



Home Office

Country Policy and Information Note

Vietnam: Hoa Hao Buddhism

Version 1.0

February 2020

Preface

Purpose

This note provides country of origin information (COI) and analysis of COI for use by Home Office decision makers handling particular types of protection and human rights claims (as set out in [the basis of claim](#) section). It is not intended to be an exhaustive survey of a particular subject or theme.

It is split into two main sections: (1) analysis and assessment of COI and other evidence; and (2) COI. These are explained in more detail below.

Assessment

This section analyses the evidence relevant to this note – i.e. the COI section; refugee/human rights laws and policies; and applicable caselaw – by describing this and its inter-relationships, and provides an assessment on whether, **in general**:

- A person is reasonably likely to face a real risk of persecution or serious harm
- 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
- Claims are likely to justify granting asylum, humanitarian protection or other form of leave, 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.

Country of origin information

The country information 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 \(COI\)](#), dated 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.

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

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

All information is publicly accessible or can be made publicly available, and is from generally reliable sources. 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, and
- whether the COI is consistent with and/or corroborated by other sources.

Multiple sourcing is used to ensure that the information is accurate, balanced and corroborated, so that a comprehensive and up-to-date picture at the time of publication is provided of the issues relevant to this note.

Information is compared and contrasted, whenever possible, to provide a range of views and opinions. The inclusion of a source, however, is not an endorsement of it or any view(s) expressed.

Each piece of information is referenced in a brief footnote; full details of all sources cited and consulted in compiling the note are listed alphabetically in the [bibliography](#).

Feedback

Our goal is to continuously improve our material. Therefore, if you would like to comment on this note, please email the [Country Policy and Information Team](#).

Independent Advisory Group on Country Information

The [Independent Advisory Group on Country Information](#) (IAGCI) was set up in March 2009 by the Independent Chief Inspector of Borders and Immigration to support him in reviewing the efficiency, effectiveness and consistency of approach of COI produced by the Home Office.

The IAGCI welcomes feedback on the Home Office's COI material. It is not the function of the IAGCI to endorse any Home Office material, procedures or policy. The IAGCI may be contacted at:

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Information about the IAGCI's work and a list of the documents which have been reviewed by the IAGCI can be found on the Independent Chief Inspector's pages of the [gov.uk website](#).

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Assessment

Updated: 12 February 2020

1. Introduction

1.1 Basis of claim

- 1.1.1 Fear of persecution and/or serious harm by the state because the person is or is perceived to be a Hoa Hao Buddhist.

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2. Consideration of issues

2.1 Credibility

- 2.1.1 For information on assessing credibility, see the instruction on [Assessing Credibility and Refugee Status](#).
- 2.1.2 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](#)).
- 2.1.3 Decision makers should also consider the need to conduct language analysis testing (see the [Asylum Instruction on Language Analysis](#)).

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2.2 Exclusion

- 2.2.1 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.
- 2.2.2 If the person is excluded from the Refugee Convention, they will also be excluded from a grant of humanitarian protection.
- 2.2.3 For further guidance on the exclusion clauses and restricted leave, see the [Asylum Instruction on Exclusion: Article 1F of the Refugee Convention](#) and the [Instruction on Restricted Leave](#).

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2.3 Refugee convention reason

- 2.3.1 A person's actual or imputed religion.
- 2.3.2 Establishing a convention reason alone is not sufficient to be recognised as a refugee. The question to be addressed in each case is whether the particular person will face a real risk of persecution on account of their actual or imputed convention reason.
- 2.3.3 For further guidance on Convention reasons see the instruction on [Assessing Credibility and Refugee Status](#).

