



Home Office

# Country Policy and Information Note

## Vietnam: Hoa Hao

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# Executive summary

The constitution of the Socialist Republic of Vietnam allows for freedom of religion but in practise this is restricted.

Religious groups need to register in order to operate and undertake religious activities. The state recognises 16 different religions, including Hoa Hao Buddhism, with the Hoa Hao Buddhist Church the state approved group.

Estimates of the number of those who follow the Hoa Hao faith, both in registered and unregistered groups, vary between one to eight million. The Committee for Religious Affairs claims there are 1.5 million followers of the state-approved Hoa Hao Buddhist Church.

Hoa Hao Buddhism is practised at home or while tending land. Those who practice their faith in this way are unlikely to attract adverse attention from the authorities.

Hoa Hao Buddhists who openly criticise the government or who participate in activities that are, or may be perceived to be, against the state may face harassment, arrest or detention. Whether a Hoa Hao Buddhist activist is at risk of persecution or serious harm will depend on their profile and activities.

Where the person has a well-founded fear of persecution from the state they will not, in general, be able to obtain protection from the authorities or internally relocate.

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# Assessment

## About the assessment

This section considers the evidence relevant to this note – that is information in the [country information](#), refugee/human rights laws and policies, and applicable caselaw – and provides an assessment of whether, **in general**:

- a person is likely to face a real risk of persecution/serious harm by the state due to being a Hoa Hao Buddhist.
- a person is able to obtain protection from the state (or quasi state bodies)
- a person is reasonably able to relocate within a country or territory
- a grant of asylum, humanitarian protection or other form of leave is likely, and
- if a claim is refused, it is likely or unlikely to be certifiable as ‘clearly unfounded’ under [section 94 of the Nationality, Immigration and Asylum Act 2002](#).

Decision makers **must**, however, still consider all claims on an individual basis, taking into account each case’s specific facts.

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## 1. Material facts, credibility and other checks/referrals

### 1.1 Credibility

- 1.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 1.1.2 Decision makers must also check if there has been a previous application for a UK visa or another form of leave. Asylum applications matched to visas should be investigated prior to the asylum interview (see the [Asylum Instruction on Visa Matches, Asylum Claims from UK Visa Applicants](#)).
- 1.1.3 In cases where there are doubts surrounding a person’s claimed place of origin, decision makers should also consider language analysis testing, where available (see the [Asylum Instruction on Language Analysis](#)).

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### 1.2 Exclusion

- 1.2.1 Decision makers must consider whether there are serious reasons for considering whether one (or more) of the exclusion clauses is applicable. Each case must be considered on its individual facts and merits.
- 1.2.2 If the person is excluded from the Refugee Convention, they will also be

excluded from a grant of humanitarian protection (which has a wider range of exclusions than refugee status).

- 1.2.3 For guidance on exclusion and restricted leave, see the Asylum Instruction on [Exclusion under Articles 1F and 33\(2\) of the Refugee Convention, Humanitarian Protection](#) and the instruction on [Restricted Leave](#).

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## 2. Convention reason(s)

- 2.1.1 Actual or imputed religion and/or actual or imputed political opinion.
- 2.1.2 Establishing a convention reason is not sufficient to be recognised as a refugee. The question is whether the person has a well-founded fear of persecution on account of an actual or imputed Refugee Convention reason.
- 2.1.3 For further guidance on the 5 Refugee Convention grounds see the Asylum Instruction, [Assessing Credibility and Refugee Status](#).

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## 3. Risk

- 3.1.1 A person who belongs to the state-registered Hoa Hao Buddhist Church is unlikely to face a risk of persecution for that reason alone.
- 3.1.2 A Hoa Hao Buddhist who is a member of unregistered group, practising their faith at home or in a small group cooperating with local authorities is unlikely to face adverse attention from the authorities. Some may face difficulties, such as police harassment, disruption of religious activities, confiscation of property, pressure to join the registered Church and arrest but in general such treatment is not sufficiently serious by its nature and/or repetition to amount to persecution.
- 3.1.3 Hoa Hao Buddhists activists or leaders who openly criticise the government or participate in activities that are, or may be perceived to be, political in nature are likely to attract adverse attention including harassment, monitoring, arrest, interrogation and detention which may amount to persecution. Whether a person is at risk of persecution will depend on their profile and the nature of their activities, not solely due to their faith.
- 3.1.4 Each case must be considered on its facts with the onus on the person to demonstrate that they would be at real risk of serious harm or persecution from state actors on return.
- 3.1.5 The Constitution allows for freedom of religion and states that freedom of religion and belief must be protected. In practice, those freedoms are restricted. However, not all those restrictions do not necessarily meet the very high threshold necessary to constitute persecution (see [Constitution](#)).

