

NATIONAL ASSEMBLY

Law no: /2016/QH13

SOCIALIST REPUBLIC OF VIETNAM

Independence – Freedom - Happiness

Ha Noi, _____, 2016

Draft for 40th session
of Executive
Committee of the
XIIIth National
Assembly

LAW ON RELIGION AND BELIEFS – compared to Draft 4

Pursuant to the Constitution of the Socialist Republic of Vietnam;
The National Assembly enacts the Law on Religion and Beliefs as follows:

Section I

APPLICABLE REGULATIONS

Article 1. Scope

1. This Law regulates the freedom of religion and belief, the rights and obligations of those who adopt a belief, adherents of a religion, religious organizations, and foreigners who legally reside in Vietnam whose activities relate to religion or belief; and the responsibility of government agencies, religious organizations and individuals in the application and protection of the freedom of religion and beliefs.
2. This Law applies to agencies, organizations, and individuals with respect to the exercise of the freedom of religion and beliefs.

Article 2. Glossary

Compared to Draft 4

In this Law, the terms below are interpreted as follows:

1. **Adherent:** a person who believes in, follows a religion ~~and is recognized by a religious organization.~~
2. **Person who took a monastic vow:** a person who chooses to live a particular way of life in accordance with the laws or doctrine of a religion.
3. **Clergy member:** an adherent who has been ordained, promoted, assigned, elected or nominated by a religious organization.
4. **Nominate:** propose or formally enter as a candidate for election to a position within a religious organization.
5. **Belief-based activities:** Activities that express the worship of ancestors, commemoration of people with meritorious service to the nation and/or their community. Religious operations and other national religious activities must reflect beautifully our traditional, historical, cultural, and ethical values of Vietnamese communities.
6. **Religious festivals:** festivals featuring religious activities aiming to satisfy a community's spiritual needs in accordance with beliefs and people.

7. **Religious activities:** ~~practice of rituals associated with~~ worshipping or making offerings; prayers; and expression of religious beliefs.
8. **Religious operations:** dissemination and practice of the doctrines, laws, rituals of a religion; and management of a religious organization.
9. **Facility for activities related to belief:** place to carry out the activities expressing the belief of a community such as joss house, fane, shrine, ancestor worship place, and similar facilities.
10. **Religious facility:** main or other offices of a **recognized** religious organization, or a place to worship, practice and train specialists in religious activities, **and other facilities belonging to religious organizations.**
11. **Religious organization:** a group of people who follow the same system of religious doctrine, laws, and rituals, and who are organized in a fixed structure recognized by the government.
12. **Affiliated religious organization:** a religious organization's unit established in accordance with the charter, provisions and rules of a ~~government-approved~~ religious organization with the objective of managing the religious organization, serving religious operations, involving group religious practice, and conducting social activities.

Article 3. Freedom of religion and belief

1. Everyone has the right to freedom of religion and belief, to follow or to not follow a religion. The government respects and protects the freedom of religion and belief of everyone. ~~No one has the right to deprive others of this freedom.~~
2. People having a belief and religion adherents are entitled to **express their belief, to participate in various kinds of religious activities, to serve in religious/beliefs-based rituals and celebrations, to engage in religious studies, and to practice their religion at home and in belief-based facilities and religious facilities** ~~to all civil rights and are responsible for exercising their civic duties.~~
3. All religions are equal before the law.
4. The government shall ensure the right to conduct activities pertaining to religion and belief within this Law **and other pertinent laws**, and **to encourage activities aimed at** maintaining and developing good cultural and ethical values of religions and beliefs.

Article 4. Rights and obligations of people having a belief and adherents of a religion

1. Vietnamese citizens having a belief or religion are entitled to all civil rights and are responsible for exercising their civic duties.
2. People having a belief and religion adherents must respect the freedom of religion and belief of others, to not impede others in their exercise of civil rights and civic duties, to preserve national traditions and cultural traits, and to comply with the law.
3. Those who are under arrest or detained on a temporary basis, or serve a prison sentence, **or being required to undergo rehabilitation or spend time in a mandatory**

education center, or in a drug addition treatment facility must follow the law and regulations in their detainment center and may use prayer books, bibles, and express their spiritual belief or religious faith.

~~4. Those who have completed their prison sentences or probation in compliance with the law have the right to lead religious rituals, to disseminate and teach religion, and to manage a religious organization once this organization is registered and approved by the proper government agency.~~

International interactions of the Socialist Republic of Vietnam pertaining to religion and belief

~~1. The government of the Socialist Republic of Vietnam interacts with countries, territories, and international religious organizations on the basis of respecting the independence and sovereignty of each other, of not interfering in the internal affairs of each other, equality, mutual interest, and conformity to the laws of all parties involved and to international laws and practices.~~

~~2. If an international covenant to which the Socialist of Republic of Vietnam is a party has clauses that differ from this Law, the international covenant's clauses take precedence.~~

Article 5. Forbidden acts

1. Discriminate against people for their religion and belief.
2. Force others to follow or renounce a religion or belief.
3. Show negative behavior toward the religion or belief of adherents of other legal religious organizations ~~which are recognized by the government.~~
4. Impede organizations or individuals in their participation in or conduct of legal religious operations or activities.
5. Take advantage of the freedom of religion and belief to ~~seek private financial gains; sow divisions to disrupt national unity;~~
 - a. ~~Incite violence or conduct war mongerring propaganda to harm peace, independence, and the territorial integrity of Vietnam~~ harm national defense and security, public order, and morality;
 - b. ~~Conduct propaganda counter to the law or government policy, and sow divisions between ethnic groups and religions~~ harm the life, health, dignity, reputation and property of others; obstruct the exercise of civil rights and civic duties by others;
 - c. Sully the image of national heroes and notables.
6. Use religious facilities to conduct illegal activities. ~~Lead religious rituals, disseminate and teach religion, manage religious organizations and officiate at religious festivals while in probation or serving a prison sentence~~

Compared to Draft 4

Section II

RELIGIOUS OPERATIONS

Article 6. Religious operations and religious festivals

1. Religious operations within religious facilities and religious festivals within the community must conform to this Law and other related laws.
2. Articles 7, 8, and 9 of this Law do not apply to clan-specific worship houses.

Article 7. Representatives or management of religious facilities

1. Representatives or members of the management of religious facilities must be Vietnamese citizens in good standing, of good reputation in their community, and who are law-abiding.