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2.4 Risk

- a. State treatment

- 2.4.1 The Constitution allows for freedom of religion but in practice this is restricted. Religious groups are required to seek approval from and register with the government, which restricts the activities of unregistered and unrecognised religious groups and/or persons associated with them (see [Difference between registered and unregistered groups](#)).
- 2.4.2 The exact number of Hoa Hao Buddhists is unknown. Estimates range from 1.3 million to 8 million, with around 2 million being a more realistic number (representing just under 2% of the total population). Followers of the Hoa Hao Buddhism are almost exclusively concentrated in the Mekong Delta region and tend to come from poor economic backgrounds with the majority being farmers (see [Demography](#)).
- 2.4.3 Hoa Hao Buddhism is an officially recognised religion in Vietnam but most Hoa Hao Buddhists refuse to belong to the state recognised group due to the authorities' control over this group. Some members of unregistered Hoa Hao groups are subject to police harassment, surveillance, confiscation of property, beatings, restrictions on movement and the disruption of their religious activities (see [State treatment of Hoa Hao Buddhists](#)).
- 2.4.4 Hoa Hao Buddhism is normally practiced at home or while tending the land. Where a person practices their faith at home or in a small group cooperating with local authorities and where they or their leaders do not get involved in political issues they are unlikely to face adverse treatment from the authorities (see [State treatment of Hoa Hao Buddhists](#)).
- 2.4.5 The government is suspicious of large gatherings (over 20-25 people) and will look for ways to break them up. People may be taken to police stations to be asked their names and relationships, released after 3-4 hours and "invited" back for further questioning. Some people may eventually be charged with public disturbance/disrupting public order, "conducting propaganda against the state" or traffic disruption.
- 2.4.6 Some members of unofficial Hoa Hao Buddhist groups have been subjected to arrest, detention and harassment, with a small number - between 10-20 - arrested, prosecuted and imprisoned for dissent or criticising the government. In general this is not solely due to their faith but the perceived threat they pose to the government due to their involvement in political activities, such as land/environmental issues or advocating for democracy in Vietnam or because they are deemed to pose a threat for other reasons (see [State treatment of Hoa Hao Buddhists](#)).
- 2.4.7 Hoa Hao Buddhists, particularly leaders, who openly criticise the government or participate activities that are, or may be perceived to be, political in nature may face harassment and arrest and detention. However, sources indicate that there are very few people detained or imprisoned (see [State treatment of Hoa Hao Buddhists](#)).
- 2.4.8 Hoa Hao Buddhists are unlikely to be at risk on return to Vietnam and only those suspected of having a political opinion critical to the government may be subject to monitoring (see [Returns](#)).
- 2.4.9 In general, a person, regardless of being a member of registered or unregistered group, who practices their faith without seeking to challenge or criticise the state are unlikely to be at risk of treatment that amounts to

persecution or serious harm. Persons who, however, belong to unregistered groups and criticise or challenge the state may face state monitoring, harassment, arrest, interrogation and torture. Whether they are at risk of persecution or serious harm will depend on their profile and activities. Each case 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.

2.4.10 For further information please see the country policy and information note on [Vietnam: ethnic and religious groups](#).

2.4.11 For further guidance on assessing risk, see the instruction on [Assessing Credibility and Refugee Status](#).

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2.5 Protection

2.5.1 Where the person has a well-founded fear of persecution from the state, they are unlikely to be able to avail themselves of the protection of the authorities.

2.5.2 For further guidance on assessing the availability of state protection, see the instruction on [Assessing Credibility and Refugee Status](#).

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2.6 Internal relocation

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

2.6.2 For further guidance on internal relocation see the instruction on [Assessing Credibility and Refugee Status](#).

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2.7 Certification

2.7.1 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.

2.7.2 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

Section 3 updated: 21 January 2020

3. Religion

3.1 Demography

- 3.1.1 According to 2009 estimates 7.9% of the population of just over 97 million (2018 estimate¹) are Buddhist, 6.6% Catholic, 1.7% Hoa Hao, 0.9% Cao Dai, 0.9% Protestant, 0.1% Muslim and 81.8% have no religion².
- 3.1.2 The book 'Religions in Vietnam' by Nguyễn Thanh Xuân published in 2012 noted that 'According to the statistics of the Việt Nam Government Committee for Religious Affairs in 2004 Hòa Hào Buddhism had nearly 1.3 million followers in 18 provinces and cities. The provinces and cities with the largest numbers of followers included An Giang, Đồng Tháp, Vĩnh, Cần Thơ City and Hậu Giang.'³
- 3.1.3 According to the website Facts and Figures there were approximately 3 to 4 million followers of the Hoa Hao faith in Vietnam⁴.
- 3.1.4 As part of a UK Fact Finding Mission (FFM) conducted between 23 February and 1 March 2019, Home Officials met Hoa Hao Buddhist managers, part of an interfaith group they told the UK Fact Finding Team (UK FFT) that there are 8 million followers of the Hoa Hao religion⁵, although according to diplomatic sources a more realistic estimate is around 2 million⁶.

