

## **VCHR participates in US Ministerial to Advance Religious Freedom**

WASHINGTON D.C., 15 July 2019 (VCHR) - The **Vietnam Committee on Human Rights (VCHR)** is joining government representatives and over 1,000 civil society activists, religious leaders, policymakers and academics at the **Ministerial to Advance Religious Freedom** hosted by the U.S. Department of State in Washington D.C. from 16-18 July 2019. This is the second consecutive Ministerial, building on actions and projects launched at the inaugural event last year. Three members of VCHR were invited to participate this high-level event, VCHR President Võ Văn Ái, Vice-President Penelope Faulkner and Executive Secretary Võ Trần Nhật.

***“Violations of freedom of religion or belief are rising globally”*** said VCHR President Võ Văn Ái. ***“In Vietnam, religious communities are subjected to daily harassments, and those who defend religious freedom and human rights face assaults, arrest, torture and imprisonment. At this Ministerial, we urge the United States and all participating governments to take concrete action to press Vietnam to respect the right to freedom of religion or belief and commit to substantive legislative and political reforms”***.

Mr. Võ Văn Ái issued the following statement at the Ministerial with VCHR’s concerns and recommendations:

### **FREEDOM OF RELIGION OR BELIEF - A HUMAN RIGHT UNDER THREAT IN VIETNAM**

**Statement by the Vietnam Committee on Human Rights  
at the Ministerial to Advance Religious Freedom**

*Washington D.C., 16-18 July 2019*

The Vietnam Committee on Human Rights (VCHR) welcomes the initiative of the U.S. Department of State to hold a second consecutive Ministerial to Advance Religious Freedom in Washington D.C. from 16-18 July 2019. This high-level event, hosted by Secretary of State Mike Pompeo, brings together representatives of governments and over 1,000 civil society activists, religious leaders, policymakers and academics from all over the world. Over 80 side-events addressing all aspects of the challenges to freedom of religion or belief will be held on the margins of the Ministerial. U.S. Ambassador-at-large for International Religious Freedom Sam Brownback has described it as *“the biggest religious freedom event ever held in the world”*.

This gathering is timely, for across the world, the right to freedom of religion or belief is under threat. Research by the Pew Centre shows that around 80% of the world’s population lives in areas with high restrictions or outright hostilities on religion, and violations are rising globally.

It is also much needed, for whilst the right to freedom of religion or belief is widely recognised as a central facet of human rights, it remains a misunderstood freedom. Conceptions of and approaches to freedom of religion or belief not only differ, but are sometimes directly in conflict. For some, it is a “luxury”, the “poor sister” of human rights. For others, religious freedom is “the first and foremost right”, one which holds priority over all others.

In this context, we are especially concerned by a recent project to “revisit” the concept of religious freedom and human rights with the creation of a “Commission on Unalienable Rights.” This Commission would distinguish between original unalienable rights and “ad hoc rights”, and establish a hierarchy of human rights with religious freedom at its pinnacle. This initiative is deeply troubling, for it risks undermining the whole international human rights system and negatively impacting the lives of millions of vulnerable people for generations to come.

**The Vietnam Committee on Human Rights**

wishes to take the opportunity of this Ministerial to recall the fundamental features of freedom of religion or belief as enshrined in the UN Universal Declaration on Human Rights and relevant international human rights laws:

- Freedom of religion or belief is a universal right to which we are all entitled, simply because we are members of the human family; States cannot create this right, nor can they take it away;
- Freedom of religion or belief is not limited to religions alone. It encompasses the right to freedom of thought and conscience, and includes all religions, faiths, convictions and philosophies of life, be they theistic, non-theistic or atheistic. As such, it could be called the mother of all freedoms, for it reflects the dictates of one's conscience and shapes the very core of one's identity as a human being;
- Freedom of religion or belief does not protect religions. It protects people. People who follow a religion or who follow none enjoy the same protection and rights, no matter who they are or where they live. No religion has a monopoly of the right to freedom of religion or belief;
- Freedom of religion or belief cannot exist in isolation. It is indivisible, interdependent and interrelated with all other human rights, such as the rights of freedom of expression, association, assembly and gender rights. These rights mutually reinforce each other in combating intolerance and shaping societies based on respect for the dignity and freedom of all;
- Freedom of religion or belief, like other human rights, is based on non-discrimination, equality, human dignity and respect for diversity.

**In Vietnam,**

it is precisely these notions of freedom, diversity and pluralism that are perceived as threats to government authority. In the one-Party state, those who express beliefs or opinions at odds with those of the ruling Communist Party of

Vietnam face harassments, arrest and imprisonment on charges of “threatening national security.”

Whilst the government tolerates a veneer of freedom of worship, true freedom of religion and belief remains taboo. For Vietnam, like China, lives in fear of a spiritual awakening, in which the young generation is increasingly heeding the calls of higher powers that the Communist Party cannot control.

Braving government repression, members of the independent Unified Buddhist Church of Vietnam (UBCV), Catholics, Protestants, Hoa Hao, Cao Dai, Khmer Krom Buddhists and other religious communities are continuing the struggle for freedom of conscience and for a more decent and lawful society. Sooner or later, the Communist authorities will be obliged to heed their voice.

In recent years, alongside political repression, detention and harassments, Vietnam has been using the law to restrict religious freedom. The newly amended Vietnamese Constitution enshrines religious freedom, but says that no-one may “*abuse religious freedom to threaten the interests of the state*”. The 2015 Criminal Code contains a whole string of vaguely-worded “national security” crimes – many of which carry the death penalty – that criminalise political and religious dissent, with Kafkaesque provisions such as “*undermining national solidarity*”, “*dividing religious and non-religious people*” or “*abusing democratic freedoms*”. These laws give Vietnam a pretext to cynically inform the international community that “*there are no religious or political prisoners in Vietnam, only people who violate the law!*”

Another

step back for religious freedom is Vietnam's "Law on Belief and Religion" that came into force in January 2018. Rather than providing a framework to protect religious freedom, it imposes increased restrictions on religious practice, and legalises intrusive state interference into religious affairs. The law imposes a draconian system of registration that the state can offer or refuse at will. Most disturbingly, it virtually outlaws non registered religious groups. Regulations annexed to the law impose heavy fines on people who conduct unsanctioned religious activities. Since the law came into force, violations of religious freedom have escalated, and members of the UBCV and other independent religious communities who reject the Party's pervasive controls have become extremely vulnerable.

At this Ministerial, the Vietnam Committee on Human Rights calls on the U.S. government and all participating delegations to impress upon Vietnam its binding international obligations to respect freedom of religion or belief. Specifically, Vietnam should:

- Immediately and unconditionally release all persons arbitrarily detained for the peaceful expression of their convictions or religious beliefs;
- Revise the Law on Belief and Religion and all other legislation and regulations on religion to align them with the international standards enshrined in Article 18 of the ICCPR; remove all administrative obstacles that impede the exercise of peaceful religious activities;
- Ensure that registration of religious groups is optional, not mandatory, as recommended by the UN Special Rapporteur on Freedom of Religion or Belief, and is not used as a tool to control religious activities;
- Ensure the right of religious groups to practice freely, including non-registered groups such as the Unified Buddhist Church of Vietnam (UBCV), independent Hoa Hao, Cao Dai, Protestant house churches, as well as ethnic and religious minorities such as the Christian H'mong and Montagnards, and Khmer Krom Buddhists.
- Review its treatment of religious communities; religious followers should not be seen as threats to national security, but welcomed into a pluralistic society where they can contribute to the spiritual and economic

development of the country.

**Võ Văn Ái**

*President, Vietnam Committee on Human Rights*