

**Statement on the UPR Pre-session on the Vietnam
46th Session of the UN Universal Periodic Review**

February 2024, Geneva

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This statement is delivered on behalf of Boat People SOS (BPSOS) and The Coalition to Abolish Modern-day Slavery in Asia (CAMSA).

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ISSUE 1: HUMAN TRAFFICKING

Firstly, I applaud the Vietnamese Government for its support to tackle human trafficking.

On the other hand, it's troubling that the Vietnamese Government failed to comply with the Palermo Protocol as recommended in the previous review.

The anti-trafficking law in Vietnam does not have a provision to recognize migrant workers who became victims of forced labor exploitation in a foreign country. This loophole is especially shown in the case of repatriated victims of human trafficking from Saudi Arabia, where the women migrated to work as domestic workers in Saudi households and ended up being exploited. Despite their cases being brought up by the Special Rapporteur on Trafficking in Persons, after being repatriated, the victims were not recognized as victims of human trafficking and received no support from the government.

Furthermore, the Vietnamese government fails to comply with the non-punishment principle. In the past three years, thousands of Vietnamese were trafficked by online gambling companies in Cambodia and Myanmar. After being released, they were fined 125 to 200 USD at the Immigration border for illegally exiting the country. The Immigration police did not take into account that the victims illegally exited the country because they were being trafficked. There was no effort to identify whether these returnees were victims of human trafficking or not.

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We recommend that the Vietnamese government:

- Ensure that all repatriated victims receive effective remedies and prosecute the perpetrators according to the Palermo Protocol.
- Issue a provision on protecting migrant workers who are vulnerable to becoming victims of human trafficking.
- Set up an entity and mechanism to identify trafficked victims using victim-centered approaches.

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ISSUE 2 - Freedom of Religion

I want to emphasize the need to protect religious freedom for minority groups, especially with the Hmong in the North West and the Montagnard in the Central Highland of Vietnam.

In the last review, more than 11 countries offered recommendations on freedom of religion, especially for minorities. The Vietnamese government has not changed its strategy when approaching religious groups in Vietnam in the past four years. Many Hmong Christians in northern and central Vietnam were forced to abandon their religion. They have been threatened with eviction, arrest, confiscation of property, and revocation of personal documents for refusing to abandon their faith.

Furthermore, hundreds of Montagnard Christians in Central Highland were forced to abandon their house churches to join the Evangelical Church of Vietnam-South, which is a government-controlled organization. This act goes against their right to manifest and practice their faith in the way they choose, which is stipulated in Article 18 of the ICCPR.

Lastly, the Vietnamese Government does not recognize the H'mong and the Montagnard (Degar) as indigenous peoples, despite the international standard that allows those ethnicities to self-identify as indigenous people.

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Based on this, we recommend the Vietnamese Government to:

- Review “the 2016 law on belief and religion” and bring it into conformity with international human rights standards, particularly Article 18 of ICCPR;
- End the practice of forced renunciation and forced conversion of faith and sanction government officials committing such violations;
- Allow independent religious organizations to practice without any interference from the Government.

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Thank you for listening. We hope these recommendations will be adopted and implemented.