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3.2 Difference between registered and unregistered groups

- 3.2.1 Christian Solidarity Worldwide noted that 'Hoa Hao Buddhism is recognised by the Vietnamese government, but many Hoa Hao Buddhists refuse to belong to the state-sponsored Hoa Hao Administrative Council, which was established by the Vietnam Fatherland Front, a body under the leadership of the Communist Party of Vietnam.'⁷
- 3.2.2 The Hoa Hao Buddhist managers stated that the religion is split into 3 sects- the state recognised sect, which was founded in 1999, and has less than 400 followers most of which are members of the Vietnam Communist Party. The 'pure' sect, which was founded in 1972, has around 400 followers and the 'neutral' sect which the majority of Hoa Hao followers belong to. When asked the difference between the neutral and pure sects the Buddhist managers informed the FFT that the principle of the 'pure' sect is to stand up

¹ CIA, World Fact Book, 'Vietnam- People and Society', last updated 26 August 2019, [url](#).

² CIA World Fact Book, 'Vietnam- People and Society', last updated 26 August 2019, [url](#).

³ Religions in Vietnam, page 271, published 2012, available on request

⁴ Facts and Details, (Hoa Hao Sect), 2008, updated May 2014, [url](#)

⁵ Home Office, 'HO FFM report', September 2019, Annex D- Hoa Hao Buddhist managers, [url](#).

⁶ Home Office, 'HO FFM report', September 2019, Annex D- Diplomatic sources, [url](#).

⁷ CSW, 'Six Vietnamese Hoa Hao Buddhists Sentenced', 12 February 2018, [url](#).

against dictatorship⁸. Only one other source interviewed by the FFT mentioned that the religion was separated into 3 sects⁹.

- 3.2.3 Diplomatic sources informed the FFT that the Hoa Hao are ‘almost exclusively concentrated in the Mekong Delta’, the same source also noted that the number of members in the unregistered Hoa Hao group is very small and that the Hoa Hao live in very remote areas which are difficult to access. They stated that it is difficult to identify how many members of the group there are and how they communicate. The areas they live in are very remote with little economic opportunities¹⁰.

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Section 4 updated: 21 January 2020

4. Legal framework

- 4.1.1 The Constitution allows for freedom of religion, but in practice it is restricted through government legislation, registration and surveillance^{11 12}.

- 4.1.2 Article 24 of the Constitution states:

‘1. Everyone shall enjoy freedom of belief and of religion; he 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.’¹³

- 4.1.3 The US State Department, 2018 Report on International Religious Freedom (the 2018 USSD RIRF), noted that ‘The 2016 Law on Belief and Religion, which came into effect in January [2018], maintains a multistage registration and recognition process for religious groups but shortens the time for recognition at the national or provincial level from 23 to five years. It also specifies the right of recognized religious organizations to have legal personality.’¹⁴

- 4.1.4 The Australian Government’s Department for Foreign Affairs and Trade’s (DFAT) ‘Country Report for 2019’ (the 2019 DFAT Report) stated that:

‘Officially, Vietnam is an atheist state. Article 24 of the Constitution states, however, that all people have the right to freedom of belief and religion, including the right to follow any religion or to follow no religion; that all religions are equal before the law; and that 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 law. These constitutional rights are conditional on law and The Penal Code (2015) establishes penalties for practices that, in the view of authorities, undermine peace, national independence and unity.’¹⁵

⁸ Home Office, ‘HO FFM report’, September 2019, Annex D- Hoa Hao Buddhist managers, [url](#).

⁹ Home Office, ‘HO FFM report’, September 2019, Annex D- Diplomatic sources, [url](#).

¹⁰ Home Office, ‘HO FFM report’, September 2019, Annex D- Diplomatic Sources, [url](#).

