

## Context and legal framework

After the death of Vietnamese President Nguyễn Phú Trọng in July 2024, General Tô Lâm took over the office of president. <sup>1</sup> General Lâm also became the General Secretary of the Vietnamese Communist Party, widely known to be a more powerful and prestigious position than president. Military general Lương Cường was appointed president in October 2024, however Cường'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.

Since 2023 the Vietnamese government has increasingly punished religious actors and human rights activists under Articles 117 (formerly 88) and 331 of the Vietnamese Criminal Code, which criminalise distributing 'information and documents aimed at opposing the Socialist Republic of Vietnam' and 'abusing democratic freedoms to infringe the interests of the State' respectively. The articles violate Vietnam's international human rights obligations, including those laid out under Article 19 of the International Covenant on Civil and Political Rights (ICCPR), to which Vietnam is a party.

### Restructuring of domestic governance

In 2025 Vietnam undertook sweeping domestic governance reforms aimed at streamlining its political and administrative apparatus. The changes included the removal of the district-level administrative branch, shifting the country from a three-tier to a two-tier local government system to reduce bureaucracy and improve efficiency. However, many human rights groups have expressed concerns that it will centralise and strengthen central leadership – removing recourse and representation from rural communities – mainly comprised of ethnic and religious minorities. At the central level, the number of ministries has been cut from 18 to 14 through mergers, notably combining the Ministry of Religious Affairs and the Committee for Ethnic Affairs into a new Ministry of Ethnic Minority and Religious Affairs.

## 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 which 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.

## 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.'<sup>2</sup>

### The Cao Dai

Cao Dai, founded in 1926, is a syncretistic modern Vietnamese religious movement with a strongly nationalist political character. Population estimates vary significantly, from one million to over six million according to different sources that are difficult to verify. Cao Dai draws upon ethical precepts from Confucianism, occult practices from Taoism, theories of karma and rebirth from Buddhism, and a hierarchical organisation (including a pope) from Roman Catholicism. The Cao Dai have regularly had applications for festivals denied by authorities, and individuals associated with unregistered Cao Dai groups face harassment which can include disruption of their religious worship and confiscation of property.

On 12 May 2026 authorities in Đồng Tháp Province arrested Cao Dai clergy Trần Ngọc Sương, Nguyễn Ngọc Điền, Nguyễn Anh Phụng and his wife Trần Thanh Tuyết, accusing them of engaging in activities including providing interviews and sharing video clips and documentation of human rights abuses, including violations of FoRB, via online platforms that the authorities claim contained content which distorts or misrepresents government policies and laws.

Mr Phung and Ms Tuyet were released on 13 May, however Mr Sương was charged under Article 117 of the Penal Code. The authorities claim that Mr Sương had previously been approached by local authorities and law enforcement for

<sup>1</sup> Lâm holds the rank of four-star general in the Vietnam People's Public Security, the national police and main domestic security force of Vietnam.

<sup>2</sup> 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>

similar activities and was pressured to stop. He has since been released on bail while the investigation continues. CSW sources have not received any information about Mr Điền being charged.

### **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 Biên 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.

### **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 Theravada Buddhist and share many cultural, political and linguistic ties to Cambodia.

In August 2025 UN experts expressed serious concern over reports of an escalating crackdown on the community in which at least 17 Khmer-Krom monks, activists, and defenders were arbitrarily detained, subjected to unfair trials, and, in some cases, tortured during pre-trial detention.

Among them are ethnic Khmer-Krom monk Venerable Kim Som Rinh, and two activists Thạch Nga and Thạch Xuân Đông, who were arrested on 27 March 2025. All three were charged under Article 331 of the Vietnamese Criminal Code for 'abusing democratic freedoms' and were taken into custody in Trà Vinh Province in southern Vietnam. The three men were held incommunicado without access to their families or legal representation, and were each sentenced to three and a half years in prison on 18 November.

