Context and legal framework

After the death of Vietnamese President Nguyen Phu Trong in July 2024, General To Lam took over the office of president.[1] General Lam also became the General Secretary of the Vietnamese Communist Party, widely known to be a more powerful and prestigious position than president. Military general Luong Cuong was appointed president in October 2024, however Cuong's role is viewed as largely ceremonial.

Article 24 of the Constitution of Vietnam states that 'everyone shall enjoy freedom of belief and of religion', further emphasising that 'the State respects and protects freedom of belief and of religion', and 'no one has the right to infringe on the freedom of belief and religion'.

On 1 January 2018 Vietnam's first ever Law on Belief and Religion came into effect. The law requires religious groups to register for permission for a broad range of activities. The registration process is complex and open to abuse by officials prejudiced against a particular religion, belief, organisation or individual. From 2023, the Vietnamese government has punished religious actors and human rights activists under Articles 117 (formerly 88) and 331 of the Vietnamese Criminal Code. The articles violate Vietnam's international human rights obligations and should be repealed or substantially amended to comply with the rules set out under Article 19 of the International Covenant on Civil and Political Rights (ICCPR).

Situation of freedom of religion or belief

For some already registered groups the Law on Belief and Religion has provided clarity about which activities are permitted. A number of those groups have been able to obtain permission for activities not previously allowed. These groups tend to be larger, urban and well-established, with good relations with the authorities. However, religious groups which choose not to register with the authorities for reasons of conscience, or have had their application for registration rejected or ignored, can be subject to harassment, intimidation and violence. In recent years, attacks have been carried out by masked assailants believed to be hired by local authorities to pressure unregistered groups to stop their religious activities. The law has also failed to prevent violations of freedom of religion or belief (FoRB) against the most vulnerable groups.

Pastor Nguyen Manh Hung

On 16 January 2025 police in Ho Chi Minh City arrested 71-year-old Protestant pastor Nguyen Manh Hung in a raid on his home after he was accused of spreading anti-state propaganda. The authorities seized several phones and laptops, and the pastor's son, Nguyen Tran Hien was also detained and released after several hours of interrogation.

Pastor Nguyen is a former soldier who belongs to the Kinh majority ethnic group and was most recently associated with the Chuong Bo Protestant Church which is affiliated with the global Mennonite Church. He is currently a member of the Interfaith Council of Vietnam, which advocates for FoRB for all. Neither church is officially registered with the Vietnamese government, which is a requirement under Vietnamese law.

In January 2025 the authorities prevented three Vietnamese invitees from travelling to the United States to attend the International Religious Freedom Summit which took place in Washington, D.C. from 4-5 February. A Buddhist monk, the Venerable Thich Nhat Phuoc, was briefly detained at Ho Chi Minh's Tan Son Nhat international airport on the grounds of 'national defence and security' on 26 January. Two days later two Cao Dai dignitaries,[2] Nguyen Xuan Mai and Nguyen Ngoc Dien, were also prevented from leaving the country at Tan Son airport. Authorities again cited the same national security concerns while issuing temporary travel bans.

Targeting of minority/indigenous communities

Following its latest review of Vietnam on 27 December 2023 the United Nations (UN) Committee on the Elimination of Racial Discrimination (CERD) expressed concerns over intensifying religious repression in the country, highlighting 'restrictions on freedom of religion that disparately affect members of ethnic minorities', including registration requirements, the use of force and abuse of power by law enforcement and public officials, and institutionalised forms of religious intolerance 'including denial of school admission or medical treatment, of individuals belonging to ethnic-religious minority groups who refuse to renounce their religion or belief to join the State-controlled religious associations.'[3]

The Montagnards

The Montagnard minority ethnic group consists of approximately three million people belonging to around 30 indigenous tribes. The majority of Montagnards are Christians, both Catholic and Protestant, and live in Vietnam's Central Highlands.