¹¹ HRW, ‘World Report 2019 – Vietnam’, (Freedom of Religion), 17 January 2019, [url](#)

¹² USSD, ‘2018 RIRF: Vietnam’, (Executive Summary), 21 June 2019, [url](#)

¹³ Constitution of the Republic of Vietnam Adopted by the National Assembly 28 November 2013, [url](#)

¹⁴ USSD, ‘2018 RIRF: Vietnam’, (Executive Summary), 21 June 2019, [url](#)

¹⁵ DFAT ‘Country Information Report Vietnam’ (Para 3.16), 13 December 2019, [url](#)

5. State treatment of Hoa Hao Buddhists

5.1 Requirement to register

- 5.1.1 The World Atlas page on 'Hoahaoism (Dao Hoa Hao)' last updated in April 2017 noted that many followers '... refuse to affiliate with the government committee that is in charge of overseeing all activities of Hoahaoism. This refusal to be involved with government mandates and administration is the cause of significant problems for Hoa Hao Buddhists. The government has also prohibited celebrating the founder's birthday and destroyed important religious texts.'¹⁶
- 5.1.2 Human Rights Watch in their report covering events in 2018 stated 'Religious groups are required to get approval from, and register with, the government, and operate under government-controlled management boards. While authorities allow many government-affiliated churches and pagodas to hold worship services, they ban religious activities that they arbitrarily deem to be contrary to the "national interest," "public order," or "national unity," including many ordinary types of religious functions.'¹⁷
- 5.1.3 Christian Solidarity Worldwide noted in a news report from 2018 that 'Hoa Hao Buddhism is recognised by the Vietnamese government, but many Hoa Hao Buddhists refuse to belong to the state-sponsored Hoa Hao Administrative Council, which was established by the Vietnam Fatherland Front, a body under the leadership of the Communist Party of Vietnam.'¹⁸
- 5.1.4 According to a Human Rights Watch report from February 2018:
'In 1999, the Vietnamese government recognized Hoa Hao Buddhism as a religion. However, many followers refused to join the state-sanctioned Hoa Hao Buddhist Church. They have been subjected to intrusive surveillance and repression. Every year, local police have used various means to prevent independent Hoa Hao Buddhist followers from gathering for important events such as the founding day of the religion or the anniversary of the death of the Hoa Hao founder Huynh Phu So. The authorities have repeatedly set up barriers to block the Quang Minh pagoda in Cho Moi district (An Giang province), which is often used by independent Hoa Hao followers for worshipping... In recent years, there have been numerous incidents of protest and government attacks centering on Hoa Hao believers.'¹⁹
- 5.1.5 Diplomatic sources explained to the UK FFT that the Hoa Hao and the Cao Dai face more scrutiny from the government and some of the tensions they face now are borne out of the fact that they forged their own army before 1975 and formed an allegiance with the former Southern Vietnamese government. The treatment of unregistered members of the Hoa Hao religion

¹⁶ World Atlas, 'Hoahaoism (Dao Hoa Hao)', last updated 25 April 2017, [url](#).

¹⁷ HRW, 'World Report 2019 – Vietnam', (Freedom of Religion), 17 January 2019, [url](#)

¹⁸ CSW, 'Six Vietnamese Hoa Hao Buddhists Sentenced', 12 February 2018, [url](#).

¹⁹ HRW, 'Vietnam: End Repression Against Religious Activists', 8 February 2018, [url](#)

varies from locality to locality and can be different depending on local relationships. Small churches such as Hoa Hao have found different ways to cooperate with local governments and where leaders don't get involved in political issues, they are ignored but those who take a more political stance face more harassment²⁰.

