

Statement
of independent Hoa-Hao Buddhists
regarding the 4th draft Law on Religion and Belief

Việt Nam, May 18, 2015.

- Taking into account the hurry of the Vietnamese government to pass quickly the 4th draft Law on Religion and Belief;
- Referring to Article 18 relating to the right to freedom of thought, conscience and religion of the UN Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights (ICCPR) to which Vietnam is a state member;
- Agreeing with the recommendations on freedom of religion for Vietnam posed by state members of the UN Human Rights Council under the Universal Periodic Review procedures (UPR) in 2014;
- Agreeing with the recommendations of the United Nations Special Rapporteur on Freedom of Religion or Belief (SR-FORB) in 2015;

We, the Hoa Hao Buddhists (independence) in Vietnam, strongly oppose and reject the 4th draft Law on Religion and Belief (dLRB4) because it is a tool for legalizing measures of persecution, repression, controlling and limiting the right to freedom of religion, as been happening in this country the last 40 years.

Obviously, the dLRB4 violates the ICCPR and does not heed the recommendations of UPR and SR-FORB to improve religious freedom because:

1) The dLRB4 sets up very narrow definitions of beliefs, religions, believers, clergy members, belief-based activities, religious activities, etc. (article 3, dLRB4) and avoids recognizing explicitly the right to "have or adopt a religion or belief of her/his choice" as an absolute human right. With these definitions, the dLRB4 will continue to discriminate and screen out many beliefs or religions, no matter with a long historical legacy or newly founded.

2/ The dLRB4 legalizes the system of permits and administrative controls to harass beliefs or religions. Firstly, the threefold registration system: 'registration of religious activities', 'registration of religious operations' and 'registration of religious organizations' (article 12, 13, 17 dLRB4), is the way to screen out many beliefs or religions based on the very narrow definitions in article 3 dLRB4, and drive many of them into illegality, regardless whether they are not willing or not allowed to register.

Furthermore, the dLRB4 also casts a close-meshed net of administrative procedures with 39 articles (from Art. 19 to Art. 60 dLRB4) allowing to rudely intervene in the internal affairs and administration of religions. Hence religions can NOT draft a by-law, organize a congress, elect leaders, appoint personnel, manage the organization, manage asset, study and teach religion, etc. without prior government's permission. Many religions have not accepted these absurd interferences and are

operating without permission. They thus live in permanent anxiety of being harassed, fined, prosecuted, retaliated and prohibited.

3/ The dLRB4 fabricates a lot of nooses in the category "abusing the right to freedom of belief and religion" to strangle followers of beliefs or religions. The dLRB4 sets up a list of acts deemed as "undermining the national unity, sowing division between ethnic groups and religions, infringing national security, harming public safety, public order, public health, public morals", etc. (article 6, paragraph 5, dLRB4). In the past the government already used the vague and catch-all wording of those laws to violate seriously the right to freedom of religion, to arbitrary arrest and sentence heavily followers of independent beliefs or religions. Among them "infringing national security" is the most dangerous accusation which is an allegation far beyond the permitted range of restriction stipulated by Article 18, section 3, ICCPR.

**We, the undersigned independent Hoa-Hao Buddhists,
declare our support for the above statement:**

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