On 22 January 2024 authorities in the Central Highlands concluded a four-day trial in which over 100 Montagnards were convicted on various terrorism-related charges. The trial took place after an attack on provincial Communist Party offices in Dak Lak Province on 11 June 2023 that left nine dead, including local party officials and police, for which authorities subsequently claimed Montagnard

1 Lam holds the rank of four-star general in the Vietnam People's Public Security, the national police and main domestic security force of Vietnam.
2 Cao Dai is a monotheistic religion drawing from Vietnamese traditional folk religion, the teachings of the Buddha and other historical religious figures like Jesus Christ. Cao Dai followers are mostly found in Vietnam and in the Vietnamese diaspora. The Cao Dai are not recognised by the Vietnamese government, despite originating in Vietnam in the early 1920s.
3 United Nations Committee on the Elimination of Racial Discrimination, Concluding observations on the combined fifteenth to seventeenth periodic reports of Viet Nam, 27 December 2023 https://documents.un.org/doc/undoc/gen/g23/262/65/pdf/g2326265.pdf

activists were responsible. Ten Montagnards were sentenced to life imprisonment, while other sentences ranged from three-and-a-half to 20 years in prison. Several Montagnard human rights activists based overseas were also charged in absentia. The charges specifically highlighted US-based Vietnamese American activists as having masterminded and coordinated the attacks, but they deny all allegations.

The speed of the trial for such a large group has drawn criticism from human rights observers as evidence of predetermined charges and lack of judicial due process. Family members of those convicted have reported that the charges were based on confessions made under duress. The defendants were also given limited access to defence lawyers, who were state appointed.

On 26 January 2024 Nay Y Blang, a member of the unregistered Central Highlands Evangelical Church of Christ, was sentenced to four-and-a-half years in prison on charges of 'secession and incitement' for holding Christian prayer meetings in his home. Local media reported that Mr Blang was not allowed access to legal representation. Most Montagnards do not speak Vietnamese as their first language, yet the trials were conducted entirely in Vietnamese, and it is unclear how much Mr Blang understood about his rights and the charges he was facing.

On 8 March 2024 the body of Y Bum Bya, an evangelist belonging to the Central Highlands Evangelical Church, was found hanging from a tree after he had been summoned to a meeting with public security officers at a cemetery near his home. In December 2023 Mr Bya had been publicly denounced in front of fellow villagers for not disbanding his house church. The Ministry of Public Security subsequently issued an arrest warrant for the founder of Mr Bya's church, Pastor A Ga, who currently resides in the US.

On 28 March 2024 Y Krếc Byă, a member of the Central Highlands Evangelical Church of Christ who had previously served an eight-year prison sentence, was sentenced to 13 years' imprisonment and five years' probation following his conviction on charges of 'sabotaging implementation of solidarity policies.' He received limited access to legal counsel. Mr Byă was arrested in April 2023 along with Nay Y Blang and had been held without bail.

The Khmer-Krom

The Khmer-Krom live in an area of southwest Vietnam that was once part of Cambodia. Vietnamese government statistics state that the population is around 1.3 million. However, several credible human rights groups claim there is significant and deliberate under reporting by the government, and that a conservative estimate of a true number of Khmer-Krom is closer to five million. The majority of Khmer-Krom are Theravadan Buddhist and share many cultural, political and linguistic ties to Cambodia.

On 20 March 2024 two Khmer-Krom activists were charged with 'abusing democratic freedoms' by a court in Cau Ngang District, Tra Vinh Province, after they organised training workshops on the rights of indigenous people under international law, including the right to FoRB. To Hoang Chuong and Thach Cuong had been detained for over eight months without access to legal assistance or family visits prior to their trial, which some sources have reported was arranged in less than a week. Their families were not notified of their trial and therefore could not be present. Chuong and Cuong were sentenced to four and three-and-a-half years in prison respectively.

On 26 March 2024 Thach Chanh Da Ra, a Khmer-Krom Buddhist monk, was arrested and defrocked in violation of the Theravada Buddhist tradition whereby a monk may only be defrocked by his immediate religious superior. Da Ra served as the abbot (head monk) at the Dai Tho Pagoda in Vinh Long province. The Vietnamese government has accused him of using his position of influence in the pagoda to sow anti-government sentiment.