5.1.6 The 2019 DFAT report noted that:

'Like other religious groups, followers of Buddhism (including Hoa Hao Buddhism) are divided between those affiliated with government-sanctioned religious organisations and those with independent groups. DFAT understands that followers of official Buddhist groups are generally able to practise their religion freely without government intervention. Followers of independent Buddhist groups, however, including Khmer Krom, the Unified Buddhist Church of Vietnam (UBCV), and unrecognised branches of Hoa Hao, reportedly face ongoing surveillance, harassment, and occasional violence from authorities.'²¹

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5.2 Banning/restrictions of religious ceremonies and/or activities

5.2.1 The 2018 USSD RIRF, stated:

'The law provides a separate process for unregistered, unrecognized religious organizations or groups of individuals to receive permission for specific religious activities by submitting an application package to the commune-level people's committee. Current regulations require the people's committee to respond in writing to such an application within 20 working days of receipt. The law specifies that a wide variety of religious activities require advance approval or registration from the authorities at the central and/or local levels.'²²

5.2.2 The same source further added:

'These activities include "belief activities" (defined as traditional communal practices related to ancestor, hero, or folk worship); "belief festivals" being held for the first time; the establishment, split, or merger of religious affiliates; the ordination, appointment, or assignment of religious administrators (or clergy with administrative authority); establishment of a religious training facility; conducting religious training classes; holding major religious congresses; organizing religious events, preaching or evangelizing outside of approved locations; traveling abroad to conduct religious activities or training; and joining a foreign religious organization... Certain religious activities do not require advance approval, but instead require notification to the appropriate authorities.'²³

5.2.3 The USSD RIRF 2018 also noted

'Registered and unregistered religious groups continued to state [that] government agencies sometimes did not respond to registration applications or approval requests for religious activities within the stipulated time period, if

²⁰ Home Office, 'HO FFM report', September 2019, Annex D- Diplomatic Sources, [url](#).

²¹ DFAT 'Country Information Report Vietnam' (Para 3.26), 13 December 2019, [url](#)

²² USSD, '2018 RIRF: Vietnam', (Section II. Legal Framework), 21 June 2019, [url](#)

²³ USSD, '2018 RIRF: Vietnam', (Section II. Legal Framework), 21 June 2019, [url](#)

at all, and often did not specify reasons for refusals. Some groups reported they successfully appealed local decisions to higher-level authorities through informal channels. Several religious leaders reported authorities sometimes asked for bribes to facilitate approvals. Authorities attributed the delays and denials to the failure of applicants to complete forms correctly or provide complete information. Religious groups said the process to register groups or notify activities in new locations was particularly difficult.²⁴

- 5.2.4 Asia News reported in August 2018 that '[...] authorities impose strict controls on dissident groups that do not follow the official branch. Human rights groups argue that the authorities of An Giang persecute followers of unapproved groups, prohibiting public reading of the sect's founder's writings and discouraging faithful worshipers from visiting pagodas.'²⁵
- 5.2.5 Hoa Hao Buddhist managers of the 'pure sect' told the FFT that they had previously thought that the government were trying to eliminate the religion by confiscating property and not allowing them to show portraits of the grandmaster but now it is more relaxed for the 'neutral' sect. The 'pure' sect however continue to face harassment economically and politically. When asked whether the government only targets those struggling for the legitimate interest i.e. the 'pure sect', the Hoa Hao Buddhist managers said that it did not matter which sect you were from if you were struggling for the legitimate interest but that the majority of those who do are from the 'pure sect'²⁶.
- 5.2.6 The Hoa Hao Buddhist managers of the 'pure sect' were asked if they could provide details of arrests and detentions. They told the FFT that where people hold gatherings in their community for ceremonies such as weddings and funerals, they will invite the core followers to attend and pray together. The authorities start to worry that they will be discussing political issues, so they ban the families from inviting other people. The families holding the event described this as a violation of their freedom of religion and the government found this term offensive and charged them with disturbing the peace. The FFT were told of 2 current prisoners: Vuong Van Tha, who has been in prison since 2017 and was charged under Article 88 (propaganda against the state) and convicted for 12 years. The other person, Bui Van Trung, was charged for 6.5 years imprisonment for fighting against the constabulary. His family have been unable to meet with him and no one knows his current situation²⁷.
- 5.2.7 The Hoa Hao Buddhist managers of the 'pure sect' stated that when the invitees try to attend the gathering, they are stopped by police and they have their papers taken away. If they resist, then the police would confiscate their vehicle. If the family try to argue then the police will view that as them trying to incite a disturbance and they start to arrest people²⁸.
- 5.2.8 This kind of religious gathering scenario was also confirmed by diplomatic sources who stated that the term 'arrested' was used liberally in Vietnam and

²⁴ USSD, '2018 RIRF: Vietnam', (Section II. Government Practices), 21 June 2019, [url](#)

²⁵ Asia News, 'A Buddhist Hoa Hao family is on trial for gathering in prayer', 2 August 2018, [url](#).