2. Representatives or the management of religious facilities shall be elected or nominated by their community, or created or approved by the government.

3. The government will specify the details related to this Article.

Article 8. Annual registration for religious operations

1. Every year, before November 15, the representatives or the management of religious facilities must send the registration application for religious operations that will take place in the following year to people's committees at the commune, ward or town level (henceforth called "commune-level PCs").

The registration application must include the name of the religious facility, the names of the organizer and manager of the operations, the estimated number of attendees, the content and form of the activities, and the location, timing and duration of activities.

2. Within 10 business days from the date of receipt of the valid registration application, the commune-level PC must respond in writing. ~~If the registration is not approved, the reason for the denial must be stated in writing.~~ 

Article 9. Religious operations in religious facilities

1. The representatives or the management of religious facilities may organize religious activities according to the registered contents which have been approved by the commune-level PC and are legally responsible for religious activities that take place in their facilities.

2. Those who participate in religious activities in religious facilities must conform to modern life, respect the law, and respect the rules of the facilities.

Article 10. Religious celebrations

1. The following religious festivals must be approved by people's committees at the province level or, for cities under the central government's control, people's committees at the city level (henceforth called "province-level PCs) where the festivals are to take place:

- a) First-time festivals,
- b) Festivals that resume after an inactive period,
- c) Festivals that were held periodically but contents, timing, duration, location, and scale have changed

2. For festivals that are not included in this Article's Item 1, organizers shall submit to the commune-level PC with jurisdiction over the proposed location a written application

describing timing and duration, location, content, and form of the event, and the list of the organizers 15 business days before the event. In the event of concerns for national defense and/or security, public order, social order, or public health, the commune-level PC may suspend the festival. ~~or reduce its scope~~

3. Income resulting from festivals shall be managed transparently and used for faith-based activities and the community's interests.

4. The central government will prescribe the process and procedures for this Article's Item 1.

Section III

REGISTRATION FOR RELIGIOUS ACTIVITIES & REGISTRATION FOR RELIGIOUS OPERATIONS

Subsection 1

REGISTRATION FOR RELIGIOUS ACTIVITIES

Article 11. Registration for religious activities

1. When citizens without recognized religious organizations need to gather for religious activities, the citizens' representative(s) shall submit a registration application to the commune-level PC where the activities take place. The application shall clearly list the religion's name, credo, purpose of the activity, the representatives' full names and addresses, the activity's content and form, location, timing and duration, and number of participants. ~~may register for religious activities with the province-level government agency that manages matters on religion and belief.~~

2. The commune-level PC shall respond in writing within 15 business days from the receipt of a valid registration application.

3. Conditions for registration for religious activities

- a. The activities do not violate the provisions stated in Items 5 and 6 of this Law's Article 5;
- b. The applicant has a legal venue for religious activities;
- c. The organization's representatives must be Vietnamese citizens who are in good standing and law-abiding.

Subsection 2

REGISTRATION FOR RELIGIOUS OPERATIONS

Article 12. Conditions for a registration for religious operations to be approved

1. ~~The registering organization consists of people who have the same belief,~~ Has a religious doctrine, religious law, rituals, credo, and objectives that ~~adhere to the people and conform to the law.~~

2. Does not belong to another religious organization that has been recognized by the government.
3. The name of the registering organization is not the same as the name of another religious organization that has been recognized by the government nor the same as that of a national hero or a notable.
4. Has a legal office location.
5. The representative is a Vietnamese citizen who is in good standing and law-abiding.
6. Does not violate Items 5 and 6 of this Law's Article 5.

Article 13. Approving the registration for religious operation

1. The government unit in charge of religion and beliefs at the province level is responsible for approving registrations for religious activities of those organizations whose operating area is mainly in one province or one city under the central government's control.
2. The central agency in charge of religion and beliefs is responsible for approving registrations for religious operation of those organizations whose operating area is in several provinces, or cities under the central government's control.

3. The central government will prescribe the process and procedures for approving registrations.

Article 14. Religious operations after an organization is registered

1. Once the registration is approved, the registered religious organization may:
 - a. Organize religious celebrations and rituals and teach religion at registered locations;
 - b. Organize conferences to approve its charter, rules, and related content that were developed before registering with the government
 - c. Elect or nominate the leaders of the organization
 - d. Open religious training classes
 - e. Repair, improve or upgrade its religious facilities
 - f. Carry out charitable and humanitarian activities
2. When conducting religious actions stated in Item 1 of this Article, the registered organization must abide by the provisions of this Law and related legal documents.

Article 15. Revocation of the registered status of a religious organization

1. The registered status of a registered religious organization is revoked if its actions deviate from its credo and objectives or violate Items 5 and 6 of this Law's Article 5.
2. For one or more violations specified in this Law's Article 1, the province-level government unit in charge of religion and beliefs may revoke with respect to an organization operating within a province or city administered by the central government; the central agency in charge of religion and beliefs may revoke with respect to an organization operating in more than a province or city administered by the central government.

3. The central government will prescribe the process and procedures for the revocation of religious operations registrations.

Section IV

RELIGIOUS ORGANIZATIONS

Compared to Draft 4

Subsection 1

RELIGIOUS ORGANIZATIONS AND AFFILIATED RELIGIOUS ORGANIZATIONS

Article 16. Conditions governing the recognition as a religious organization

1. The applicant is approved by the government, has maintained stable religious operation during 10 consecutive years, and does not violate the provisions of Items 5 and 6 of this Law's Article 5.
2. The applicant has a charter and rules that reflect its credo, objectives and operating directions that ~~adhere to the people, and~~ conform to the law.
3. The applicant has a legal office and representative(s).
4. The central government will prescribe the details for this Article.

Article 17. Recognizing religious organizations

1. Authority:
 - a) The chairpersons of the province-level people's committee may recognize religious organizations that operate within a province or a city under the central government's control.
 - b) The central agency in charge of religion and beliefs may recognize religious organizations that operate in several provinces or cities under the central government's control.
2. The central government will prescribe the process and procedures for recognizing religious organizations.