- 3.1.6 Religious groups are required to seek approval from and register with the government in order to operate and conduct activities. The process to register can be lengthy with many requirements to fulfil and applications are sometimes ignored or refused without explanation (see [Law on religion and belief](#) and [Legal status of religious groups](#)).
- 3.1.7 The government officially recognises Hoa Hao Buddhism, with the Hoa Hao Buddhist Church being the state-recognised group. There are also unregistered Hoa Hao groups, with Hoa Hao sources in Vietnam informing the UK Home Office in 2019 that these consisted of a 'neutral sect', those who did not want to belong to any organised group, and a smaller 'pure sect', who stand up against dictatorship (see [Law on religion and belief](#), [Legal status of religious groups](#) and [Registered/unregistered groups](#)).
- 3.1.8 Followers of Hoa Hao Buddhism are concentrated in the Mekong Delta region. Their exact number is unknown but source estimates ranging from around one million to eight million (with those estimates representing between 0.9% and 7% of the population), varying depending on whether they relate to registered or unregistered groups (see [Demography](#)).
- 3.1.9 As of December 2021 the Government Committee for Religious Affairs recorded 1.5 million followers of the state recognised Hoa Hao Buddhist Church, which is an increase from the 2019 census which recorded just under 1 million followers. Hoa Hao Buddhists managers spoken to during the UK Home Office Fact-Finding Mission in 2019 however, estimated lower numbers claiming the state recognised group had less than 400 followers (see [Registered/unregistered groups](#)).
- 3.1.10 There are no reliable figures of those who follow unregistered Hoa Hao groups. However, diplomatic sources and Hoa Hao Buddhist managers both agreed that the number of those who belonged to the 'pure sect' within the unregistered group was very small (see [Registered/unregistered groups](#)).
- 3.1.11 Hoa Hao Buddhism is normally practised at home or while tending the land. Although harassment and disruption to activities occurs, the extent to which this is experienced depends on the area and the relationship with the authorities. Unregistered/unrecognised groups can apply to the commune level people committee for specific religious activities, but it is not known how or if this applies to Hoa Hao groups in practice. Religious groups generally find it easier to practice their faith in urban rather than rural areas, regardless of whether they belong to an officially recognised group. Many Hoa Hao Buddhists have found ways to co-operate with local government, meaning they are more likely to be able to practise their faith without difficulty (see [State treatment](#))
- 3.1.12 There is limited information on the arrest and detention of Hoa Hao Buddhists. However, available sources indicate that there are very few people detained or imprisoned, with 2 separate databases giving the details of 7 Hoa Hao Buddhists who have been arrested or detained in the last 7 years. Of the 7 Hoa Hao Buddhists listed in both databases, 6 of them were arrested after attending the same Hoa Hao Buddhist event in April 2017, with 5 of them sentenced to terms in prison ranging from 3- 6 years. Both databases list only one Hoa Hao Buddhist as currently detained, he had

previously served a prison term for attending the event in April 2017 and was released in June 2021 but arrested in 2023 on charges relating to "making, storing, spreading information, materials, items for the purpose of opposing the State of Socialist Republic of Vietnam" (see [Arrests and detentions](#)).

- 3.1.13 For further guidance on assessing risk, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 4. Protection

- 4.1.1 Where the person has a well-founded fear of persecution from the state they will not, in general, be able to obtain protection from the authorities.

- 4.1.2 For further guidance on assessing state protection, see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 5. Internal relocation

- 5.1.1 Where the person has a well-founded fear of persecution or serious harm from the state, they are unlikely to be able to relocate to escape that risk.

- 5.1.2 For further guidance on considering internal relocation and factors to be taken into account see the Asylum Instruction on [Assessing Credibility and Refugee Status](#).

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## 6. Certification

- 6.1.1 Where a claim is refused, it is unlikely to be certifiable as 'clearly unfounded' under section 94 of the Nationality, Immigration and Asylum Act 2002.

- 6.1.2 For further guidance on certification, see [Certification of Protection and Human Rights claims under section 94 of the Nationality, Immigration and Asylum Act 2002 \(clearly unfounded claims\)](#).

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# Country information

## About the country information

This contains publicly available or disclosable country of origin information (COI) which has been gathered, collated and analysed in line with the [research methodology](#). It provides the evidence base for the assessment.

The structure and content of this section follow a [terms of reference](#) which sets out the general and specific topics relevant to the scope of this note.

This document is intended to be comprehensive but not exhaustive. If a particular event, person or organisation is not mentioned this does not mean that the event did or did not take place or that the person or organisation does or does not exist.

Decision makers must use relevant COI as the evidential basis for decisions.

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Section updated: 3 January 2024

## 7. Religion

### 7.1 Demography

- 7.1.1 The CIA World Factbook notes that according to estimates for 2019, 5.8% of the population were Buddhist (including the Hoa Hao), 6.1% Catholic, 1% Protestant, 0.8% are other and 86.3% have no religion<sup>1</sup>.
- 7.1.2 Statistics for the number of Hoa Hao Buddhists vary<sup>2 3 4 5 6</sup>.
- 7.1.3 Hoa Hao Buddhist managers, part of an interfaith group, interviewed during/by the 2019 UK Home Office Fact Finding Mission/Team to Vietnam (UK HO FFM/T 2019) claimed that there were 8 million followers of the Hoa Hao religion<sup>7</sup>. Diplomatic sources told the UK HO FFT that officially there were around 1.3 million Hoa Hao Buddhists with unofficial numbers stating there were over 2 million – mostly based in the Mekong Delta<sup>8</sup>.
- 7.1.4 The 2019 census on population and housing published in March 2020 reported that there were 983,079 Hoa Hao Buddhists, with 228,329 living in urban areas and 754,750 in rural areas<sup>9</sup>.
- 7.1.5 The Government Committee for Religious Affairs published 'Religions and religious Policy in Vietnam' noted that: 'As of December 2021, the Hoa Hao Buddhist Church [the officially recognised sect] had more than 1.5 million followers, 4,000 officials, and 50 State-recognized places of worship.'<sup>10</sup>
- 7.1.6 In June 2023, Radio Free Asia noted there were around 2 million Hoa Hao