²⁶ Home Office, 'HO FFM report', September 2019, Annex D- Hoa Hao Buddhist managers, [url](#).

²⁷ Home Office, 'HO FFM report', September 2019, Annex D- Hoa Hao Buddhist managers, [url](#).

²⁸ Home Office, 'HO FFM report', September 2019, Annex D- Hoa Hao Buddhist managers, [url](#).

that often when a gathering reaches numbers above 20-25 people the police get nervous about such a big group. The police then bring people into the police station to get details such as their names and relationships. They may be there for 3-4 hours and then released with some being issued a 'letter of invitation' to return for further questioning later. The citizen has the right to refuse but is likely to face harassment. This can go on for many months and they noted an example of a death anniversary commemoration of some Hoa Hao followers where over the course of many months different people were brought in for different questioning sessions. This ultimately resulted in 6 people being charged and sentenced for 'public disturbance' and 'traffic disruption'²⁹.

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5.3 House arrest and other forms of controlling movement

- 5.3.1 In June 2017 several members of the unsanctioned sect of Hoa Hao Buddhism in southern Vietnam's An Giang province were put under house arrest during the period marking the 8th anniversary of their religion's founding. Speaking to Radio Free Asia, one of the followers claimed "Since June 9 [2017], those of us opposed to the wrongdoings of the state-recognized Hoa Hao sect and the [ruling Communist Party of Vietnam] have been put under house arrest by the authorities," said the source, who spoke to RFA's Vietnamese Service on condition of anonymity. "Many people have come to guard us, so we can't get out of our houses."³⁰
- 5.3.2 The Hoa Hao Buddhist managers of the 'pure sect' gave the FFT further details about the kind of treatment received as members of the 'pure sect'. They stated that the harassment can include the government trying to restrict their movements or refusing to grant them papers. One member of the group said that when they go out, they are often followed. Previously this was to prevent them from conducting an activity which may be deemed illegal but now they feel the authorities are just looking for an excuse to arrest them. They stated that the police will follow them to someone's house and then after they have left tell that person not to associate with them as they are a criminal or counter revolutionary³¹.

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5.4 Arrests and detentions

- 5.4.1 Human Rights Watch noted that 'on January 23, 2018, the People's Court of An Giang province convicted Hoa Hao Buddhist activists Vuong Van Tha, his son Vuong Thanh Thuan, and his twin nephews, Nguyen Nhat Truong and Nguyen Van Thuong, to between six and 12 years in prison for "conducting propaganda against the state" under article 88.'³²
- 5.4.2 Christian Solidarity Worldwide, who according to their website have teams who regularly visit countries of interest to gather first-hand evidence of

²⁹ Home Office, 'HO FFM report', September 2019, Annex D- Diplomatic Sources, [url](#).

³⁰ RFA, 'Hoa Hao Buddhists Under House Arrest Amid Religious Anniversary', 12 June 2017, [url](#)

³¹ Home Office, 'HO FFM report', September 2019, Annex D- Hoa Hao Buddhist managers, [url](#).

³² HRW, 'Vietnam: End Repression Against Religious Activists', 8 February 2018, [url](#)

violations of the right to freedom of religion or belief, noted in a news report from 2018 that ‘Christian Solidarity Worldwide’s research suggests that independent Hoa Hao Buddhist groups and their members suffer ongoing harassment by the authorities, including confiscation of land used for religious worship, intrusive surveillance and disruption of religious activities.’³³

5.4.3 The 2018 USSD RIRF stated:

‘Religious leaders, particularly those representing groups without recognition or certificates of registration, reported various forms of government harassment – including physical assaults, arrests, prosecutions, monitoring, travel restrictions, and property seizure or destruction – and denials or no response to requests for registration and/or other permissions.

