



Australian Government

Department of Foreign Affairs and Trade



DFAT COUNTRY INFORMATION REPORT VIETNAM

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ACRONYMS

AUD	Australian Dollar
CEMA	Committee for Ethnic Minority Affairs
CPV	Communist Party of Vietnam
CSO	Civil Society Organisation
GBV	Gender-Based Violence
ICCPR	International Covenant on Civil and Political Rights
ILO	International Labour Organization
KOL	Key Opinion Leader
LGBTQIA+	Lesbian, Gay, Bisexual, Transgender/gender diverse, Queer, Intersex, Asexual, or any other diverse sexual orientation or gender identity or expression
MPS	Ministry of Public Security
MSFJ	Montagnards Stand For Justice
MSGI	Montagnard Support Group Inc
NGO	Non-Government Organisation
NTP	National Target Program for Socio-Economic Development in Ethnic and Mountainous Areas
OHCHR	Office of the United Nations High Commissioner for Human Rights
PAPI	Provincial Governance and Public Administration Performance Index
SCB	Saigon Joint Stock Commercial Bank
UNAIDS	Joint United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
VBS	Vietnam Buddhist Sangha
VGCL	Vietnam General Confederation of Labour
VND	Vietnamese Dong (local currency)
VPA	Vietnam People's Army
WHO	World Health Organization

GLOSSARY

06 Centre	Facility for compulsory drug rehabilitation
Anh Duong	One-stop service centre for women and girls experiencing domestic and other forms of gender-based violence (GBV); ‘sunshine’ in English
Doi Moi	Economic reforms introduced in 1986; ‘renovation’ in English
Force 47	Vietnamese Government force reportedly used to monitor and troll online critics; also known as ‘Regiment 47’, ‘AK47’ or ‘e47’
Ho Khau	Household registration
Quan che	Supervised probation, applicable to people previously imprisoned for committing crimes against national security, dangerous recidivism and other crimes as prescribed by the <i>Criminal Code</i> (2015)

Terms used in this report

high risk	DFAT is aware of a strong pattern of incidents
moderate risk	DFAT is aware of sufficient incidents to suggest a pattern of behaviour
low risk	DFAT is aware of incidents but has insufficient evidence to conclude they form a pattern

official discrimination

1. legal or regulatory measures applying to a particular group that impede access to state protection or services that are available to other sections of the population (examples might include but are not limited to difficulties in obtaining personal registrations or identity papers, difficulties in having papers recognised, arbitrary arrest and detention)
2. behaviour by state employees towards a particular group that impedes access to state protection or services otherwise available, including by failure to implement legislative or administrative measures

societal discrimination

1. behaviour by members of society (including family members, employers or service providers) that impedes access by a particular group to goods or services normally available to other sections of society (examples could include but are not limited to refusal to rent property, refusal to sell goods or services, or employment discrimination)
2. ostracism or exclusion by members of society (including family, acquaintances, employers, colleagues or service providers).

1. PURPOSE AND SCOPE

1.1 The Department of Foreign Affairs and Trade (DFAT) has prepared this Country Information Report for protection status determination purposes only. It provides DFAT's best judgement and assessment at the time of publication and is distinct from Australian Government policy with respect to Vietnam.

1.2 The report provides a general, rather than an exhaustive, country overview. It has been prepared with regard to the current caseload for decision makers in Australia, without reference to individual applications for protection visas. The report does not contain policy guidance for decision makers.

1.3 Ministerial Direction 84 of 24 June 2019, issued under section 499 of the *Migration Act* (1958), states:

Where the Department of Foreign Affairs and Trade has prepared [a] country information assessment expressly for protection status determination purposes, and that assessment is available to the decision maker, the decision maker must take into account that assessment, where relevant, in making their decision. The decision maker is not precluded from considering other relevant information about the country.

1.4 This report draws on DFAT's on-the-ground knowledge and discussions with a range of sources in Vietnam and elsewhere. It also takes into account credible open-source reporting from government and non-government sources, including, but not limited to, the Government of Vietnam, United Nations agencies, human rights organisations, and local and international media. Where DFAT does not refer to a specific source of a report or allegation, this may be to protect the source.

