

briefing

Vietnam

The right to convert: state restrictions and social hostilities

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I. Executive summary

In 2012, the Vietnamese Government extended an invitation to the United Nations Special Rapporteur on Freedom of Religion or Belief to visit the country. No date has been set, but if it goes ahead it will be the first visit to Vietnam by this office since 1998. In January 2013, the government issued a new decree on religious activities and organisations,¹ and later that year Buddhist and Protestant religious leaders, including the founder and head of the legally recognised Lien Huu Co Doc (Christian Fellowship) accompanied President Truong Tan Sang on a visit to Washington DC. These developments may be interpreted as signs that the government is paying attention to the issue of religion, both domestically and internationally.

For many religious communities inside Vietnam, however, religious freedom is not yet a reality. Members of religious minorities, including Catholics and Protestants, continue to face restrictions on their religious freedom at the hands of both state and non-state actors. Sources inside the country report an increase in the number of violations against Protestant and Catholic Christians perpetrated by non-state actors. In support, a June 2013 Pew Report² shows a significant increase in the level of social hostilities from a modest score of 1.2 in 2007 to 4.0 in 2010 and 4.6 in 2011, under 1.4 being categorised as “low”, 1.5 to 3.5 as “moderate”, 3.6 to 7.1 as “high” and 7.2 and over as “very high”. In some incidents, social hostilities in Vietnam are in fact connected to the actions or aims of government officials; in other cases, non-state actors instigate pressure on new converts and then appeal to state actors for assistance.

Those who convert to a religion or belief are often more likely to encounter harassment, intimidation and human rights violations than more established religious communities; although this is not exclusively the case, as much depends on the attitude of local officials. This report looks at violations of the right to convert, the right not to be forced to convert or recant (reconvert), and the right to try to persuade others in a non-coercive manner. This includes both official and extrajudicial actions by police and officials, and human rights abuses committed by non-state actors with or without the order or approval of the local authorities. Drawing on the 2012 interim report of the UN Special Rapporteur on Freedom of Religion or Belief, this report works on the basis that the right to convert, the right not to be forced to convert or reconvert, and the right to try to persuade others in a non-coercive manner are all aspects of freedom of religion or belief as defined in Article 18 of the International Covenant on Civil and Political Rights (ICCPR). As a party to this Covenant, Vietnam has a responsibility to prevent religious freedom violations committed by both state and non-state actors and to protect the right to freedom of religion or belief for all, including those who convert to another religion.

In conclusion, the report finds that, while efforts have been made by the government to better address the issue of religion, the emphasis is still on the control of religious communities and their activities rather than on the protection and promotion of religious freedom. In addition, it is the government’s responsibility not only to prevent religious freedom violations by state actors but also to protect citizens from violations by other

¹ Decree No. 92/2012/ND-CP: Specific provisions and measures for the implementation of the Ordinance on Belief and Religion, hereafter ‘Decree 92’.

² Pew Research Center, ‘Arab Spring Adds to Global Restrictions on Religion’, June 2013

<http://www.pewforum.org/2013/06/20/arab-spring-restrictions-on-religion-findings/>

The title of this report borrows the term ‘social hostilities’ from research by the Pew Research Center which usefully differentiates between restrictions on freedom of religion or belief imposed by the state (government restrictions) and forms of harassment, violence and pressure against religious communities and individuals by non-state actors (social hostilities), including those motivated by religious hatred or bias.

ordinary citizens. To this effect, the state must take measures to prosecute all those who commit such violations, be they police, officials or ordinary citizens.

This report was produced in consultation with Reg Reimer, an expert on Christianity in Vietnam and a religious freedom advocate. The report draws on research undertaken by CSW and its partners in Vietnam.

2. Recommendations

2.1. To the Government of the Socialist Republic of Vietnam

- To ensure that Vietnam is fulfilling its obligations under the International Covenant on Civil and Political Rights and other relevant international human rights treaties to which Vietnam is party;
- To ensure that officials at all levels, including village, district and provincial, are required to undergo thorough training on constitutional and legal provisions on religious activities and organisations;
- To assess claims that local authorities have encouraged or contributed to social pressure on new converts to renounce their faith, and issue guidelines to address this problem if the claims are found to be accurate;
- To ensure protection for converts from social or official pressure where such pressure violates their right to freedom of religion or belief;
- To ensure that the rule of law is adhered to, that perpetrators of human rights violations are dealt with in accordance with the law, and that reparations are made to victims, including religious groups, by the appropriate parties;
- To provide avenues for feedback with regards to Decree 92, and actively and carefully consider comments and criticism put forward by the international community and civil society;
- To set a date for the visit of the Special Rapporteur on Freedom of Religion or Belief, and allow him unfettered access to all areas and all religious communities and their representatives.