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<sup>1</sup> CIA, '[The World Factbook- Vietnam](#)' (People and Society), last updated 6 December 2023

<sup>2</sup> UNFPA & GSO '[Results of the 2019 Census on Population and Housing in Viet Nam](#)', March 2020

<sup>3</sup> UK Home Office, '[HO FFM report](#)' (annex D- Hoa Hao Buddhist managers), September 2019

<sup>4</sup> UK Home Office, '[HO FFM report](#)' (annex D- Hoa Hao Buddhist managers), September 2019

<sup>5</sup> Socialist Republic of Vietnam, '[Religions and Religious Policy in Vietnam](#)', 2022

<sup>6</sup> RFA, '[After 6 years in prison, Vietnam frees father and son adherents of Buddhist...](#)', 28 June 2023

<sup>7</sup> UK Home Office, '[HO FFM report](#)' (annex D- Hoa Hao Buddhist managers), September 2019

<sup>8</sup> UK Home Office, '[HO FFM report](#)' (annex D- Diplomatic sources), September 2019

<sup>9</sup> UNFPA & GSO '[Results of the 2019 Census on Population and Housing in Viet Nam](#)', March 2020

<sup>10</sup> Socialist Republic of Vietnam, '[Religions and Religious Policy in Vietnam](#)', 2022

Buddhists<sup>11</sup>.

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Section updated: 2 January 2024

## 8. Legal framework

### 8.1 Constitution

#### 8.1.1 Article 24 of the Constitution states:

1. Everyone shall enjoy freedom of belief and religion; he or she can follow any religion or follow none. All religions are equal before the law.
2. The State respects and protects freedom of belief and of religion.
3. No one has the right to infringe on the freedom of belief and religion or to take advantage of belief and religion to violate the laws.<sup>12</sup>

8.1.2 The US Commission on International Religious Freedom (USCIRF)'s – a US independent public body – 2023 report (covering events in 2022 and published in May 2023) noted that: 'Vietnam's constitution... allows authorities to restrict human rights, including religious freedom, for reasons of "national defense, national security, social order and security, social morality, and community well-being."<sup>13</sup>

8.1.3 The US State Department's 2022 Report on International Religious Freedom (the 2022 USSD RIRF) noted that '.... The constitution acknowledges the right to freedom of religion or belief of those whose rights are limited, including inmates or foreigners and stateless persons. .... The constitution prohibits citizens from violating the freedom of belief and religion or taking advantage of a belief or religion to violate the law.'<sup>14</sup>

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### 8.2 Law on religion and belief

8.2.1 The Law on Religion and Belief 2016 (effective from 2018) requires religious groups and clergy members to register and join a party-controlled supervisory body in order to obtain permission for religious activities<sup>15</sup>. Article 5 of the 2016 Law prohibits acts which 'infringe upon national defense, security and sovereignty, social order and safety...'<sup>16</sup>

8.2.2 Freedom House noted in their Freedom in world report 2023, covering events in 2022, that: 'The 2016 Law on Belief and Religion reinforced registration requirements, allowed extensive state interference in religious groups' internal affairs, and gave authorities broad discretion to penalize unsanctioned religious activity.'<sup>17</sup>

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<sup>11</sup> RFA , '[After 6 years in prison, Vietnam frees father and son adherents of Buddhist...](#)', 28 June 2023

<sup>12</sup> The Socialist Republic of Vietnam, '[Constitution](#)', 28 November 2013

<sup>13</sup> USCIRF, '[2023 Annual Report](#)', (page 47), 1 May 2023

<sup>14</sup> USSD, '[2022 Report on International Religious Freedom: Vietnam](#)', 15 May 2023

<sup>15</sup> The Socialist Republic of Vietnam, '[Law on Religion and Belief](#)', 18 November 2016

<sup>16</sup> The Socialist Republic of Vietnam, '[Law on Religion and Belief](#)', 18 November 2016