Article 18. Conditions governing the creation, division, splitting up, merging or combination of affiliated religious organizations ("affiliates")

1. A religious organization may form, divide, split up, merge or combined its affiliates in accordance with its charter, rules and regulations, and must conform to this Article's Item 2.
2. Conditions governing such activities (form, divide, separate, merge or combine affiliates):
 - a. The main religious organization must submit a written proposal;
 - b. The new organization resulting from the formation, division, split-up or combination must belong to a recognized religious organization;
 - c. The affiliate must satisfy the conditions stated in the charter, credo and rules of the main religious organization;

- d. Must have a legal office;
- e. Must not violate Items 5 and 6 of this Law's Article 5.

Article 19. Approving a request to form, divide, split up, merge or combine affiliates

1. Authority:
 - a) The chairperson of the province-level PC may decide on a request from an ~~recognized~~ organization operating within a province or city administered by the central government for such proposed activities (form, divide, separate, merge or combine affiliates).
 - b) The central agency in charge of religion and beliefs may decide on a request from an ~~recognized~~ organization operating in more than a province or city administered by the central government for such proposed activities (form, divide, separate, merge or combine affiliates).
2. The central government will prescribe the process and procedures for approving requests for this type of activities (form, divide, separate, merge or combine affiliates).

Subsection 2

RELIGIOUS FORMATION FACILITIES AND RELIGIOUS TRAINING CLASSES

Article 20. Establishment of a religious formation facility

1. Conditions governing the establishment of a religious formation facility:
 - a) The applicant has a plan for the religious formation facility that is consistent with its scope of operation;
 - b) The facility is approved by the province-level PC with jurisdiction over the location where the main office of the formation facility is to be located;
 - c) The applicant has necessary facilities, equipment and financial resources;
 - d) The applicant has a concrete plan covering the curriculum - and the curriculum shall show that Vietnamese history and law will be the main instruction topics-, the number and structure of the instructing staff, and the facility manager. The plan must show the adequacy of staffing level and staff quality.
2. Religious formation facilities are not part of the public education system

~~Article 22. Process and approval authority regarding the establishment of a religious formation facility~~

- ~~1. Process of establishing a religious formation facility:~~
 - ~~a. The government has the authority to issue in writing its approval of the formation facility;~~
 - ~~b. The religious organization issues the decision to establish the formation facility.~~

- ~~2. The central level government unit in charge of religion and beliefs evaluates the application, decides, and responds in writing to the applying religious organization on the establishment of the formation facility.~~
- ~~3. After one year from the date of the written approval by the central level government unit in charge of religion and beliefs, if the religious organization has not started the process of establishing the facility, the written approval will be invalidated.~~
- ~~4. Religious formation facilities are not part of the national education system.~~

Article 21. Notification of the operation of a religious formation facility

1. Within 30 business days before starting operation, the representative of the formation facility must notify the central agency that regulates religion and beliefs in writing of the following:
 - a. Decision of the religious organization to establish the formation facility;
 - b. Rules of operation and organization of the formation facility;
 - c. Curriculum and training materials, with the provision that Vietnamese history and Vietnamese law being the main subjects;
 - d. The list of names of individuals serving on the leadership committee, instruction staff, and as facility manager;
 - e. Estimated expenses and admissions plan;
 - f. Financial resources for the successful operation of the formation facility;
 - g. A description of proposed measures to ensure the quality of formation.
- ~~2. Within 20 business days from the date of receipt of a valid written notification, if the central government agency in charge of religion and beliefs does not disagree on any point, the formation facility may operate according to the notification contents. If the religious organization did not start operation after one year from the date of the written approval by the government, it would need to restart the notification procedure delineated in Item 1 of this Article.~~

Article 22. Admission requirements for a religious formation facility

1. The admissions to a religious formation facility must conform to the operating and admission rules that the government has reviewed.
2. Before admitting applicants, the facility's leadership committee must send a notification on admission criteria to the central agency in charge of religion and beliefs. The notification shall show the number of applicants the facility plans to admit and criteria to ensure compliance.
~~Within 15 business days from the date of receipt of a valid notification, if the central government agency in charge of religion and beliefs does not disagree on any point, the formation facility may admit applicants as declared in the notification.~~
3. Vietnamese citizens enrolling at a formation facility must meet the following requirement:

- a. Be in good standing

Compared to Draft 4

- b. Be law abiding and vetted by the commune-level PC with jurisdiction over their residences.

Article 23. Enrollment of foreigners in a religious formation facility

1. Religious organizations or affiliates may admit foreigners who want to be trained in religious formation facilities.
2. Foreigners enrolled in a religious formation facility must respect Vietnamese traditions and customs, comply with entry/exit requirements and other applicable regulations, be approved by the facility's leadership committee who shall submit the case to the central agency in charge of religion and beliefs for its consideration.
3. The leadership of the formation facility shall submit a request package to the central agency in charge of religion and beliefs, to include:
 - a) The formation facility's request for approval of the foreigner's enrollment, listing clearly the facility's name, foreign applicant's full name, nationality, reason for applying to enroll, and proposed duration of formation;
 - b) A copy of the applicant's passport accompanied by a certified translation;
 - c) Documents related to the formation facility's admission criteria.
4. The central agency in charge of religion and beliefs shall respond in writing within 25 business days from the receipt of a valid package.
5. Foreigners who have completed their training must comply with the regulations in Articles 32, 54, 55 and 56 of this Law.

Article 24. Responsibility of the government toward religious formation facilities

1. The central agency in charge of religion and beliefs ~~Ministry of Education and Training~~, as the lead agency, works with the Ministry of Education and Training, the Justice Ministry, ~~the central agency in charge of religion and beliefs~~, and other related agencies, to provide guidance on the curriculum and contents of instruction material, and monitor the teaching of Vietnamese history and law.
2. Province-level PCs are assigned the role of government units with jurisdiction over religious formation facilities operating within their administrative areas.
3. Province-level units of the agency in charge of religion and beliefs are tasked with the monitoring and oversight of the operations of religious formation facilities based on project proposals that have been approved by pertinent government agencies.

Article 25. Religious training

1. Religious organizations and affiliates may offer religious training sessions.
2. ~~Province-level government units in charge of religion and belief have the authority to approve religious training.~~ Process and procedures associated with religious training approval:
 - a) A religious organization or affiliate submits a request for approval to the province-level unit of the agency in charge of religion and beliefs. The request shall list clearly

the training session's title, location, reason for proposing the training, duration, content, program, proposed trainees, and instructors;

b) The province-level unit of the agency in charge of religion and beliefs shall respond in writing within 15 business days from the receipt of a valid request package.