2.2. To the United Kingdom, United States, and other diplomatic missions in Vietnam

- To continue to monitor violations of the right to religious freedom and developments in the treatment of religious minorities;
- To raise cases of human rights violations and restrictions on the right to freedom of religion or belief through all available means, including human rights dialogues, strategic partnerships, and bilateral relationships;
- To include in bilateral agreements goals for improving the protection of the right to freedom or religion or belief, including the right to convert;
- To request that the Government of Vietnam fully investigate all allegations of religious freedom violations by officials, and seek the conviction of the perpetrators;
- To advise embassies in Vietnam to develop relationships with key religious leaders, especially those who take on the role of human rights defenders;
- To arrange, in consultation with local contacts, visits to imprisoned religious leaders, and to communities of religious minorities who have suffered harassment from the authorities;
- To consider supporting training on freedom of religion or belief for lawyers and human rights defenders;
- To consider launching or supporting projects which contribute to the protection of the right to freedom of religion or belief.

2.3. To regional organisations, including the European Union (EU) and the Association of Southeast Asian Nations (ASEAN)

- To continue to monitor violations of religious freedom and developments in the treatment of religious minorities;

- To include in bilateral agreements goals for improving the protection of the right to freedom of religion or belief, and to determine follow up actions where appropriate;
- To continue to raise cases of human rights violations and restrictions on the right to freedom of religion or belief in all appropriate fora, including the EU-Vietnam human rights dialogue;
- To the EU, to ensure effective implementation of the EU Guidelines on the Promotion and Protection of Freedom of Religion or Belief (hereafter EU Guidelines on FoRB), by acknowledging best practices, lessons learned and training needs; and in this process, to promote and support inclusive, transparent and genuine consultation with civil society organisations, human rights defenders, representatives of religious communities, experts and others, in Brussels and in the field, with due concern for the safety and security of those providing information;
- To the EU, in line with the EU Guidelines on FoRB, to ensure that the EU's key concerns in relation to FoRB in Vietnam are raised consistently through member states' bilateral exchanges with Vietnam and the EU-Vietnam human rights dialogue, including the development of clear, regularly updated benchmarks and monitoring mechanisms;
- To request that the Government of Vietnam fully investigate all allegations of religious freedom violations by officials, and seek the conviction of the perpetrators;
- To ASEAN, to receive communications on human rights violations, including violations of the right to freedom of religion or belief, by both state and non-state actors in Vietnam and other ASEAN member states;
- To consider supporting training on freedom of religion or belief for lawyers and human rights defenders;
- To consider launching or supporting projects which contribute to the protection of the right to freedom of religion or belief.

2.4. To the UN Special Rapporteur on Freedom of Religion or Belief

- To continue to request a date for his visit to Vietnam, following the government's invitation;
- To demand full access to all parts of the country and all religious communities;
- To engage with civil society inside and outside the country, should the visit go ahead, and to make contact with religious leaders, human rights defenders, and victims of human rights violations.

3. Introduction

According to the People's Army Newspaper Online, as of 2012 Vietnam is home to 13 religions, 36 religious organisations, and some 24 million religious believers, about 27% of the population.³ This article and many others published in the state-run media repeatedly state that Vietnam always respects its citizens' rights to freedom of religion or belief. The Vietnamese Government is undoubtedly paying more attention to the issue of religion, as evidenced by the revision of Decree 92 (see below) and the extension of an invitation to the UN Special Rapporteur on Freedom of Religion or Belief. However, at ground level, members of religious minorities, including Catholics and Protestants, continue to face restrictions on their religious freedom at the hands of both state and non-state actors.

This report examines the right to convert, the right not to be forced to convert or recant (reconvert), and the right to try to persuade others in a non-coercive manner, as aspects of the right to freedom of religion or belief as defined in Article 18 of the International Covenant on Civil and Political Rights, to which Vietnam is a party. In late 2012 CSW received reports of an increase in violations of this right against new converts to Christianity by non-state actors including family members and neighbours. The report therefore lays special emphasis on social pressure on Christians to recant or reconvert, and accompanying violations of their rights.