1.5 This updated Country Information Report replaces the previous DFAT report on Vietnam published on 11 January 2022.

2. BACKGROUND INFORMATION

COUNTRY OVERVIEW

2.1 Modern-day Vietnam was previously ruled by France from the mid-19th century, including – with Laos and Cambodia – as part of French Indochina. Vietnam declared independence in September 1945, triggering the first Indochina War, in which the Viet Minh, a nationalist coalition led by the Communist revolutionary Ho Chi Minh, fought against the French colonial administration. Peace talks culminated in the Geneva Accords, signed in July 1954. These terminated France’s presence and secured Vietnam’s independence, albeit by dividing the country in two along the 17th parallel: (1) the Democratic Republic of Vietnam (‘North Vietnam’), led by Ho Chi Minh and backed by the Soviet Union and China; and (2) the Republic of Vietnam (‘South Vietnam’), led by Ngo Dinh Diem and backed by the United States. The Geneva Accords envisaged an election within two years to choose a president and unify the country; this never occurred.

2.2 In November 1955, North and South Vietnam entered the Vietnam War (also known as the Second Indochina War), a conflict between the forces of Communist North Vietnam and southern insurgents (known as the Viet Cong), on one side, and the anti-Communist Government of South Vietnam and its principal ally, the United States, on the other. The United States directly entered the war in 1965, carrying out extensive bombing campaigns in the north and south and deploying large numbers of ground troops (peaking at 500,000 in 1968). The United States began drawing down its forces in 1969 and withdrew from the war in January 1973, with the signing of the Paris Peace Accords. The last American troops departed in March 1973.

2.3 In April 1975, northern forces captured the southern capital of Saigon (now Ho Chi Minh City) and reunified North and South Vietnam under Communist rule as the Socialist Republic of Vietnam. According to official estimates, over 2 million civilians and nearly 1.5 million combatants died during the Vietnam War, which included spillovers into Laos and Cambodia. The Vietnam War also produced large numbers of refugees, who were granted protection abroad and established [diaspora communities](#). Australia has one of the largest Vietnamese diaspora communities in the world.

2.4 Vietnam and China share a 1,300-km land border and hold competing maritime claims in the South China Sea. The two countries fought a brief border war in 1979, which included China sending troops into northern Vietnam. Vietnam’s invasion of Cambodia in December 1978, to overthrow the Khmer Rouge regime of Pol Pot, was reportedly a factor in the Sino-Vietnamese War. Vietnam withdrew its forces from Cambodia in September 1989.

2.5 The Communist Party of Vietnam (CPV) maintains close political and social control of the population – the space for dissent is limited (see [Political Opinion](#)). Vietnam experienced major political changes in 2024. Nguyen Phu Trong, the General Secretary of the CPV, the most powerful position in Vietnam’s [political system](#), died in office in July 2024; Trong, who had held the position since 2011, was Vietnam’s longest serving General Secretary since reunification. To Lam, appointed State President in May 2024 and previously Minister of Public Security, formally succeeded Trong as General Secretary in August 2024, having earlier assumed the role on an interim basis. General Secretary Trong’s passing was preceded by what in-country sources described in May 2024 as unprecedented political flux by the standards of modern Vietnam.

2.6 In April 2024, Vuong Dinh Hue, Chair of the National Assembly (Vietnam's unicameral parliament) and the country's fourth-ranking politician, resigned, becoming the first National Assembly Chair not to complete their term. An official CPV statement attributed Hue's resignation to 'violations and flaws...[that] negatively affected the public perception and...reputation of the Party and the State'. Hue's resignation followed that of State President Vo Van Thong (number two in Vietnam's political system), on identical grounds five weeks earlier. Thong had served in the role for one year – the shortest presidency in Vietnam's modern history. Thong's predecessor as State President, Nguyen Xuan Phuc, resigned in January 2023, citing the alleged misdeeds of subordinate ministers as a factor. All three resignations were linked to an [anti-corruption campaign](#) overseen by then-General Secretary Trong. Luong Cuong, an army general, was appointed State President in October 2024, replacing General Secretary Lam in the role (Lam had held the roles of General Secretary and State President concurrently since July 2024).

DEMOGRAPHY

2.7 Vietnam had a population of 96.2 million at the time of its most recent census (2019). In 2024, the United Nations Population Fund (UNFPA) estimated Vietnam's population at 100 million. Over 70 per cent of the population was born after 1975 and the end of the [Vietnam War](#) (median age 33.1). While it recorded the highest proportion of young people in its history at the 2019 census (21 per cent of the population was aged 10 to 24), the World Bank forecasts Vietnam will become an aged society by 2035 (the result of increased life expectancy and a declining birth rate). At the time of publication, 10 per cent of the population was aged 65 or older.