Four more Khmer-Krom monks at the Dai Tho Pagoda were arrested on 28 March 2024. Mr Duong Khai, Mr Thach Qui Lay, Mr Kim Sa Ruong, Mr Thach Chop were also defrocked by public security officers, and were charged with 'abusing democratic freedoms' under Article 331 of the Vietnamese Criminal Code.

On 1 April 2024 a place of worship used by the Khmer-Krom, Theravada Buddhist community in Tong Hung, Loan My village, Tam Binh district, Vinh Long Province, was destroyed by authorities. The hall also served as an educational centre where Khmer-Krom language classes were taught to local children, and as a venue for community events.

On 27 March 2025 authorities arrested ethnic Khmer-Krom monk Venerable Kim Som Rinh, and two activists Thach Nga and Thach Xuan Dong. All three were charged under Article 331 of the Vietnamese Criminal Code for 'abusing democratic freedoms' and were taken into custody in Tra Vinh Province in southern Vietnam. Venerable Kim Som Rinh is a respected leader known for advocating for religious and cultural rights. He was defrocked by the state-sanctioned Vietnam Buddhist Sangha in March 2024 in a move seen as an attempt to stifle dissent.

The Hmong

The Hmong people are one of Vietnam's largest ethnic minorities. According to government data they are said to number around 900,000 people, however rights groups argue that it could be three times higher. Many Hmong are Christians.

In February 2024 school administrations at two ethnic boarding schools prohibited students from participating in religious activities. Students at the high schools in Nậm Nhùn District, Điện Bienh Province had to sign a pledge not to attend Christian prayer services outside the school while no prayer service is allowed to be held in school.

Transnational repression

Vietnamese security police have increasingly targeted Hmong and Montagnard Christians who have fled to Thailand to seek asylum and claim refugee status with the office of the United Nations High Commissioner for Refugees (UNHCR). They have particularly harassed and intimidated members of the Evangelical Church of Christ in the Central Highlands (ECCCH), Montagnards Stand for Justice (MSFJ), and Hmong Human Rights Coalition (HHRC). Many refugees in Bangkok have reported being visited at their homes in Bangkok by Vietnamese plain clothed police.

On 6 March 2024 Vietnamese state media declared the Montagnard Support Group Inc (MSGI) based in North Carolina, USA, and Montagnard Stand for Justice (MSFJ), which was established in Thailand, but now has an office in Virginia, USA, to be terrorist groups. Both organisations specialise in defending the rights of the Montagnard minority ethnic group. The Vietnamese government's press release named several human rights activists as terrorists and threatened that anyone working with them would face similar charges. In a move clearly intended to intimidate, endanger and silence human rights defenders, it went on to give the personal home addresses of several key human rights figures both in Thailand and the USA.

On 14 March 2024 high-level delegates from the Vietnamese security services visited refugee communities in Bangkok where MSFJ leaders and key associates are based. During this visit, which was facilitated by senior Thai police officers, the most senior security officer for the Montagnard region, Major General Rah Lan Lam, questioned Montagnard asylum seekers in a northern suburb of Bangkok. Many of the refugees went into hiding and sought emergency relocation assistance after this incident out of fear that they would be targeted.

On 30 September 2024 a judge in Thailand ruled that Vietnamese human rights activist Y Quynh Bdap could be sent back to Vietnam where he is facing various terrorism-related charges. Fifteen Vietnamese officials were present at Bdap's trial and reportedly sat directly in front of the judge. Bdap's legal team have filed an appeal and he is still being held in custody in Bangkok. Bdap's potential extradition has raised concerns over the fairness of his trial and his safety if returned. Thirteen UN special procedures wrote to the government of Thailand compelling them not to return Bdap.

On 14 February 2025 the Vietnamese government declared the Vietnamese-American human rights organisation Boat People SOS (BPSOS) as a terrorist organisation, citing legal advice and support the organisation provided to Mr Bdap. In a press release dated 14 February and issued on state-controlled media, BPSOS and its senior leadership were derided for 'assisting organisations and individuals participating in anti-Vietnam activities.' The article went on to explicitly name BPSOS as a terrorist organisation and describe its president, chief operating officer and chief financial officer as terrorists. The article published the home address of BPSOS president Dr Nguyen Dinh Thang.