<sup>17</sup> Freedom House, '[Freedom in the World 2023](#)', 2023

## 8.3 Legal status of religious groups

- 8.3.1 The Australian Government's Department for Foreign Affairs and Trade's (DFAT) Country Report for 2022, based on a range of public and non-public information including on-the-ground knowledge and discussions with a range of sources, (DFAT report 2022) noted that: '... religious groups are required to register with the Government and the authorities place restrictions on the day-to-day activities of some believers... The Government recognises 38 religious organisations linked to 16 religious traditions, including Buddhism...'<sup>18</sup>
- 8.3.2 Christian Solidarity Worldwide (CSW), a UK based freedom of religion or belief organisation, noted in its report 'Freedom of Religion or Belief since the January 2018 Law on Belief and Religion' published in June 2022, that:
- 'The law imposes several restrictive requirements upon religious groups. All religious groups are required to register with the government for recognition as a legal organisation and for authorisation for a range of activities. In practice, this registration process is open to abuse by state officials, with some applications ignored or rejected without explanation.
- '... The registration process under the 2018 Law on Belief and Religion is lengthy, complex and open to abuse. ...Religious groups must have operated for at least five years with a religious activity registration certificate in order to start the registration process.
- 'The application process for state recognition as a religious organisation (Article 22) requires religious groups to provide a detailed and extensive level of information to the authorities, including "the name of the requesting organization, [...] number of believers and geographical area of its operation at the time of request; its organizational structure and head office; a written summary of its operation since the organization is [sic] granted a religious activity registration certificate; a list, resumes, judicial record cards, summaries of religious activities of its expected representative and leaders' and 'a summary of its tenets, canon laws and rites', as well as 'a written declaration of its lawful property", and "papers proving the possession of a lawful head office location."<sup>19</sup>
- 8.3.3 The 2022 USSD RIRF noted that: 'Under the law, a religious organization is defined as "a religious group that has received legal recognition" by authorities. The law provides a separate process for unregistered, unrecognized religious groups to receive permission for specific religious activities by applying to the commune-level people's committee.'<sup>20</sup> CPIT could find no specific information to show how or whether this applies to Hoa Hao groups.

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Section updated: 24 January 2024

## 9. State treatment

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<sup>18</sup> DFAT, '[Country Information Report Vietnam](#)' (para 3.13 & 3.16), 11 January 2022

<sup>19</sup> CSW, '[Freedom of Religion or Belief since the 2018 Law on Belief and Religion](#)', June 2022

<sup>20</sup> USSD, '[2022 Report on International Religious Freedom: Vietnam](#)', 15 May 2023

## 9.1 Registered/unregistered groups

### 9.1.1 Hoa Hao Buddhist managers, part of an interfaith group, told the UK HO FFT 2019 that:

'There are three sects of Hoa Hao. The first is pure Hao Hoa Buddhism (the group here), the second is neutral Hoa Hao Buddhism and the third is state sponsored or state recognised. The way these three sects practise is the same. The only reason that the current govt does not recognise the pure Hoa Hao Buddhism is because of its principle is to stand up against dictatorship.

'There are eight million followers and of those who follow the state recognised sect there are less than 400 followers, most of them are public officials. This sect was founded in 1999. For the pure sect, which was founded in 1972, before the fall of Saigon, there used to be a lot of followers but now the number is around 400. The majority of followers associate themselves with the neutral sect because they do not want trouble with the government even though they support the pure sect.

'... The followers of the pure sect they are fully devoted to the teachings of the virtuous master and want to struggle to regain their legitimate interest. In 1975 after the fall of Saigon, the govt confiscated all the property of Hoa Hao and since then many people have been imprisoned. Two people have practised self-immolation which promoted the government to establish the state recognised sect in 1999. But the govt has not returned the confiscated property. All of the leaders of the state recognised sect are actually CPV [Communist Party of Vietnam] members.'<sup>21</sup>

### 9.1.2 The 88 Project, a human rights and advocacy group<sup>22</sup>, noted in a undated section about crackdowns on Hoa Hao Buddhists that:

'Hoa Hao (Hoahaoism) is a religious sect ...combining Buddhism philosophy with local customs, morality, and beliefs. Having the strongest base in the Mekong Delta region and millions of followers, Hoa Hao quickly became one of the most influential religious organizations, whose power could rival any other political organization at the time...

'... In 1999, Hoa Hao was eventually broken into two factions. One is officially recognized by the regime, while the other part trying to preserve Hoa Hao's original practices is outlawed. The authorities routinely harass followers of the unapproved groups, charge them for breaking the law, put them under house arrest, prohibit public readings of the Hoa Hao founder's writings, and discourage worshipers from visiting Hoa Hao pagodas in An Giang and other provinces.'<sup>23</sup>

### 9.1.3 An article in the Vietnamese, 'an independent and non-profit online magazine that focuses on Vietnam politics'<sup>24</sup> noted that:

'In 1999, Hoa Hao Buddhism fundamentally split into two sects. One sect, the Hoa Hao Buddhist Church, was permitted by the government to operate

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<sup>21</sup> UK Home Office, '[HO FFM report](#)' (annex D- Hoa Hao Buddhist Managers), September 2019

<sup>22</sup> The 88 Project, '[About Us](#)', undated

<sup>23</sup> The 88 Project, '[Incident: Crackdown on Hoa Hao Buddhists](#)', no date

<sup>24</sup> The Vietnamese, '[About us](#)', undated

and is headquartered at An Hoa Temple in Phu My Town, Phu Tan Suburban District, An Giang Province.

'Many Hoa Hao Buddhists do not participate in this sect, stating that the management committee is controlled by the government and does not operate according to proper religious principles.

'The remaining other sect is not recognized by the government as "official" and is headquartered at the Hoa Hao Buddhist Family Group no more than 3 km from the An Hoa Temple. The activities of the independent Hoa Hao Buddhists are forbidden.'<sup>25</sup>

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## 9.2 Restrictions on practice and/or activities

9.2.1 CPIT found very limited information about the specific treatment of Hoa Hao Buddhists so this section includes information about the general treatment of religious groups.