‘On April 5 [2018], a court in Hanoi sentenced independent Hoa Hao follower and religious freedom and human rights activist Nguyen Bac Truyen and Protestant Pastor Nguyen Trung Ton to 11 years and 12 years in prison, respectively, for “carrying out activities aimed at overthrowing the administration.” Both had been associated with a group called the Brotherhood for Democracy and were tried with several other prominent human rights activists. Truyen ran the Vietnamese Political and Religious Prisoners Friendship Association and, among other activities, advocated for the rights of independent and unregistered Hoa Hao followers. Ton was a long-time advocate for human rights and religious freedom. He had been a member of Interfaith Council in Ho Chi Minh City, a group composed predominately of representatives of unregistered religions.’³⁴

5.4.4 Diplomatic sources also stated that they believed the discrimination of religious groups was pocketed but some did face more discrimination than others and those who belong to the Hoa Hao group do face discrimination, but it was difficult to define³⁵.

5.4.5 Diplomatic sources noted that the reason for harassment, arrest and detention of members of unregistered religious organisations is generally unconnected to the religious aspects of the group and is often because those members have become involved in political issues such as land or environmental protests or have advocated for democracy³⁶.

5.4.6 The FFT were told by the Hoa Hao Buddhist managers of the ‘pure sect’ that there have been 18 followers who have been detained or imprisoned for a total term of 86 years. Those who have been released face a total of 31 years on probation and at the time of the meeting, the FFT were told that there were currently 67 people who were being held under house arrest³⁷.

5.4.7 The FFT asked the Hoa Hao Buddhist managers of the ‘pure sect’ whether there were cases where people were detained and released multiple times, to which they stated that this did not happen and that if you were arrested

³³ CSW, ‘Six Vietnamese Hoa Hao Buddhists Sentenced’, 12 February 2018, [url](#).

³⁴ USSD, ‘2018 RIRF: Vietnam’, (Government Practices), 21 June 2019, [url](#)

³⁵ Home Office, ‘HO FFM report’, September 2019, Annex D- Diplomatic Sources, [url](#).

³⁶ Home Office, ‘HO FFM report’, September 2019, Annex D- Diplomatic Sources, [url](#).

³⁷ Home Office, ‘HO FFM report’, September 2019, Annex D- Hoa Hao Buddhist managers, [url](#).

you would be tried and convicted. They stated that usually the verdict will be premediated, and they are held temporarily awaiting trial for about 3 months. The sentencing they receive will range from 3 to 12 years. Asked to confirm whether there had been any children (under the age of 18) charged with offences the Hoa Hao Buddhist managers stated they did not have any information on this³⁸.

5.4.8 One of the managers of the 'pure sect' explained that they had been held in detention for 7 years. They described

'I was staying at home when they came, they strapped me up threw me into a three-wheeled vehicle and transported me to the national highway where I was chained and thrown in to the prison car. They would refuse bail, I was put in solitary confinement, it was a very small room which was 3m2 including the toilet area. Another inmate was in the same room with me and I believe he was working for the authorities. That person was responsible for reporting to the police when I wanted to commit suicide / inflict self-harm. They would rotate that person once a month. I was not able to wear any clothes. In my case I was in solitary confinement for three months and after that period when the police had enough evidence against me, I was transferred to a normal detention area for another 6 months before I could stand trial. A week after the verdict I was sent to prison.'³⁹

5.4.9 An October 2019 Radio Free Asia article noted 'Six members of an unauthorized sect of Hoa Hao Buddhism were beaten by plainclothes police [...] while they were on their way to protest against the planned destruction of their temple in southern Vietnam's An Giang province, one of the men who were assaulted said.'⁴⁰

5.4.10 A further October 2019 Radio Free Asia article noted

'A jailed member of a dissident Vietnamese religious group [Nguyen Hoang Nam, a follower of Hoa Hao Buddhism] has gone on hunger strike to protest being moved to a cell occupied by a prisoner convicted on drug charges, family members said. ...

'Placing prisoners of conscience such as writers or religious figures in cells with violent criminals has been a common practice in Vietnam prisons, previous RFA reports have shown. ...

'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 temples in An Giang and other provinces.'⁴¹

5.4.11 The 2019 DFAT report noted that:

'Independent Hoa Hao Buddhists reported multiple cases in 2017 and 2018 of harassment and physical assault by local authorities in An Giang Province, including interference with ceremonies and worship. For example,

³⁸ Home Office, 'HO FFM report', September 2019, Annex D- Hoa Hao Buddhist managers, [url](#).