Subsection 3

Compared to Draft 4

SUSPENSION, DISSOLUTION OF RELIGIOUS ORGANIZATIONS, AFFILIATED RELIGIOUS ORGANIZATIONS AND RELIGIOUS FORMATION FACILITIES

Article 26. Suspension of religious operations and dissolution of a religious organization or an affiliate

1. A religious organization or an affiliate may be suspended if it deviates from the charter, rules and regulations of the religious organization that has been recognized by the government or if it violates Items 5 and 6 of this Law's Article 5.
2. A religious organization or affiliate may be dissolved in the following cases:
 - a) A religious organization dissolves itself or dissolves an affiliate;
 - b) A religious organization or affiliate is unable to remedy the causes that led to the suspension after the suspension period ends.

3. Authority:

- a) The chairpersons of province-level PCs may suspend religious operations, dissolve a religious organization or affiliate operating within a province or city administered by the central government pursuant to this Article's Item 1;
 - b) The central agency in charge of religion and beliefs may suspend religious operations, dissolve a religious organization or affiliate operating in more than a province or city administered by the central government pursuant to this Article's Item 1.
4. The central government will prescribe the process and procedures related to the suspension of religious operation and dissolution of religious organizations or affiliates.

Article 27. Suspending the operation of, or dissolving a religious formation facility

1. A religious formation facility may be suspended from operating when it violates a provision in Item 1 of this Law's Article 22 or Items 5 and 6 of this Law's Article 5.
2. A religious formation facility may be dissolved in the following cases: a) at the request of the religious organization; b) It is unable to remedy the causes that led to the suspension after the suspension period ends.
3. The central agency in charge of religion and beliefs may suspend the operation of, or dissolve a religious formation facility pursuant to this Article's Item 1.

4. The central government will prescribe the process and procedures for suspending the operation of, and dissolving religious formation facilities.

Section V

RELIGIOUS OPERATIONS

Subsection 1

CONFERENCES, CONGRESS OF RELIGIOUS ORGANIZATIONS OR AFFILIATED RELIGIOUS ORGANIZATIONS

Article 28. Conferences and congresses of religious organizations or affiliates

1. A religious organization or affiliate may hold conferences and congresses that conform to its charter, rules and regulations after approval by the responsible government agency.

2. Authority

a. The chairpersons of district-level or town-level PCs (henceforth referred to as district-level PCs) government units in charge of religion and beliefs may approve conferences and congresses of affiliates operating within a district;

b. Province-level government units in charge of religion and beliefs may approve conferences and congresses of affiliates operating within a province;

c. The central agency in charge of religion and beliefs may approve for a religious organization or affiliate operating in more than a province or city administered by the central government may approve central-level or organization-wide conferences and congresses;

d. The chairperson of a province-level PC may approve conferences and congresses that are not covered in Items 2a through 2c of this article.

In the event of concerns for national defense and/or security, public order, social order, or public health, the agency mentioned in this Article's Item 2 has the authority to delay the proposed conference or congress.

Article 29. Charter registration and amendment of rules and regulations

1. A religious organization that intends to amend its charter or rules must register with the proper government authority as prescribed in this Law's Article 17. The registration application must include the names of the religious organization and its representative(s), the reasons for the amendment, and a description of the amendment. The application must include the draft amended charter and rules.

2. Within 20 business days from the receipt of a valid amendment registration application, the responsible government unit must provide a written response.

Subsection 2

ORDINATION, PROMOTION, APPOINTMENT, ELECTION, NOMINATION, or DISMISSAL IN A RELIGIOUS ORGANIZATION OR AFFILIATE

Article 30. Conditions governing the registration for ordination, promotion, appointment, election, or nomination in a religious organization or affiliate:

- 1 Religious organizations or affiliates may ordain, promote, appoint, elect, and nominate members according to their charter, rules or regulations.
- 2 Conditions governing the registration of those who are promoted, nominated, appointed, or elected are as follows:
 - a. Be a Vietnamese citizen with full civil rights;
 - b. Be supportive of national solidarity and unity;
 - c. Be law abiding

Compared to Draft 4

Article 31. Authority to approve registrations for ordination, promotion, appointment, election, or nomination

1. After the ordination, promotion, appointment, election or nomination of a member, a religious organization must register with the proper government authority as stated in Part b of this Article's Item 4 for the following religious titles:
 - a. Members of the standing committee of the Council of Evidence (Hoi Dong Chung Minh) and Executive Council (Hoi Dong Tri Su), members of the Council of Evidence (Hoi Dong Chung Minh) and Executive Council, high venerables, most venerables, head nuns, and nuns of the Buddhist Church of Vietnam.
 - b. Members of the standing committee, chairs of the committees of the Catholic Bishops Conference of Vietnam, cardinals, archbishops, bishops, auxiliary bishops, vicars general, chair of the Union of Superior Ecclesiastics of Vietnam, heads of religious orders and other vowed life groups of the Catholic Church of Vietnam;
 - c. Members of the Central Management Committee and equivalents of Protestant organizations;
 - d. Members of the Governing Council, Church Council, Church Standing Committee, Phoi Su, and the higher dignitaries of Cao Dai churches;
 - dd. Members of the Central Administrative Council of the Hoa Hao Buddhist Church;
 - e. Equivalent religious ranks and titles of other religions relative to Parts a through dd of this Item;
 - g. Heads of religious formation facilities.
2. For cases that are not covered in Item 1 of this Article, religious organizations and affiliates performing one of the listed activities, i.e., ordination, promotion, appointment,

election, or nomination. must send the registration application to the proper government agency mentioned in Part a of this Article's Item 4.