9.2.2 Diplomatic sources told the UK HO FFT 2019 that:

'... the [Communist Party of Vietnam] CPV is suspicious of any organised group that may challenge its authority. Vietnam's current approach is to allow space for religious worship, but retain control through registration and oversight. Organisations and individuals that adhere to this, register and steer clear of politics are allowed to operate relatively unhindered whilst unregistered groups and individuals that become involved in politics, local activism and/or support local grievances are monitored and may be suppressed.

'... In practice, the treatment of religious groups and individuals varies depending on whether they are registered or recognised or not; the area they are based including local issues and local authorities' attitudes and interests; historical factors and the level of perceived threat they present.

'... Small churches such as Hoa Hao... have found different ways to co-operate with the local government. Some leaders take a more political stance and face harassment. Some leaders don't talk politics and, in some local areas, then they are ignored. Some highlight government abuses and then there is tension as they are seen as rebels.

'... The Hoa Hao are almost exclusively concentrated in the Mekong Delta. ... [and] face more scrutiny as they formed their own army before 1975, eventually forging allegiance with former Southern Vietnamese government, that is where some of the tension comes from.

'... Treatment of unregistered Hoa Hao varies from locality to locality, depending on local relationships.'<sup>26</sup>

9.2.3 Hoa Hao Buddhist managers, part of an interfaith group, told the UK HO FFT 2019 that:

'It doesn't matter that you are associated with the Pure sect [unregistered groups] as long as you are struggling for the legitimate interests. Other sects

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<sup>25</sup> The Vietnamese, '[The Tumultuous And Tragic History Of Hoa Hao Buddhism](#)', 1 September 2021

<sup>26</sup> UK Home Office, '[HO FFM report](#)' (annex D- Diplomatic sources), September 2019

of Hoa Hao too, but the majority of those that struggle for legitimate interests are in the pure sect.

'... Previously we believe that the government were trying to eliminate our religion, they confiscated the property of the whole religion and forbid us from showing a portrait of the Grandmaster. Now it is more relaxed for the neutral sect, but for the pure sect, we continue facing harassment economically and politically. They may refuse granting us with papers or restrict our movements. For example, whenever I go out there are usually four people following me. I noticed that there is a change in the way they follow. In the past the people following me tried to prevent me from doing something that was viewed as illegal. Now the police just want to find an excuse or justification to arrest us. If I go to someone's house they will let me go there but when I go home the police will go to that person's house and tell that person not to associate with me anymore because I am a criminal, a counter revolutionary.'<sup>27</sup>

9.2.4 The DFAT report 2022 commenting religious groups generally noted:

'A key distinction is between registered and unregistered faith groups. After the Vietnam War and the establishment of the unified Socialist Republic, the state created official religious groups and, since then, further groups have become registered. Registered groups worship with limited or no Government interference; those that are not registered may be pressured by Government to join the registered group. Among unregistered groups a further distinction can be made between those groups that have some (perceived) political or foreign agenda and those that do not. Different people of different religions in different areas will also have different experiences, depending on local authorities. Those in cities are less likely to experience official interference.'<sup>28</sup>

9.2.5 The DFAT report 2022 observed with regard to Hoa Hao specifically: 'As with other religions in Vietnam, a distinction should be made between registered and unregistered congregations, and those that engage in political activity and those that do not... Media reports describe alleged police beatings at unregistered Hoa Hao protests in 2019 and 2020.'<sup>29</sup>

9.2.6 CSW noted in their 2022 general briefing on Vietnam that: 'Independent religious groups not recognised by the government continue to encounter various forms of harassment... Independent [that is unregistered]... Hoa Hao Buddhist groups are also targeted with a range of violations, including disruption of religious activities, arbitrary detention of religious leaders and adherents, and confiscation of property used for religious worship.'<sup>30</sup>

9.2.7 CSW in their June 2022 report on the 2018 Law on Belief and Religion commenting generally noted that:

'The groups already registered with the government before the Law [on Belief and Religion 2018] came into effect are usually larger and well-established, with good relations with the authorities, and some of these

<sup>27</sup> UK Home Office, '[HO FFM report](#)' (annex D- Hoa Hao Buddhist Managers), September 2019

<sup>28</sup> DFAT, '[Country Information Report Vietnam](#)' (paragraph 3.15), 11 January 2022

<sup>29</sup> DFAT, '[Country Information Report Vietnam](#)' (paragraph 3.44), 11 January 2022

<sup>30</sup> CSW, '[General Briefing: Vietnam](#)', 22 March 2022

groups have been able to organise new activities under the Law.

‘... Unregistered groups – including those whose applications have been unsuccessful or who have chosen not to register for reasons of conscience – are more vulnerable to harassment, arrest, imprisonment, physical violence and other abuses.’<sup>31</sup>

9.2.8 In a Response to Information Request by the Immigration Refugee Board of Canada (IRB), it was noted that:

‘The Director of Safeguard Defenders reported that "there isn't really a place to safely practice" Hoa Hao Buddhism in Viet Nam, noting that although both "recognized and independent" Hoa Hao Buddhists are "largely present" in An Giang, it is also "where the majority of violations" occur (Safeguard Defenders 30 May 2022). The Director added that there have also been "recorded incidents" in Đồng Tháp province, which, like An Giang, is in the Mekong Delta area (Safeguard Defenders 30 May 2022).’<sup>32</sup>

9.2.9 In August 2022 the Vietnamese report that:

‘On March 26, 2022, the Pure Hoa Hao Buddhist Sangha stated that the government continued to prevent it from marking the “Day of Virtuous Master’s Disappearance.”