³ People's Army Newspaper Online, 'No one can stand above the law', 29 May 2013
<http://www.qdnd.vn/qdndsite/en-US/75/244617/print/Default.aspx>

4. The right to convert

4.1. Conversion as an aspect of religious freedom

As mentioned above, two of the aspects of the right to freedom of religion or belief particularly relevant to this report are the right to convert to a religion, and the right not to be forced to convert. The two aspects overlap, because if the individual has the right to convert, it follows that they have the right not to be forced to reconvert, or recant.

In his 2012 report,⁴ the Special Rapporteur on Freedom of Religion or Belief places the right not to be coerced to reconvert on the same footing as the right not to be forced to convert, charging states with the responsibility to “ensure that the specific authority of State agents and State institutions is not used to coerce people to convert or reconvert”. Later in the report, the Special Rapporteur also notes that typical targets of violations of the right to convert include converts and their families, and members of minorities or new religious movements who are subjected to pressure to convert or reconvert to mainstream religions or beliefs. Furthermore, since the right to freedom of religion or belief includes the right *not* to believe, it follows that reconversion may involve converting back to a religion or to no religion. Therefore the right to freedom of religion or belief guarantees converts’ right not to be forced to recant even when they have no former religious belief.

The Special Rapporteur’s report also notes that freedom of religion or belief includes the right to try to convert others in a non-coercive manner. This right is also connected to the right to convert and the right not to be forced to convert. In practice, as the cases below indicate, where the state places restrictions on religious communities’ attempts to persuade others in a non-coercive manner, the right to convert is often limited and in some cases converts are forced or pressured to reconvert.

The following sections deal with international and domestic legal provisions relating to conversion.

4.2. International law

Article 18 of the International Covenant on Civil and Political Rights (ICCPR), to which Vietnam is a party, protects the right to freedom of religion or belief. This article includes the provision that “[n]o one shall be subject to coercion which would impair his freedom to have or adopt a religion or belief of his choice.” Article 18 of the Universal Declaration of Human Rights also asserts that the right to freedom of thought, conscience and religion includes the freedom to change one’s religion or belief.

The section above cites a report by the Special Rapporteur which interprets the scope of the right to freedom of religion or belief with regard to conversion. In addition to the points cited above, the report lays emphasis on the state’s obligation to:

“[p]rotect the right to conversion against possible third-party infringements, such as violence or harassment against converts by their previous communities or their social environment. In addition, States should promote a societal climate in which converts can generally live without fear and free from discrimination.”

This means that governments have a responsibility to prevent religious freedom violations committed by both state and non-state actors. This is especially relevant in the case of Vietnam, where violations against converts are often perpetrated by a mixture of state and

⁴ Interim report of the Special Rapporteur on Freedom of Religion or Belief (A/67/303), 13 August 2012, p.9

non-state actors, including police, officials, retired officials, community leaders, and converts' neighbours and relatives.

4.3. Domestic law

Article 70 of the Constitution of the Socialist Republic of Vietnam grants all citizens the right to freedom of religion or belief:

“Citizens have the right to freedom of belief and religion, and may practise or not practise any religion. All religions are equal before the law. Public places of religious worship are protected by law. No one has the right to infringe on the freedom of faith and religion or to take advantage of the latter to violate State laws and policies.”

This protection is reiterated in the 2004 Ordinance on Beliefs and Religions (21/2004/PL-UBTVQH11) issued by the Standing Committee of the National Assembly. Article 1 of the Ordinance states: “The State guarantees citizens’ right to belief and religious freedom. Nobody can infringe upon such freedom right.”

Neither the Constitution nor the Ordinance specifically protects the right to convert and the right not to be forced to convert. However, Article 2 of Decree No. 92/2012/ND-CP: Specific provisions and measures for the implementation of the Ordinance on Belief and Religion, also known as Decree 92, goes some way to guaranteeing the convert’s right not to be forced to convert back to their original religion or belief, or no religion or belief, by prohibiting the act of coercing a person to leave a religion. Furthermore, the Constitution entitles citizens to freedom of speech and the right to receive information, both of which have relevance to the right to try to persuade others in a non-coercive manner. However, in practice these provisions are left open to interpretation by state officials, and as such cannot be said to adequately protect the right to convert and the right not to be forced to convert or reconvert.