3. The registration application submitted by the religious organizations must show the full name, rank, title, scope of responsibility, and religious operation experience ~~and a curriculum vitae certified by the appropriate commune-level PC with jurisdiction over the candidate's legal place of residence.~~

4. Authority:

a. The province-level unit of the agency in charge of religion and belief must respond in writing within 15 business days from the receipt of a valid registration application for the ordination, promotion, appointment, election, or nomination stated in Item 2 of this Article. ~~In case of denial, the reasons must be stated in writing.~~

b. The central agency in charge of religious and beliefs must respond in writing within 20 business days from the receipt of a valid registration application for the ordination, promotion, appointment, election, or nomination stated in Item 1 of this Article. ~~In case of denial, the reasons must be stated in writing.~~

Article 32. Ordination, promotion, appointment, election, or nomination with foreign factors

1. The category "ordination, promotion, appointment, election, or nomination with foreign factors" includes instances when an overseas religious organization performs one of the listed activities, i.e., ordains, promotes, appoints, elects, or nominates a candidate from a religious organization in Vietnam; or, vice-versa: instances when a religious organizations in Vietnam does the same to a foreign candidate who has been working for the religious organization in Vietnam.

2. Ordination, promotion, appointment, election, or nomination with foreign factors requires approval by the central agency in charge of religious and beliefs before each of these activities may be initiated.

3. Candidates for an ordination, promotion, appointment, election, or nomination with foreign factors must meet the requirements stated in Item 2 of this Law's Article 30. Foreigners who work for religious organizations in Vietnam must meet the following requirements to be ordained, promoted, appointed, elected, or nominated:

- a. Have been trained in a religious formation facility of a religious organization in Vietnam or have been conducting religious operations in Vietnam for at least 5 years;
- b. Comply with Vietnamese Law.

4. Religious organizations whose members are proposed to be ordained, promoted, appointed, elected, or nominated candidates by an overseas religious organization must send a written request to the central agency in charge of religious and beliefs. The request must state the reason for the proposed action, the candidate's full name, rank, title, scope of responsibility, and religious operation experience. **The central agency in charge of religious and beliefs shall respond in writing within 60 business days from the receipt of a valid request.**

5. ~~Vietnamese candidates ordained, promoted, appointed, elected, or nominated by an overseas religious organization may not use the new title in their religious operations in Vietnam until the central level government agency in charge of religious and beliefs gives its approval.~~

Article 33. Activities of approved candidates for ordination, promotion, appointment, election, or nomination ~~Reporting dismissal of clergy members or ending their function~~

Approved candidates for ordination, promotion, appointment, election, or nomination pursuant to this Law's Articles 31 and 32 may engage in religious activities specified in the registration or the application.

Article 34. Notification of transfer or relocation of clergy members, other employees, people who took a monastic vow

1. Religious organizations and their affiliates must send a notification to the province-level units of the agency in charge of beliefs and religion with jurisdiction over ~~the location where the subjects are currently based and~~ the new location ~~no later than 5 business days from the day the transfer document is issued.~~

2. The notification must include the names, ranks, and religious duties of the transferees, reason for the transfer, the previous work location, and the new work location of each subject.

Article 35. Reporting dismissal of clergy members or ending their function

Religious organizations and their affiliates are required to send a report to the responsible government agency (Item 4, Article 31 and Item 4, Article 32) all dismissals, or decisions to stop them from continuing their current duties. The report shall clearly state the reason for such actions and be accompanied by the organization's documents related to the dismissal or ending of the subjects' functions.

Subsection 3

**RELIGIOUS TEACHINGS, PROSELYTIZING, SUSPENSION OF RELIGIOUS ACTIVITIES BY CLERGY MEMBERS, OTHER EMPLOYEES, AND PEOPLE WHO TOOK A MONASTIC VOW;
RELIGIOUS EVENTS OUTSIDE OF RELIGIOUS FACILITIES**

Article 36. Religious teaching and proselytizing by clergy members, other employees, monks, and nuns

1. Clergy members, other employees, and people who took a monastic vow may conduct religious rites within their responsibilities; may teach religious doctrine, proselytize within religious facilities; have the obligation to instill in believers ~~the love of country~~ the awareness of civil rights, the need to fulfill civic duties, and the need to abide by the law.

2. Clergy members, other employees, and people who took a monastic vow shall, before teaching religious doctrine, proselytizing outside of religious facilities, submit a request to ~~the chairperson of the district-level PC with jurisdiction over the proposed location of the activities~~ approval from the people's committees at the appropriate level – district, town, or city within the province (from here on, this document refers to various people's committees as district-level PCs).

The application package shall include:

a) The request listing clearly the reason for teaching religious doctrine, proselytizing outside of religious facilities, content, program, timing and duration, location, organizing individuals, and participants;

b) Written opinion of the affiliate or religious organization with direct authority over the clergy member or person who took a monastic vow;

3. The chair person of the district-level PC shall respond in writing within within 10 business days from the receipt of a valid application package.

Article 37. Suspension of religious activities of clergy members, other employees, and people who took a monastic vow

1. The government may suspend religious activities of those clergy members, other employees, and people who took a monastic vow if they do not conform to charters, rules, and regulations governing their religious organizations that the government recognized.

2. The government may suspend religious activities of those clergy members, other employees, and people who took a monastic vow if they violate one of the provisions in Items 5 and 6 of this Law's Article 5.

3. In case of violation of one of the provisions in this Article's Item 1 or Item 2, the province-level government unit in charge of religion and beliefs shall suspend pursuant to Item 2 of Article 31 and the central agency in charge of religion and beliefs shall suspend pursuant to Item 1 of Article 32 of this Law religious activities of those clergy members, other employees, and people who took a monastic vow

4. The central government will prescribe the process and procedures related to the suspension of religious activities of clergy members, other employees, and people who took a monastic vow.

Article 38. Religious events outside of religious facilities

1. Before organizing a religious event outside of religious facilities, a religious organization or affiliate must submit a request to the chairperson of the district-level PC with jurisdiction over the location where a religious event is planned (if outside of religious facilities) for believers residing in a district, town, or city. The chairperson of the district-level PC shall respond in writing within 10 business days from the receipt of a valid application package.

2. If expecting participants from more than a district, town, or city within a province, or participants from more than a single province or a city that is under the central government's control, religious organizations and their affiliates must submit a request to the chairperson of the province-level PC with jurisdiction over the location of the planned event. Within 15 business days from receipt of a valid request package, the chairperson of the district-level PC with jurisdiction over the proposed event location shall respond in writing.