Recommendations

To the government of Vietnam:

- Ensure full enjoyment of the right to FoRB for all citizens in law and in practice, revising regulations and legislation pertaining to religion to ensure they align with the international standards articulated in Article 18 of the International Covenant on Civil and Political Rights (ICCPR).
- Release immediately and unconditionally all prisoners detained or imprisoned without due process in connection with their religion or belief, or with the peaceful defence of the rights of others and investigate cases of wrongful imprisonment.
- Launch an impartial investigation into the death of Y Bum Bya and adopt a zero-tolerance approach to violence against religious minorities and human rights defenders.
- End judicial harassment and arrests on excessive charges of ethnic and religious minorities and indigenous human rights defenders.
- End undue interference in the religious traditions of minority faiths and compensate any whose properties have been destroyed or seized.
- End transnational repression, harassment and defamation of members of ethnic and religious refugees and human rights defenders from ethnic and religious minority communities who are seeking asylum, reside in other countries.
- Take steps to guarantee and protect the right to freedoms of expression, association, and FoRB through reforming Articles 117 and 331 of the Penal Code.

To the government of the United States:

- Consider reinstating funding to support initiative promoting democracy and human rights, including FoRB in Vietnam, and to hold the Vietnamese government to account for violations, including through support for independent reporting from within the country and for groups trying to support democratic freedoms at the grassroots and governmental levels.
- The State Department should continue to closely monitor FoRB in Vietnam and designate the country as a Country of Particular Concern, as recommended by the US Commission on International Religious Freedom (USCIRF).
- The Ambassador-at-Large for International Religious Freedom and USCIRF commissioners should request an invitation to visit Vietnam with unhindered access to all parts of the country.
- Deny US travel visas to government officials responsible for serious FoRB violations, including:

- General To Lam, General Secretary of the Vietnamese Communist Party;
- Major General Duog Minh Hung, former Director of the Department of Economic Security of the Ministry of Public Security (MPS);
- Colonel Nguyen Duc Thoa, former First Secretary, Intelligence Attaché at the Vietnamese Embassy in Berlin, Germany, member of MPS' General Secret Service;
- Senior Lieutenant Colonel Le Thanh Hai, former Security and Interpol Liaison Officer of MPS' General Police Department at the Vietnamese Embassy in Berlin, Germany;
- Lieutenant General Phạm Quoc Cuong, former Commander of the Mobile Police Department of MPS;
- Senior Lieutenant Colonel Dang Viet Quang, Deputy-Head of the Criminal Division of the Hanoi Public Security Department.

- The State Department should engage with state-registered churches, in addition to unregistered religious groups, in order to represent the challenges around registration of religious organisations with greater nuance in the department's annual report.

To the United Nations and Member States:

- Call on Vietnam to extend a standing invitation to UN Special Procedures, with unhindered access to all parts of the country, and ensure that members of civil society can freely meet with them without reprisal.
- Urge all relevant UN mechanisms, including the UN Special Procedures and Treaty Bodies, to include the right to freedom of religion or belief in their reporting on Vietnam, addressing the specific vulnerabilities and violations faced by religion or belief communities and those seeking to defend them.
- Where possible, provide financial support for human rights organisations working on the situation of human rights in Vietnam and provide platforms for Vietnamese human rights defenders to share their experiences, including facilitating their participation during key UN dialogues.
- Publicly condemn all reprisals against members of civil society who engage with the UN and other international organisations on matters relating to human rights in Vietnam and support the establishment of a safe environment for human rights lawyers, civil society actors and human rights defenders to carry out their work.
- Monitor reports of arbitrary detention and follow court proceedings and call on Vietnam to protect all persons from arbitrary detention, and to guarantee the right to a fair trial and legal counsel of their own choosing, in accordance with Article 9 and 14 of the ICCPR.
- Urge the government of Vietnam, at every appropriate opportunity, to make the reforms highlighted in the recommendation section above 'To the government of Vietnam'.

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