‘Authorities had the police set up two checkpoints at the sangha's headquarters in Long An Commune (Cho Moi Suburban District, An Giang Province). The sangha said the two checkpoints were intended to prevent practitioners and church officials from attending the memorial service.

‘In the city of Hong Ngu (Dong Thap Province), the sangha reported that 19-year-old practitioner Huynh Huu Loi was summoned by police on March 28, 2022, for hanging up the Hoa Hao Buddhist flag and banners commemorating the holiday at his residence, all of which were confiscated by police. According to Loi, an officer threatened to beat him to death if a memorial service was held at his home again the following year.

‘... Practitioners of the Pure Hoa Hao Buddhist Sangha and independent practitioners often hold their own memorial services at home due to fear of government reprisal.’<sup>33</sup>

9.2.10 The 2022 USSD IRF noted that:

‘Government officials in different parts of the country reportedly continued to monitor, interrogate, arbitrarily detain, and discriminate against some individuals, at least in part because of their religious beliefs or affiliation. A majority of the victims of the reported incidents were members of unregistered groups engaged in political or human rights advocacy activities or with ties to overseas individuals and organizations that were outspoken and critical of authorities. There were reports of local authorities banning and disrupting gatherings and confiscating publications of various religious groups. These included well-established ones... and less known and

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<sup>31</sup> CSW, ‘[Freedom of Religion or Belief since the 2018 Law on Belief and Religion](#)’, June 2022

<sup>32</sup> IRB, ‘[Responses to Information Requests](#)’ 13 June 2022

<sup>33</sup> The Vietnamese, ‘[Religion Bulletin, March 2022: Government Recaps 30 Years...](#)’, 6 August 2022

unregistered groups such as Pure Hoa Hao in An Giang...'<sup>34</sup>

9.2.11 Radio Free Asia reported in June 2023 that:

'Vietnam's government officially recognizes the Hoa Hao religion... but imposes harsh controls on dissenting Hoa Hao groups, including the sect in An Giang province, that do not follow the state-sanctioned branch.

'Rights groups say that authorities in An Giang routinely harass followers of the unapproved groups, prohibiting public readings of the Hoa Hao founder's writings and discouraging worshippers from visiting Hoa Hao pagodas in An Giang and other provinces.'<sup>35</sup>

9.2.12 The USCIRF's Vietnam country update, published September 2023, noted:

'Enforcement of the 2018 Law on Belief and Religion remains restrictive in nature, and it has been plagued by uneven and inconsistent application throughout the country. In particular, religious groups experience relatively greater freedom in urban areas, regardless of their registration or recognition status, while serious challenges are pervasive in many rural areas.

'... Vietnamese local authorities have continued to harass or outright persecute unregistered independent religious communities, particularly among minority groups. Targeted groups include... Hoa Hao Buddhists... The Vietnamese government has designated many of these independent religious groups as "false," "strange," or "heretical" religions, or otherwise referred to them as "cults." Authorities have cynically linked their portrayal of certain communities as "evil cults" with what they call "hostile and reactionary forces" whose purpose they claim is to oppose the constitution, law, and government of Vietnam...

'... Without registration, religious groups are unable to publicly mark their houses of worship or to proselytize, and authorities often closely surveil their activities. Some unregistered groups shared that plainclothes security officials would attend their services and gatherings to observe their practices. However, most unregistered faith communities also reported that they have been able to build more productive relationships with local authorities in recent years, thereby helping to prevent excessive disruptions to their activities.'<sup>36</sup>

9.2.13 The USCIRF September 2023 update considering religious groups generally, observed a rural / urban divide in state attitudes and treatment:

'Regardless of their registration status, multiple religious communities consistently told USCIRF during its visit that large urban areas provide ample space for religious groups to practice their activities and to assemble. When asked for the likely reasons, religious representatives gave two. First, they suggested officials in urban areas tend to be better educated and have had more exposure to different cultures and religions, and thus they are less likely to perceive religious differences or independent activities as threats to social stability or government authority. Second, they suggested that authorities in local and especially remote communities have received

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<sup>34</sup> USSD, '[2022 Report on International Religious Freedom: Vietnam](#)', 15 May 2023

<sup>35</sup> RFA, '[After 6 years in prison, Vietnam frees father and son adherents of Buddhist...](#)', 28 June 2023

<sup>36</sup> USCIRF, '[Country Update: Religious Freedom Conditions...](#)' (pages 1 & 4), September 2023

insufficient instruction on current laws and procedures, and they tend to manifest their personal biases and prejudices against religious communities without oversight from the central government. These trends are unfortunately consistent with observations from USCIRF's 2019 country visit and subsequent reporting— and they appear to have worsened, along with strict surveillance and other official pressures on religious and ethnic minorities in such areas.<sup>37</sup>

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### 9.3 Arrests and detentions