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 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 Đắk Lắk Province on 11 June 2023 that left nine dead, including local party officials and police, for which authorities subsequently claimed Montagnard 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 a 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 1 June 2026 authorities in Gia Lai Province arrested Montagnard Pastor Siu Yúi, 68, and church member Siu Dok, 40, and accused them of using religious teachings to mobilise and encourage ethnic minorities in the Central Highlands towards secession and independence. Both men were charged under Article 116 of the Penal Code, a provision which criminalises acts with the purpose of 'opposing the people's government' and is frequently used in cases involving ethnic minority and religious communities.

According to local media reports, the men are alleged to have been involved in grassroots training and advocacy among members of several different ethnic groups in the Central Highlands. Authorities claim that the group used religious gatherings to mobilise local communities and collect information, and that they maintained links with individuals abroad who run 'illegal' organisations.

On 19 July Major General Lê Quang Nhân, Director of Gia Lai Provincial Police announced that 119 Montagnards had been subject to enforcement measures during the first six months of 2026 for their alleged involvement with the United Front for the Liberation of Oppressed Races (FULRO) and 'De Ga Protestantism'. State media reports continue to characterise activities associated with these movements as attempts to promote separatism in the Central Highlands.

On 5 August Montagnard Protestant Pastor Y Nuên Ayun was sentenced to seven-and-a-half years in prison on the charge of 'undermining the national unity policy' by the People's Court of Đắk Lắk Province.

## **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 and MSFJ founder 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. On 28 November 2025 Thai authorities handed Bdap to Vietnamese officials and he was flown back to Vietnam where he faces a ten-year prison sentence and is currently being held in Gia Trung prison in Gia Lai Province.

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 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 Nguyễn Đình Thắng.

On 28 April 2026 the People's Court of Đắk Lắk sentenced Dr Thắng, a US citizen, to 11 years in prison on charges of terrorism under Article 299(2) of the Penal Code at a trial in absentia. The court claimed in its verdict that Dr Thắng's actions are 'exceptionally dangerous to society, infringing

upon national security and public order.' Dr Thắng strongly denies the charges, however no defence was permitted at the trial.

## 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 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.
- 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 116, 117 and 331 of the Penal Code.

### *To the government of the United Kingdom:*

- Call on the Vietnamese government to repeal or revise Articles 117 and 331 of the Penal Code, which are frequently used to criminalise peaceful religious expression and advocacy. The UK should advocate for reforms to the Law on Belief and Religion, aligning it with Article 18 of the ICCPR, ensuring it supports, rather than restricts, FoRB for registered and unregistered religious groups.
- Raise the cases of wrongfully imprisoned individuals, such as Pastor Nguyễn Manh Hung and members of the Central Highlands Evangelical Church of Christ, in bilateral discussions. Encourage the release of detainees held for peaceful religious activity, and ensure UK refugee resettlement schemes are responsive to Montagnard, Khmer-Krom, and Hmong asylum seekers.
- Publicly condemn Vietnam's transnational repression targeting FoRB activists abroad, including harassment of Montagnard and Hmong refugees in Thailand and the listing of overseas NGOs as 'terrorist' entities. Collaborate with partners in ASEAN and the US to provide safe refuge and diplomatic protection to Vietnamese religious and ethnic minority activists in exile.

- Ensure that freedom of religion or belief and human rights are integrated into all bilateral engagements, including future UK-Vietnam strategic or trade discussions. Encourage the inclusion of enforceable human rights benchmarks in any future economic agreements, ensuring respect for ethnic minority and religious rights, particularly regarding land ownership and ancestral rights.
- Urge the government of Vietnam, at every appropriate opportunity, to make the reforms highlighted in the recommendation section above 'To the government of Vietnam'.

***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 FoRB in their reporting on Vietnam, addressing the specific vulnerabilities and violations faced by religion or belief communities and those seeking to defend them.
- Utilise the Universal Periodic Review process to raise FoRB violations in Vietnam and offer recommendations to advance FoRB.
- 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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