4.4. Analysis: trends and changes

Reliable sources inside the country report an increase in the number of violations against Protestant and Catholic Christians perpetrated by non-state actors, sometimes in collaboration with police, officials and retired officials. There are still cases of violations against new converts by the state, including arbitrary detention, beatings and torture, harassment, discrimination and intrusive monitoring. However, increasingly sources report the participation of both state and non-state actors in violations against converts.

Findings by the Pew Research Center support these observations. A June 2013 Pew Report⁵ categorised Vietnam’s level of government restrictions on religion as “very high” (6.6) and its level of social hostilities as “high” (4.6). However, while the level of government restrictions was reported to have fluctuated only slightly (6.6 in 2007, 7.0 in 2010, 6.6 in 2011), the level of social hostilities has significantly increased during this period from 1.2 in 2007 to 4.0 in 2010 and 4.6 in 2011.

In some cases, social hostilities in Vietnam are in fact connected to the actions or aims of government officials. The US Commission on International Religious Freedom’s 2012 Annual Report notes government officials’ use of “contract thugs” to harass, threaten, or beat converts to Protestant Christianity among the Hmong,⁶ and cites reports of officials encouraging “clan elders to pressure members of their extended families to cease practicing

⁵ Pew Research Center, ‘Arab Spring Adds to Global Restrictions on Religion’, June 2013

⁶ An ethnic group of Asia; subgroups include Black Hmong and Red Hmong

Christianity and return to traditional practices.”⁷ In addition, in 2012 and 2013 Catholic sources reported violent attacks on Catholic communities perpetrated by “thugs” at the instruction of local officials.⁸ Although the victims were not new converts, these incidents demonstrate some officials’ tactic of using non-state actors to instigate violence.

In other cases, non-state actors instigate pressure on new converts and then appeal to state actors for assistance. For example, in one case, a young woman converted to Protestant Christianity without the permission of her parents. Her father invited other relatives to try to persuade her to recant; when this was not successful, he enlisted the help of the local police to monitor her movements and prevent her leaving her hometown to meet other Christians, including her fiancé.⁹

In some remote parts of the country, religious communities and individuals have their religious freedom restricted by so-called ‘village laws’ (see below). It is often unclear whether police and officials have initiated restrictions at the request of non-state actors such as village elders and animists, or whether social hostilities by non-state actors have been encouraged by these provocative regulations. Observations by religious leaders reported to CSW also suggest that the public attitude towards some religions, such as Christianity, reflects the language used by officials: for example, Christian converts were warned by relatives not to associate with this “foreign/American religion” which has “links to the CIA”, echoing officials’ warnings about “hostile forces” that use religion to “undermine national unity”.

4.5. Incidents relating to the right to convert

4.5.1. Police actions including arbitrary detention

In an interview in early 2013, a Black Hmong ethnic group Protestant Christian (unregistered denomination) from Dien Bien Province reported being detained and beaten by police upon returning home from a Bible school in Hanoi in August 2012. Prior to his detention, police arrested his brother and two young nephews aged 12 and 17 years old. The interviewee’s brother and older nephew were beaten about the head by police. All those arrested were Christians. Police also demanded that the interviewee’s brother rebuild the family altar used for ancestor spirit worship, but he refused. The interviewee was arrested and detained for one day and one night, but was not beaten. He believes police refrained from beating him because he quoted the “law on religion”. The interviewee also said that harassment and beatings by police were intense in the initial period after his conversion, but stopped when he refused to recant.

A Protestant Christian (unregistered denomination) from the same province and ethnic group reported a similar experience. On his return from Bible school in August 2012, he found a number of police officers waiting for him at his home. He fled and returned at night, but the police were still waiting, and arrested him. In total, eight Christians were arrested at that time. During questioning, police beat the interviewee when he failed to produce a photograph of the Bible school. The interviewee reports being beaten after every question. He was also swung around by his hair and forced to adopt a stress position for several hours. The beatings continued for three nights and three days, leaving him in considerable pain. He was then released but told he must rebuild the altar to his ancestors. The interviewee did not want to rebuild the altar, which he considered to be against his Christian beliefs, but his father rebuilt the altar when 20 police officers approached the house. According to the interviewee, problems with the police have largely decreased as the

⁷ U.S. Commission on International Religious Freedom 2012 Annual Report

⁸ For more information, see CSW’s April 2013 report ‘VIETNAM: Intimidation and violence against Catholics 2012-2013’

⁹ Reported to CSW in October 2012.

number of Christians in the area has grown; however, they are not able to worship freely, he says.