#### 9.3.1 Diplomatic sources told the UK HO FFT 2019 that:

'... members of unregistered religious organisations that get involved in local political issues such as land or environmental protests, or that advocate democracy or are deemed to pose a threat for other reasons, have been subject to harassment, arrest and detention. Cases have mainly, though not exclusively, been in areas with large ethnic minorities in the Central and North West Highlands, and with organisations with large numbers of unregistered groups such as the Hoa Hao. However, they are not limited to individual religious sects, as the reasons for action are generally unconnected with the religious aspects of the group or individuals and more with the perceived threat they pose, though may manifest themselves in actions which appear targeted at the religious aspects of the group.'<sup>38</sup>

#### 9.3.2 The DFAT report 2022 observed with regard to Hoa Hao specifically: '... Several followers were sentenced in 2018 to between six and 12 years in prison for using loudspeakers to protest against Government treatment of the group and for spreading anti-Government messages on social media.'<sup>39</sup>

#### 9.3.1 The US Department of State annual report on human rights practices in 2022 noted that:

'Prison conditions varied substantially from province to province and by prison. Former convicts, family members, and lawyers report that most had austere conditions but were generally not life threatening.

...Insufficient and unclean food, inadequate health care, overcrowding, lack of access to potable water, poor sanitation, and excessive heat during the summer remained serious problems.

... Authorities placed prisoners in solitary confinement for standard periods of three months, reportedly only after less rigorous punishments had been imposed...

While prisoners' families reported improved prisoner access to religious texts such as the Bible, some family members and lawyers reported authorities at times restricted or hindered access to such publications, although the law provides for it.'<sup>40</sup>

#### 9.3.2 The USCIRF 2023 annual report noted that, 'Conditions for religious

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<sup>37</sup> USCIRF, '[Country Update: Religious Freedom Conditions...](#)' (page 4), September 2023

<sup>38</sup> UK Home Office, '[HO FFM report](#)' (annex D- Diplomatic sources), September 2019

<sup>39</sup> DFAT, '[Country Information Report Vietnam](#)' (paragraph 3.44), 11 January 2022

<sup>40</sup> USSD, '[Vietnam: Annual report on human rights in 2022](#)', 20 March 2023

prisoners of conscience remained dire in 2022. For example, renowned religious freedom advocate and Hoa Hao Buddhist Nguyen Bac Truyen remained in prison, serving an 11-year sentence while suffering from heart, liver, and other health conditions. Authorities transferred him to Gia Trung prison in Gia Lai Province, where he was reportedly subjected to forced labor.<sup>41</sup>[Nguyen Bac Truyen has now been released].

9.3.3 In August 2023 Radio Free Asia reported that:

‘A former religious prisoner of conscience in Vietnam has been arrested on an anti-state charge related to his social media activity, just two years after his release from prison following a conviction for “disturbing public order,” local media reported.

‘Nguyen Hoang Nam, a member of a dissident Hoa Hao Buddhist Church in An Giang province, is accused of posting documents, images, videos and live broadcasts that oppose authorities and undermine the policy of religious and national unity, according to Vietnamese state media, which cited government investigators.

‘Nam is charged under Article 117 of Vietnam’s penal code, a vaguely written set of rules that rights groups say is Hanoi’s favorite tool for silencing dissenting bloggers and journalists.’<sup>42</sup>

9.3.4 There are 2 databases which list those detained in Vietnam. The [Frank R. Wolf Freedom of Religion or Belief Victims List](#) available on the USCIRF website and the [Database of Persecuted Activists in Vietnam](#) available through the 88 Project website. Both databases list 6 Hoa Hao Buddhists who have been arrested for their faith, 5 of those listed appear on both databases. The below table has been produced using combined information from both databases<sup>43 44</sup>.

Name	Date detained	Date released	Reason for detention
Nguyen Hoang Nam	27/06/2017	27/06/2021	First detention- Detained following a state crackdown on a Hoa Hao Buddhist event in April 2017. Charged with "causing public disorder" (Art. 245/1999 VCC) and sentenced to 4 years in prison.
	24/07/2023	Still detained	Second detention- Arrested after authorities accused him of posting materials online that undermined religious and national unity. He was charged with "making, storing, spreading information, materials, items for

<sup>41</sup> USCIRF, ‘[2023 Annual Report](#)’, (page 47), 1 May 2023

<sup>42</sup> RFA, ‘[Two years after prison release, Hoa Hao follower arrested again in Vietnam](#)’, 4 August 2023

<sup>43</sup> USCIRF, ‘[Frank R. Wolf Freedom of Religion or Belief Victims List](#)’, undated

<sup>44</sup> The 88 Project, ‘[Database of Persecuted Activists in Vietnam](#)’, last updated 16 October 2023

			the purpose of opposing the State of Socialist Republic of Vietnam" (Art. 117/2015 VCC).
Nguyen Bac Truyen	17/11/2006	May 2010	First detention- arrested and charged under Art.88. Sentenced to 3 years and 6-month imprisonment.
	30/07/2017	08/09/2023	Second detention- Truyen, lawyer and leader of the Vietnamese Political & Religious Prisoners Friendship Association, disappeared in July 2017 and was held incommunicado for three weeks. In April 2018 he was sentenced to 11 years' imprisonment and 3 years of house arrest for "carrying out activities aimed at overthrowing the People's Administration" (Art. 79/1999 VCC). He was released early.
Le Thi Hong Hanh	13/11/2017	13/11/2020	Arrested following a state crackdown on a Hoa Hao Buddhist event in April 2017. She was charged with "causing public disorder" (Art. 245/1999 VCC) and in February 2018 was sentenced to 3 years in prison.
Bui Van Trung	26/06/2017	26/06/2023	Arrested following a state crackdown on a Hoa Hao Buddhist event in April 2017. He was charged with "causing public disorder" (Art. 245/1999 VCC) and in February 2018 he was sentenced to 6 years in prison
Bui Van Tham	26/06/2017	26/06/2023	Arrested following a state crackdown on a Hoa Hao Buddhist event in April 2017. He was charged with "causing public disorder" (Art. 245/1999 VCC) and "hampering government officials who were carrying out their assignments" (Art. 257/1999 VCC) and in February 2018 was sentenced to 6 years in prison.