3. The request package for holding events outside of religious facilities pursuant to this Article's Items 1 or 2 shall include the name of the event, the presiding individual's name, content, program, timing and duration, location, scale, and expected participants. After the request is approved, the government with jurisdiction over the event's location shall be responsible for ensuring order and security of

Compared to Draft 4

Subsection 4

REGISTERING PEOPLE WHO TOOK A MONASTIC VOW, REGISTERING ANNUALLY FOR RELIGIOUS OPERATIONS BY RELIGIOUS ORGANIZATIONS AND AFFILIATES

Article 39. Registering people who took a monastic vow

1. Those who choose to live a vowed life in religious facilities can do so by their free will, without coercion, and no one may attempt to prevent them from pursuing their vocation. Minors may only do so if their parents or guardians approve.

2. Religious facility administrators must register new practitioners with the appropriate agency as prescribed by law within 5 business days after admitting the persons, with the commune-level PC with jurisdiction over the location of the religious facility.

~~The registration application must include the name and biography with certification by the commune-level PC with jurisdiction over the person's original residence; and written consent by parents or guardians in case of minors.~~

~~3. Within 10 business days, the commune-level PC must issue a written response to the religious facility that submitted the registration application (provided the package meets regulations); in case of denial, the reasons must be stated in writing.~~

Article 40. Annual registration for religious operations

1. Before November 15 of each year, representatives of religious organizations and affiliates must submit the following year's operation to the agency specified in Item 2 of this Article.

The registration application shall list activities planned for the coming year, content, timing and duration, and location.

2. ~~Government entities with jurisdiction~~ A religious organization or affiliate planning to engage in activities outside of those registered pursuant to this Article's Item 1 shall register with the agency specified in this Article's Item 3 the content, timing and duration, and location.

3. Authority:

a) Commune-level PCs must issue a written response within 10 business days from the receipt of a valid registration application from an affiliate operating within a commune; ~~in case of denial, the reasons must be stated in writing;~~

b) The chairperson of a province-level PCs shall issue a written response within 15 business days from the receipt of a valid registration application from an affiliate operating within a district; ~~in case of denial, the reasons must be stated in writing;~~

c) The province-level government unit in charge of religion and beliefs shall issue a written response within 20 business days from the receipt of a valid registration application from an affiliate or religious organization operating within a province; ~~in case of denial, the reasons must be stated in writing;~~

c) The central agency in charge of religion and beliefs shall issue a written response within 25 business days from the receipt of a valid registration application from a religious organization or affiliate operating in more than a province or city under the central government's control.

Article 41. Religious operation that deviates from the approved registration

1. Deviations from the approved annual registration, if outside of the scope of Articles 28 or 38, or in case the content, timing, duration, or location changes from the approved registration, the affiliate must submit a description of the proposed operations to the responsible government entity identified in Item 2 of this Law's Article 40.

The description must include the content, timing, duration, and location, including guarantee factors.

2. The responsible government entities specified in Item 2 of of this Law's Article 40 shall issue a written response to the religious organization or affiliate within 15 business days from the receipt of a valid registration application. ~~in case of denial, the reasons must be stated in writing.~~

~~Subsection 4~~

~~PUBLICATIONS RELATED TO BELIEF OR RELIGION~~

~~Article 46. Publications related to belief or religion~~

~~Organizations and individuals shall abide by the law when engaging in publishing religious books, prayer books, materials on beliefs; producing materials for sale or importing/exporting cultural materials related to beliefs and religion or articles used with religious activities.~~

Section VI

INTERNATIONAL ACTIVITIES OF RELIGIOUS ORGANIZATIONS, AFFILIATES, CLERGY MEMBERS, OTHER EMPLOYEES, PEOPLE WHO TOOK A MONASTIC VOW, AND BELIEVERS

Article 42. International activities of religious organizations, affiliates, clergy members, other employees, people who took a monastic vow, and believers.

1. Religious organizations, affiliates, clergy members, other employees, people who took a monastic vow, and believers must conduct international activities according to charters, rules, or religious laws of the organizations, consistent with Vietnam's law.

2. Religious organizations, affiliates, clergy members, other employees, people who took a monastic vow, and believers must conduct international activities consistent with the laws of host countries.

Article 43. Inviting organizations and individuals to conduct international activities related to religion in Vietnam

1. Religious organizations or affiliates must first seek the approval of the chairperson of the province-level PC central government agency in charge of religion and beliefs when inviting foreign organizations or individuals to Vietnam to conduct activities related to religion.
2. Religious organizations or affiliates must first seek the approval of the central government agency in charge of religion and beliefs when inviting foreign organizations or individuals to Vietnam to conduct international activities related to religion.
3. The central government will prescribe the process and procedures applicable to the invitation of foreign organizations and individuals to conduct activities and international activities related to religion.

Article 44. Going abroad to participate in religious operations or training

1. Clergy members, other employees, people who took a monastic vow, and believers may go abroad to participate in religious operations or training after receiving approval from the central government agency in charge of religion and beliefs.

2. Clergy members, other employees, people who took a monastic vow, and believers who complete religious training abroad – should foreign religious organizations promote, appoint, elect them, or delegate duties to them – may not resume religious operation in Vietnam before the responsible religious organization registers the returning individuals with the responsible government entity as prescribed in Item 4 of this Law's Article 31.

4. Vietnamese citizens who participate in religious operations or training abroad must exercise the responsibilities of Vietnamese citizens; ~~must not collaborate with organizations that oppose the Vietnamese government, or harm the independence, unity and territorial integrity of Vietnam.~~

5. The central government will prescribe the process and procedures applicable to this Article's Item 1.

Article 45. ~~Joining Collaboration with~~ international religious organizations

1. Religious organizations may ~~join collaborate with~~ international religious organizations after receiving approval from the central agency in charge of religion and beliefs.
2. The government will prescribe the process and procedures for approving religious organizations' joining international religious organizations.

Section VII

SHARED BELIEF CENTERS, RELIGIOUS ORGANIZATIONS, AFFILIATES, CLERGY MEMBERS, OTHER EMPLOYEES, PEOPLE WHO TOOK A MONASTIC VOW, AND BELIEVERS: ACTIVITIES RELATED TO PUBLICATIONS, EDUCATION, TRAINING, PROVISION OF HEALTH CARE, AND CHARITABLE OR HUMANITARIAN SERVICES

~~Article 47. Shared belief centers, religious organizations, and affiliates: soliciting donations~~

Article 46. Publications related to beliefs and religion

Organizations or individuals participating in the publication of prayer books, bibles, other publications related to beliefs and religion; production, commerce, import, and export of cultural articles related to beliefs and religion or implements used for religious worship and rituals, shall abide by the relevant laws.