2.8 Sixty per cent of the population lives in rural areas. Vietnam has urbanised at a rapid pace, as people [relocate](#) to cities in search of better paying jobs (parity between urban and rural populations is projected by 2030). Ho Chi Minh City, in the south, is Vietnam's largest city (11 million people) and commercial capital, followed by Hanoi, the administrative capital situated in the north (population 8.5 million). Other major population centres include Can Tho (1.9 million, south), Hai Phong (1.4 million, north), Da Nang (1.2 million, central coast) and Bien Hoa (1.1 million, south).

2.9 Vietnam adopted a two-child policy in 1988 to slow population growth. The two-child policy remained in force at the time of publication, although in-country sources, speaking in October 2023, said it was not enforced strictly, particularly in relation to ordinary people, and local media reported in July 2024 that the Government of Vietnam was considering scrapping the policy (see also [Women](#)). CPV members and public officials who violate the two-child policy can be reprimanded, including removal from their positions and expulsion from the party – the more children they have, the stiffer the reprimand, although, again, enforcement is not consistent.

2.10 The fertility rate has declined as Vietnam has grown richer: according to the UNFPA, Vietnam's fertility rate was 1.9 per woman in 2024 (replacement level is 2.1). Fertility rates are higher among [ethnic minority](#) women in rural and mountainous areas of the country, and lowest in Ho Chi Minh City (1.32 children per woman). To promote new births and counteract the impacts of an ageing society, the Government of Vietnam provides incentives to marry by the age of 30 and have two children by the age of 35. Vietnam has one of the highest sex imbalances at birth in the world, a function of [gender-biased sex-selection](#) – 112 boys were born for every 100 girls in 2023.

2.11 For ethnic demography, see [Race/Nationality](#). For religious demography, see [Religion](#).

ECONOMIC OVERVIEW

2.12 The World Bank classifies Vietnam as a lower middle-income country. Gross Domestic Product (GDP) per capita was USD4,000 (AUD6,400) in 2023. Incomes have expanded considerably in the last 20 years, although differences between urban and rural areas can be significant. Incomes are highest in Hanoi and Ho Chi Minh City (in July 2024, the monthly minimum wage in these cities was VND4.96 million or AUD312). Ho Chi Minh City is Vietnam's richest; the country's industrial engine and entrepreneurial hub, it contributes more than 20 per cent of national GDP. Services are the single largest economic sector, accounting for over 50 per cent of the economy, followed by manufacturing (33 per cent) and agriculture (15 per cent). Tourism and remittances from the Vietnamese diaspora are major sources of national income; in 2023, Vietnam received 12.6 million international visitors and USD16 billion in remittances, the equivalent of 4 per cent of national GDP. Much economic activity is [informal](#).

2.13 Beginning in 1986, Vietnam transitioned from a centrally planned to socialist-oriented market economy under structural reforms known as *Doi Moi* ('renovation'). *Doi Moi* promoted an export-led economic model, opened Vietnam to foreign investment, catalysed consistently high rates of growth and, with it, rapid development and poverty alleviation, allowing Vietnam to transition from a poor to middle-income country in one generation. Prior to *Doi Moi*, Vietnam was among the poorest countries in the world. In 2023, Vietnam's economy ranked 34th in the world by GDP (USD433 billion).

2.14 Exports and Foreign Direct Investment (FDI) are engines of growth: Vietnam is one of the most open, integrated and trade-dependent economies in the world. Exports contribute as much as 50 per cent of GDP and deliver a consistently large trade surplus (USD26 billion in 2023). Major exports include consumer electronics (smartphones are Vietnam's single biggest foreign currency earner), garments, footwear, rice and coffee. Vietnam is a leading destination for FDI in Southeast Asia and occupies a prominent role in global manufacturing supply chains – over USD23 billion was disbursed for FDI projects in 2023, primarily in the manufacturing sector.

2.15 Vietnam has a thriving private sector. VinFast, a Vietnamese manufacturer of electric vehicles, is one of the most valuable automakers in the world. Major multinational corporations (including Foxconn, Samsung Electronics, Intel and Canon) use Vietnam as a production base and are important sources of [employment](#), training and technology transfer. In October 2024, *The Economist Intelligence Unit* ranked Vietnam first in the world for improvements to the business environment in the 20-year period up to 2023 underpinned by, inter alia, liberal trade policies and public investments in infrastructure and human capital.

