerns about the draft, which could, in its current form, lead to further interference into religious life in Vietnam. We call on the government to revise the draft law in open and free consultation with representatives of religion or belief communities, including ethnic and religious minorities and unregistered/independent communities, in dialogue with the UN Special Rapporteur on freedom of religion or belief and other experts in international human rights law."