Article 5247. Activities related to education, training, health care, and social services of religious organizations and affiliates

1. Religious organizations and affiliates may conduct activities related to education, training, health care, and social services as prescribed by applicable laws.
2. No one may proselytize or perform religious rites on the site of facilities used for education or training, health care, social services, that are established or managed by religious organizations or affiliates.

Compared to Draft 4

Article 5348. Charitable and humanitarian activities of shared belief centers, religious organizations, affiliates, clergy members, other employees, people who took a monastic vow, and believers

1. The government encourages and enables shared belief centers, religious organizations, affiliates, clergy members, other employees, people who took a monastic vow, and believers to engage in charitable and humanitarian activities as prescribed by law.
2. No one may use charitable and humanitarian activities as means to conduct activities serving other purposes.

Section VIII

ASSETS OF SHARED BELIEF CENTERS, RELIGIOUS ORGANIZATIONS, AND AFFILIATES

Article 54 49. Assets of shared belief centers, religious organizations, and affiliates

The law protects legal assets owned by shared belief centers, religious organizations, and affiliates, and forbids any attempt to misappropriate such assets.

Article 50. Charitable and humanitarian activities of shared belief centers, religious organizations, and affiliates

1. Shared belief centers, religious organizations, and affiliates may conduct fundraising activities, accept donations made on a voluntary basis by organizations and individuals in Vietnam or abroad as prescribed by law.

2. Shared belief centers, religious organizations, and affiliates must submit a notification to the responsible government entity as prescribed in Item 3 of this Article, describing the purpose, scope, method, timing, duration, and management of the fundraising, and intended use of the donations.

Upon receipt of the notification, the responsible agency shall oversee the fundraising to ensure that it conforms to the notification submitted by shared belief centers, religious organizations, and affiliates.

3. Authority:

a) 5 business days before the fundraising (if it is within a single commune) starts, a shared belief center, religious organization, or affiliate shall submit a notification document to the commune-level PC with jurisdiction over the fundraising location; ~~Unless commune-level PCs with jurisdiction over the intended fundraising location raise an issue within 5 days from their receipt of notifications meeting regulations (for fundraising within a commune), shared belief centers, religious organizations, and affiliates may proceed with the fundraising as described in the notifications;~~

b) 10 business days before the fundraising (if it is in more than a single commune within a single district) starts, a shared belief center, religious organization, or affiliate shall submit a notification document to the district-level PC with jurisdiction over the fundraising location; ~~Unless district-level PCs with jurisdiction over the intended fundraising location raise an issue within 10 days from their receipt of notifications meeting regulations (for fundraising within a district but involving more than a single commune), shared belief centers, religious organizations, and affiliates may proceed with the fundraising as described in the notifications;~~

c) 15 business days before the fundraising (if it is in more than in a single district within a province) starts, a shared belief center, religious organization, or affiliate shall submit a notification document to the province-level PC with jurisdiction over the fundraising location; ~~Unless province-level PCs with jurisdiction over the intended fundraising location raise an issue within 15 days from their receipt of notifications meeting regulations (for fundraising within a province but involving more than a single district), shared belief centers, religious organizations, and affiliates may proceed with the fundraising as described in the notifications.~~

4. Shared belief centers, religious organizations, and affiliates engaging in fundraising must ensure financial transparency, including the disbursement of proceeds; must not use the names of shared belief centers, religious organizations, and affiliates as a cover for individual gains or illegal purposes.

5. Donations, including those made in the facilities of shared belief centers, religious organizations, and affiliates, must be used for the declared purposes, for religious or belief-related operations, and the good of the community.

6. Receipt, management, and use of donations from abroad are subject to pertinent regulations.

Article 5155 . Land belonging to shared belief centers and religious facilities

Laws governing land use apply to land belonging to shared belief centers and religious facilities.

Article 5256. Renovation, enhancement, or new construction projects related to belief, religion; auxiliary structures associated with shared belief centers and religious facilities

1. Renovation, enhancement, or new construction affecting sites with historical and cultural values, or sites whose natural beauty have made them tourist attractions, and such sites have been classified by the appropriate government agencies: such renovation, enhancement, or new construction must conform to applicable laws and regulations.

2. Renovation, enhancement, or new construction projects affecting structures that are part of shared belief centers and religious facilities must comply with laws and regulations pertinent to facilities and detached homes in cities, centers of communes, historic preservation areas, and those with historical and cultural values.

Article 5357. Relocation of structures of religious significance

Laws governing real property and land and other applicable laws shall govern the relocation (for reasons related to national interests, including national security and defense, or social or economic development) of structures that are part of shared belief centers and religious facilities.

Section IX

**RELIGIOUS ACTIVITIES OF FOREIGNERS IN VIETNAM
TEACHING RELIGIOUS DOCTRINES OR PROSELYTIZING IN VIETNAM BY
FOREIGN CLERGY MEMBERS AND PEOPLE WHO HAVE TAKEN A RELIGIOUS
VOW**

Article 5458. Freedom of religion and belief for foreigners living in Vietnam

1. The Vietnamese government respects and protects the freedom of religion and belief of foreigners who reside legally in Vietnam: they may conduct religious activities and live a religious life in religious facilities, invite Vietnamese or foreign clergy members to perform religious rites, preach, get training at facilities that train individuals for religious operations, or take religious classes offered by religious organizations in Vietnam, bring religious publications and implements for their personal use as prescribed by Vietnamese laws.

2. Foreigners entering Vietnam must follow Vietnam's legal requirements applicable to religion and abide by Vietnamese law; they may bring religious publications and implements for personal use as prescribed by Vie

Compared to Draft 4

Article 5559. Religious activities of foreigners living in Vietnam

1. Foreigners who reside legally in Vietnam may conduct religious activities in religious facilities or other locations permitted by law, just like Vietnamese believers.

2. Foreigners who need to conduct religious activities in religious facilities or other locations permitted by law, separately from Vietnamese believers, must submit an application to the province-level PC with jurisdiction over the area identified in the foreigners' registration for religious activities.