³⁹ Home Office, 'HO FFM report', September 2019, Annex D- Hoa Hao Buddhist managers, [url](#).

⁴⁰ Radio Free Asia, Hoa Hao Buddhists in Vietnam Beaten While Trying to Stop Temple Demolition, 8 October 2019, [url](#)

⁴¹ Vietnamese Hoa Hao Follower Goes on Hunger Strike in Prison, 16 October 2019, [url](#).

authorities reportedly established physical barriers and established temporary police stations to prevent independent Hoa Hao Buddhists from celebrating important holy days, including the founding day of Hoa Hao Buddhism.’

‘[...] DFAT assesses that Buddhists who belong to registered organisations and are not politically active face a low risk of official harassment. Adherents of independent Buddhist traditions, including UBCV and Hoa Hao, face a moderate risk of official discrimination in the form of monitoring, harassment and interference in their right to worship freely, including through destruction of structures and property used by followers. Those engaging in political activism on the basis of their religious practices face a high risk of arrest and conviction.’⁴²

- 5.4.12 The HRW World Report covering events in 2019 stated that: ‘Unrecognized religious groups, including Cao Dai, Hoa Hao, Christian, and Buddhist groups, face constant surveillance, harassment, and intimidation. Followers of independent religious group are subject to public criticism, forced renunciation of faith, detention, interrogation, torture, and imprisonment.’⁴³ The HRW World Report does not provide any further details of the extent or scale of this ill treatment.

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Section 6 updated: 21 January 2020

6. Freedom of movement

- 6.1.1 The US State Department’s Country Reports on Human Rights Practices for 2018 stated that: ‘The constitution provides for freedom of internal movement, foreign travel, emigration, and repatriation, but the government imposed some limits on the movement of certain individuals, especially those convicted under national security or related charges or outspoken critics of the government. The law provides for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.’⁴⁴

- 6.1.2 The 2019 USSD RIRF noted that:

‘Throughout the year, independent Hoa Hao followers and activists reported local authorities, police, and suspected plainclothes police in several provinces, including An Giang, Vinh Long, and Dong Thap, and in Can Tho City established checkpoints to monitor and prevent them from travelling to the unregistered Quang Minh Pagoda, to participate in a major religious commemoration. Local authorities reportedly said the government would not allow Hoa Hao followers to commemorate anniversaries related to the life of Prophet Huynh Phu So.’⁴⁵

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⁴² DFAT ‘Country Information Report Vietnam’ (Para 3.27 & 3.31), 13 December 2019, [url](#)

⁴³ HRW, ‘World Report 2020 – Vietnam’, (Freedom of Religion), 14 January 2020, [url](#)

⁴⁴ USSD, Country Report 2018 – Vietnam, (Section 2. D.) 13 March 2019, [url](#)

⁴⁵ USSD, ‘2018 RIRF: Vietnam’, (Government Practices), 21 June 2019, [url](#)

7. Returns

- 7.1.1 The UK FFT 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 and they stated that they probably wouldn’t. They went on to note that the ‘government only targets those who are struggling for the legitimate interests of the pure sect’ and that if the government thought a returnee would create a risk then they might not grant them entry into the country or they may grant them entry and then monitor them and escalate issues later⁴⁶.

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⁴⁶ Home Office, ‘HO FFM report’, September 2019, Annex D- Hoa Hao Buddhist managers, [url](#).

Terms of Reference

A 'Terms of Reference' (ToR) is a broad outline of what the CPIN seeks to cover. They form the basis for the [country information section](#). The Home Office's Country Policy and Information Team uses some standardised ToRs, 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
 - Legal framework
- Hoa Hao religion
 - Prevalence
 - Difference between registered and un-registered
- State treatment of Hoa Hao Buddhists
- Freedom of movement

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Version control

Clearance

Below is information on when this note was cleared:

- version **1.0**
- valid from **12 February 2020**

Changes from last version of this note

First publication of a CPIN on this topic, some information previously contained in the Vietnam CPIN: Ethnic and religious groups.

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