A Red Hmong ethnic group Protestant, also from Dien Bien, reports being “invited” to the People’s Committee Office in September 2012 after attending a Bible training session. The police arrested his father, his son and his son’s wife. All three were taken to the police office. The police then told the interviewee to bring rice for the three detainees. When he did, he was also arrested. The next day, the police instructed the interviewee’s wife to come to their office. They took down her details and released her the same day. The interviewee was questioned about the Bible school, and asked whether he had received any money for attending, which he had not. He was detained for four days but was not beaten. However, his father was beaten by police who taunted him about his conversion to Christianity. As a result of these beatings, the man’s father eventually agreed to recant and rebuild his family altar. Other relatives also told the police they would recant; all have since returned to the Christian religion.

Another Protestant Hmong Christian imprisoned on the same day was beaten for four days. During this period, police repeatedly slammed his face into a wall. The beatings were so severe that he believed he would die. On the fourth day, he signed a document saying that he would recant. Police also demanded that he rebuild his family altar, but he refused. They asked him to kill a chicken to use the blood to consecrate the altar. When he refused, he was detained a second time and released one day later. His mother and brother were arrested too. His mother, in her sixties, was beaten so severely that she could not stand. The two brothers begged to be allowed to take care of her, fearing that she would die. The police responded, “The more Christians die, the better it is for us.” She was denied medical treatment.

Following their release, converts to Christianity are monitored closely. Some report being too afraid to attend church meetings in their neighbours’ homes. However, some told CSW that after a period of several years has passed, the authorities and other villagers come to accept that there are Christians living there, and do not harass them any further. This supports the observation that new converts are deliberately targeted by the local authorities and pressured to recant, in order to reduce the number of Christians in a particular area. It is not clear whether this is the aim of the local level police and leaders, or a command from higher authorities at the provincial or central level.

Police harassment of converts continued into 2013. In the north-west, two Hmong families, 12 people in total, converted to Protestant Christianity in March 2013. On three separate occasions in May and June, police summoned all the adults in the two families for interrogation and strongly pressured them to recant. On one summons document the ‘reason for the summons’ section is blank. On another, the reason given is “for questioning”. On the third it says to “discuss related matters”. On one occasion, a husband and wife called in for interrogation were beaten by police when they refused to recant. The woman reported being hit on the face and head more than ten times.

Converts to Catholicism can also face discrimination and abuse. Two Catholic priests interviewed earlier this year reported the case of a young woman whose father was beaten to death by police after an argument broke out. Soon after, the young woman became a Catholic. When she filed a complaint with the police about her father’s death, the police began to follow her and then detained her. In police detention, they mocked her faith, saying, “You are a human. Why do you want to become a lamb?” in reference to the Christian imagery of Christ as a shepherd. Other cases of violations against Catholic Christians which are known to CSW have targeted established Catholic communities and

priests, rather than new converts: this in no way implies, however, that converts to Catholicism do not experience these problems.

4.6. Discrimination

In early 2013, a Black Hmong ethnic group Protestant Christian (unregistered denomination) from the north-west of Vietnam reported several incidents of discrimination against converts to Protestant Christianity in the summer of 2011. In June that year, the interviewee, who had recently converted, established a new church of five families in his village. The government gave seeds and money to everyone in the area, but excluded Christian families. In addition, some villagers in this area are given yearly salaries in exchange for managing a piece of forest. According to the interviewee, one man who regularly received this salary before his conversion had his money cut off when he converted. When the interviewee asked the authorities about these decisions, the reason given was that he “follow[s] religions” and because he “didn’t ask permission”. They then showed him a document called the ‘village law’ which included the rule “Don’t follow any religion”, punishable by forced eviction. The document was signed by three officials from different levels of authority.