3. The central government will prescribe the process and procedures applicable to this Article's Item 2.

Article 56 60. Preaching by clergy members or people who took a monastic vow who are foreigners

1. Clergy members and people who took a monastic vow from abroad may preach in Vietnam in accordance with this Law's Article 3 after receiving the approval of the central agency in charge of religious and beliefs. Their preaching must comply with the regulations of the religious organizations in Vietnam with which they are associated, and comply with Vietnamese law.

2. Religious organizations, affiliates, and foreigners who congregate for separate religious activities in Vietnam must submit requests to the central-level agency in charge of religious and beliefs when planning to invite foreign clergy members or people who took a monastic vow to preach in Vietnam. The request package shall list clearly the full name and nationality of the invitee, name of his religious organization, program, content, timing and duration, location, organizer's name, and information on the type of expected participants.

3. Within 10 business days from the receipt of a valid application package, the chairperson of the district-level PC shall respond in writing.

Section X

THE GOVERNMENT'S CONTROL AND OVERSIGHT OF BELIEF-RELATED AND RELIGIOUS AFFAIRS

Subsection 1

PRINCIPLE, CONTENT, RESPONSIBILITIES ASSOCIATED WITH THE CONTROL AND OVERSIGHT

Article 57 61. Principle governing the government's control and oversight

1. The government established a single control and oversight mechanism and ensures everyone's exercise of freedom of religion and belief.

2. Organizations and individuals exercise and ensure their freedom of religion and belief according to each entity's role, responsibilities and rights as prescribed by law.

3. Organizations and individuals violating the law on religion and belief shall be punished as prescribed by law.

Article 58 62. Elements of the government's control and oversight

1. Develop and direct strategies, projects, long-range plans, five-year plans and annual plans to control beliefS and religion.

2. Issue legal documents on religion and beliefs.

3. Implement policy and shape legal framework related to religion and belief.
4. Disseminate laws on religion and belief.
5. Define the government's system for controlling religion and beliefs.
6. Direct various agencies's interactions to implement policy on religion and beliefs.
7. Establish programs to study issues and train government employees on religion and beliefs.
8. Monitor, inspect, handle complaints and denouncements, and punish violations related to religion and beliefs.
9. Collaborate with external entities in the realm of religion and beliefs.

Article 59 63. Responsibilities of agencies and organizations tasked with religious and beliefs-related affairs

1. The central government guarantees freedom of religion and beliefs and unifies the control and oversight of religion and beliefs-related affairs throughout the entire country.
2. The central agency in charge of religious and beliefs is accountable to the central government with respect to the guarantee of freedom of religion and beliefs and the implementation of the central government's control and oversight.

The central government specifies the authority, mission, and organization of the agency in charge of religious and beliefs.

3. Ministries and equivalent agencies, and people's committees at various levels work to guarantee freedom of religion and beliefs and implement the central government's control and oversight according to each entity's function and authority as prescribed by law.

Article 60 64. Responsibilities of the Vietnam Fatherland Front and its member organizations

1. The Fatherland Front and its member organizations are tasked with:
 - a) Bring together citizens with beliefs or having a religious faith and citizens without such belief to achieve general solidarity among all the people, to build up and protect the nation;
 - b) Promptly bring the people's ideas, aspirations, petitions related to religion and belief to the attention of responsible government agencies;

c) Participate in the development of the law on religion and beliefs;

d) Actively spread information and enlist clergy members, other employees, people who took a monastic vow, religious adherents, people with beliefs, religious organizations, and the public in complying with the law on religion and belief;

e) Maintain oversight of the implementation of the law on religion and beliefs by government units, national assembly members, and government officials.

2. The Fatherland Front and social and political organizations are tasked with discussing and exchanging views on the central government's proposed policy, laws, plans, programs, aimed at economic, cultural, and social development related to religion and beliefs (except for matters involving national security), according to each entity's function and mission.

3. The Fatherland Front coordinates with government agencies in disseminating, advocating for, and implementing policy and the law on religion and beliefs.

Part 2

INSPECTION, RESOLUTION OF GRIEVANCES, HANDLING VIOLATIONS

Article 61 65. Religion and beliefs-related inspection

1. The central agency in charge of religious and beliefs has the responsibility to direct and establish a national program for inspecting agencies, organizations, and individuals with respect to religion and beliefs.

2. The mission of religion and beliefs inspectors includes:

a) Inspect the implementation of the law on religion and beliefs by people's committees at various levels;

b) Inspect the implementation of the law on religion and beliefs by shared belief centers, religious organizations, affiliates, clergy members, other employees, people who took a monastic vow, and believers;

c) Investigate when there are signs of violation.

Article 62 66. Resolution of complaints, litigation in the matter of religion and beliefs

1. Religious organizations, affiliates, clergy members, other employees, people who took a monastic vow, believers, others with interests and relevant duties may file complaints or seek redress against administrative decisions or actions related to religion and beliefs.

2. The process and procedures for resolving complaints against administrative decisions or actions related to religion and belief shall follow the law on grievances and complaints.

3. The process and procedures for resolving complaints against administrative decisions or actions related to religion and belief shall conform to regulations stemming from the law on administrative grievances and complaints.

Article 63 67. Resolution of denouncements of non-compliance in the matter of religion and belief

1. Organizations and individual may denounce violations of the law on religion and beliefs.

2. The resolution of such denouncements shall comply with regulations related to the law on denouncements.

Article 64 68. Handling violations

Those who violate the law on religion and beliefs or use religion and beliefs as a cover for illegal activities may be subject to administrative actions or criminal trials, depending on the severity of the violation; and, where applicable, are liable for damages as prescribed by law.

Section XI

IMPLEMENTATION CONDITIONS

Article 65 69. Transition considerations

1. Religious organizations currently registered, or recognized per regulations in the Ordinance on beliefs and religion do not need to register under this Law.

2. Religious councils, religious orders, and groups of people who took a monastic vow that are already registered per regulations in the Ordinance on beliefs and religion do not need to register under this Law.

Article 66 70. Effective date

This Law is effective as of

Article 67 71. Details to be promulgated

The government will promulgate details related to ~~process and procedures under Item 1 of Article 11, Articles 12, 14, 16, 18, 20, 22, 25, 27, 28, 29, 30, 31, 32, 38, 40, 41, 42, 48, 49, 50, 56, 59 and 60~~ of this Law.

This Law was passed by the National Assembly of the Socialist Republic of Vietnam, Session number..., on

CHAIR OF NATIONAL ASSEMBLY