Bui Thi Bich Tuyen	February 2018	Sentence was due to end in 2021 but her current status is unknown.	In June 2017, authorities indicted Tuyen following a state crackdown on a Hoa Hao Buddhist event in April 2017. She was charged with "causing public disorder" (Art. 245/1999 VCC). In February 2018, she was sentenced to three years in prison. Tuyen was believed to have been taken into custody following the trial.
Le Thi Hen			Le Thi Hen was indicted by the police in June 2017 following a state crackdown on a Hoa Hao Buddhist event in April 2017. She was not detained while waiting for the trial and was given a two-year suspended sentence.

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## 10. Returnees

10.1.1 The UK FFT 2019 asked the Hoa Hao Buddhist managers of the ‘pure sect’ whether in general Hoa Hao members outside of Vietnam would be at risk if they were returned. They stated: ‘Probably not. The government only targets those who are struggling for the legitimate interests of the Pure sect. If the government thinks that the person returning may cause a risk, they may not grant entry or deny entry. The government may grant entry and monitor the person and escalate [issues] later.’<sup>45</sup>

10.1.2 The DFAT report 2022

‘Articles 120 and 121 of the Penal Code prohibit ‘organising, coercing [or] instigating illegal emigration for the purpose of opposing the People’s Government’ and describes penalties of between three and 20 years’ prison for both organiser and individual émigrés.

‘... Returnees, including failed asylum seekers, labour migrants and trafficking victims, typically face a range of difficulties upon return. These include unemployment or underemployment, and challenges accessing social services, particularly in cases where household registration has ceased. ...Returnees may be offered assistance by NGOs, but this may be more available to victims of trafficking rather than failed asylum applicants.

‘Many returnees have high levels of debt from funding their travel out of Vietnam. Sources in Vietnam have reported cases of moneylenders taking borrowers’ houses or land as repayment, or borrowers having to flee loan sharks when they are unable to repay their loans. Sources told DFAT that indebtedness is reportedly lower among people living in irregular migration hotspots (such as Nghe An and Ha Tinh provinces), as low or no-interest

<sup>45</sup> UK Home Office, ‘[HO FFM report](#)’ (annex D- Hoa Hao Buddhist Managers), September 2019

loans are generally organised within the community. Those who travel from outside of these provinces typically have fewer connections and thus tend to borrow from external lending groups who generally demand high interest rates.

‘Being a failed asylum seeker is not generally stigmatised. Migration, particularly internal migration, has been a feature of Vietnamese lives for decades, is very common and is even encouraged by the Government. DFAT is not aware of cases of returnees being denied citizenship.’<sup>46</sup>

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Section updated: 3 January 2024

## 11. Background

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<sup>46</sup> DFAT, [‘Country Information Report Vietnam’](#) (paragraphs 5.29, 5.32- 5.34), 11 January 2022

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# Research methodology

The country of origin information (COI) in this note has been carefully selected in accordance with the general principles of COI research as set out in the [Common EU \[European Union\] Guidelines for Processing Country of Origin Information \(COI\)](#), April 2008, and the Austrian Centre for Country of Origin and Asylum Research and Documentation's (ACCORD), [Researching Country Origin Information – Training Manual](#), 2013. Namely, taking into account the COI's relevance, reliability, accuracy, balance, currency, transparency and traceability.

All the COI included in the note was published or made publicly available on or before the 'cut-off' date(s). Any event taking place or report/article published after these date(s) is not included.

Sources and the information they provide are carefully considered before inclusion. Factors relevant to the assessment of the reliability of sources and information include:

- the motivation, purpose, knowledge and experience of the source
- how the information was obtained, including specific methodologies used
- the currency and detail of information
- whether the COI is consistent with and/or corroborated by other sources

Wherever possible, multiple sourcing is used and the COI compared and contrasted to ensure that it is accurate and balanced, and provides a comprehensive and up-to-date picture of the issues relevant to this note at the time of publication.

The inclusion of a source is not, however, an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a footnote.

Full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

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# Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of the issues relevant to the scope of this note and forms the basis for the [country information](#).

The Home Office uses some standardised ToR, depending on the subject, and these are then adapted depending on the country concerned.

For this particular CPIN, the following topics were identified prior to drafting as relevant and on which research was undertaken:

- Religion in Vietnam
  - Demography
  - Difference between registered and unregistered groups
- Legal framework
- State treatment
  - Requirement to register
  - Banning/restrictions of religious ceremonies and/or activities
  - House arrest and other forms of controlling movement
  - Arrests and detentions
- Returns

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- valid from **29 January 2024**

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Updated country information

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