Another convert whose salary was cut off was told, “From now on, we don’t accept you as a member of this village. We won’t give you any benefit from the village.” He inquired further, going to the Communist Party secretary of the village. The secretary told him, “We have this law and we have to obey this law. If anyone follows religion, we have to kick them out, according to our law. We will kick out believers from this village. Anyone who is a Christian has to leave and move together to another location.”

4.7. Party membership

A Protestant from Lao Cai Province who moved to the Central Highlands reported the case of a Communist Party member who converted to Christianity. He was also a police officer in Lao Cai and the son of the village head. When he converted to Christianity, the interviewee reported, he was forced to choose between his religion and the Party. He chose his religion, but lost his job because of it. The Party believes that Party membership and religious belief are incompatible, although there are some reports which suggest that a number of Communist Party members discreetly practise Buddhism, and many more practise traditional ancestor worship.

5. Restrictions on the right to try to convert others in a non-coercive manner

5.1. “Illegal” evangelism

An unregistered denomination Protestant from Lao Cai, now living in the Central Highlands, recounted a visit back to his homeland in January 2012. The interviewee returned to Lao Cai to visit his relatives and tell them about his conversion to Christianity. Two families from his home village also converted to Christianity. Soon after, the village authorities found out and invited him to their offices. They questioned him about his visit and told him that evangelism was “illegal”. He was detained for one night and fined 1.5 million Vietnamese dong (£45). He was then told to leave the village within 24 hours. The interviewee believes the government “fears” evangelism, and says even registered churches cannot evangelise freely. The authorities in this case told him that the next time he wants to evangelise, he will need permission from the district, provincial and local level councils first.

A Protestant pastor from Dong Nai Province interviewed in 2013 reported having being accused of “illegal evangelism” several times. He is from a registered denomination recognised by the government, but says his church still faces significant restrictions on its religious activities. When meetings are held in his house, police with guns surround the building. On a personal level, the interviewee has a good relationship with the police who monitor the meetings, and even leaves a pot of tea outside for them on Sundays. However, in 2012 the police brought documents from the district level authorities saying they must carefully monitor his religious activities. The authorities also discriminate against poor families living in houses built by the church, by preventing their children from going to school, cutting off the supply of electricity, and refusing to issue them with a family registration book, effectively refusing them the right to residency.

5.2. Christmas celebrations

Christmas celebrations are often opportunities for Christians to explain their religion to others and to try to persuade them by non-coercive means. The Protestant pastor from Dong Nai Province mentioned above, described the authorities’ response to a Christmas celebration organised by a registered denomination in 2012. The event was held in Dong Nai and 500 non-Christians were invited. One hundred of those who attended became Christians. After the event, the authorities attempted to prevent church members from visiting the converts. Later, the authorities went to the houses of new converts and told them that Christianity is a “dangerous religion of the Americans” and “linked to the CIA”, so they should not go to church and they should not become Christians. Families of those who had converted also criticised Christianity and discouraged them from continuing in their new faith.

Similarly, on Christmas Day 2012, Christians from several different denominations in Hoa Binh Province organised a Christmas celebration at a house church. Before the celebration, at about 5pm, the church members invited their neighbours to the celebration. At 6.45pm they arrived and saw village level police and authorities. One of the officials told a pastor there that his family could celebrate Christmas in his home but that no-one else could join them. The police left, but a few minutes later they returned armed with electric rods. They demanded that everyone leave the house, and instructed those from other villages to go to the village office to show their ID cards. On the way, one woman was beaten with an electric rod. The people who had left carried her back to the meeting place where two men, aged 60 and 48 years, had both been beaten. Then one of the officials turned off the light and the police began to beat the people indiscriminately. When some of the villagers tried to take care of the injured people, the police threw stones at them. The villagers tried to defend themselves by holding chairs over their heads. Eventually, one of the leaders from the area told the Christians that they had to leave. They obeyed. Of the 100 people gathered, more than ten people were injured, and four were seriously injured. The police did not

allow the doctors at either the village clinic or the provincial hospital to help them. Letters of complaint sent by the organisers have not received any response at the time of writing.

5.3. Positive intervention by the authorities

In January 2012 five ethnic minority families from Tumerong District in Kontum Province converted to Christianity after meeting Christians from a legally-recognised Protestant denomination. From the beginning of 2013, the families experienced a series of violent attacks on their homes and property. In January, unknown assailants destroyed government-installed water pipes and electric meters serving the families. The following month, local people, allegedly accompanied by some police and officials, repeatedly attacked the victims' homes and property. During two of these attacks, two women were beaten and at least one was injured. Between February and March, crops, trees and personal property belonging to the families were damaged or destroyed. Eventually the families were forced to leave their homes and take refuge in the forest.

Local advocates helped the victims to petition the local authorities. The victims' representatives were granted meetings with officials at various levels. There have also been reports from local sources that, as a result of this case, meetings were held at the provincial level to review official policies and practices regarding religion, although this cannot be confirmed at the time of writing.

Attempts to find a solution acceptable to the victims were initially blocked by the perpetrators' refusal to allow the families to return to the village. The officials claimed that they could not guarantee the victims' safety if they insisted on returning to the village and refusing to recant. Instead, the authorities provided land for the families in a different village in the same district, and promised compensation and resettlement support for six months, to include food, seeds and utensils.

The authorities' response shows that there is an awareness among some officials of the need to protect the right to freedom of religion or belief. This is not to say that all state actors understand this right, particularly police and officials at the local level. However, when higher level authorities become aware of problems and order their subordinates to provide victims with compensation, for example, it sends a message, not only to the officials, but also to the perpetrators. The provision of compensation is therefore not only of material importance; it also has an impact on the local authorities' attitude towards the protection of religious minorities and the right to convert.

This is only a partial success; there are no reports of any of the perpetrators, either state or non-state actors, being prosecuted for their actions. In addition, the authorities were not able to resettle the families in their own village because they could not guarantee that the perpetrators would not commit further violations. Nevertheless, the authorities engaged with the victims, discussed ways to find a solution to the problem, provided compensation, reportedly reviewed their own policies and practices on religion, and have allowed the victims' main local advocate to visit them freely. These actions suggest a willingness to address religious freedom violations on the part of the officials. If this outcome sets a precedent, it could prevent violations against new converts, as would-be perpetrators get the message that freedom of religion or belief is a protected right in Vietnam.

6. Conclusion

In order for Vietnam to meet the standards on religious freedom set out in the ICCPR, the right to convert, the right not to be forced to convert or recant, and the right to try to persuade others in a non-coercive manner, must be protected as aspects of the right to freedom of religion or belief. In 2013, there have been a number of positive signs with respect to the authorities' treatment of religious communities: in the case cited above, local advocacy resulted in the authorities helping to resettle and compensate victims of violent attacks following their conversion to Christianity. In addition, a nationwide motivational tour by Australian Christian evangelist Nick Vujicic, reportedly organised with the aid of a Communist Party official, led observers inside and outside the country to wonder whether this could signal a new openness towards the discussion of faith and religious belief.

A number of Vietnamese specialists on law and religion believe that, as rule of law is strengthened and the law itself improved, religious communities will have increasingly more recognition and freedom. However, while strengthening rule of law and improving legal guarantees are undoubtedly important, these efforts must be accompanied by a change in attitude towards the state's relationship with religion.

In the first place, the aim of laws and regulations on religion should not be to control, manage or restrict religious activity. Instead, legislation should aim to protect citizens' right to freedom of religion or belief. The lack of adequate protection of the right to convert, for example, indicates the government's reluctance to allow the 'spread' of religious belief. In addition, bureaucratic obstacles to registration, as prescribed by Decree 92, restrict the expansion of religious communities and their activities.

Secondly, where the perpetrators of violations against religious minorities are non-state agents, the state must recognise its responsibility to protect its citizens' rights and freedoms. While resettlement and compensation go some way to remedying such incidents, there is also a need to investigate and prosecute the instigators of attacks on religious minorities. Freedom of religion or belief can only be protected from attacks by non-state actors if the state firmly and openly promotes religious freedom and takes measures to prosecute those who violate this right, be they police, officials or ordinary citizens.

The Pew report cited above provides information which suggests a correlation between government restrictions and social hostilities. In the case of Vietnam, a change in the government's attitude towards religion would send a message to the population, including perpetrators of religious freedom violations. As long as legislation and public statements by officials make a connection, explicit or implicit, between religion and 'national security problems', citizens will continue to make this connection in their own minds, perhaps believing that 'foreign religions' are inherently hostile to their nation and culture. Social hostilities undermine the government's declared goal of national unity: it is therefore in the interests of both people and state for the government to promote and protect freedom of religion or belief through all available means.