2.16 As elsewhere, the COVID-19 pandemic weighed on economic activity, although Vietnam fared well by international standards and avoided recession. Most COVID-19 restrictions, including international border closures, were lifted from March 2022. Vietnam's economy grew 8 per cent in 2022 – the fastest rate of growth in Southeast Asia. Growth moderated in 2023 (to 5 per cent) amid weaker global demand and an associated decline in exports, although Vietnam remained among the fastest growing economies in the region. Inflation in 2024 was close to the 4 per cent threshold set by the [National Assembly](#). In October 2024, the International Monetary Fund (IMF) projected economic growth of 6.1 per cent in 2024 and 6.1 per cent in 2025. The Government of Vietnam set a 2024 growth target of 7 per cent. Despite the impacts of a major natural disaster in September 2024 (Typhoon Yagi), the economy expanded 7.4 per cent year-on-year in the third quarter of 2024 – its fastest rate of growth in two years.

2.17 Vietnam's strong economic performance over several decades has resulted in significant poverty reduction and a growing middle class. The rate of multi-dimensional poverty was 4.3 per cent in 2022, down from 18 per cent in 2012 (and 58 per cent in 1993). Where it exists, poverty is concentrated in [ethnic minority](#) communities, which live primarily in rural and mountainous areas in the Northwest and Central Highlands, where the main industry (agriculture) is less productive and remote locations limit access to services and

markets. Addressing poverty within these communities is a longstanding priority for the Government of Vietnam. Extreme poverty among the Kinh (the largest ethnic group in Vietnam) has largely been eliminated. After completing a country visit in November 2023, the UN Special Rapporteur on the right to development recognised Vietnam's 'considerable advances' in implementing the UN's Sustainable Development Goals, including with respect to poverty reduction and access to clean water and sanitation. Nearly 100 per cent of rural households have electricity, up from 14 per cent in 1993. In 2022, the Global Food Security Index ranked Vietnam 46th in the world for food security, ahead of its mainland Southeast Asian peers, including Thailand. Vietnam sits in the UNDP's 'high human development' category (since 2019), indicating a long and healthy [life expectancy](#), access to [knowledge](#) and a decent standard of living.

2.18 Despite Vietnam's significant economic progress, in-country sources reported in October 2023 that economic factors remained the primary driver of emigration from Vietnam.

Employment

2.19 Revisions to the *Labour Code* (ratified in 2019 and effective from 2021) prohibit discrimination in employment based on sex, race, skin colour, nationality, [ethnicity](#), age, [religion](#), [political views](#), marital status, pregnancy, [disability](#), [HIV status](#) or membership of a union. The *Labour Code* (2019) likewise prohibits sexual harassment in the workplace. At the time of the 2019 census (the most recent), two-thirds of the population was of working age (15 to 64). The minimum monthly wage, as of July 2024, was approximately between AUD215 and AUD312, depending on locality (for Hanoi and Ho Chi Minh City, see [Economic overview](#)).

2.20 Since 2010, Vietnam's unemployment rate has consistently ranged between 2 and 3 per cent, although youth unemployment levels (ages 15 to 24) are higher. As an export-oriented economy, Vietnam is sensitive to global economic conditions: in response to subdued external demand for manufactured goods, the Asian Development Bank estimates 15,600 manufacturing firms, on average, closed monthly between January and August 2023, resulting in hundreds of thousands of job losses. The garment, footwear, woodwork and electronic component industries felt the brunt of the layoffs, with the southern manufacturing region, including Ho Chi Minh City, hit especially hard. Many of those laid off found alternative employment, including in agriculture, fishing and the gig economy, and national unemployment remained steady overall. The IMF projected unemployment of 2.1 per cent in 2024 and 2 per cent in 2025.

2.21 The agriculture sector employs 36.2 per cent of the labour force, followed by services (35.4 per cent) and manufacturing (28.4 per cent). The government is the single largest employer, with an estimated 4.5 million workers (over 8 per cent of the labour force). Public sector jobs, and the stability of employment they provide, are highly prized, although workers in the private sector can earn more. Public sector workers must undergo political and ideological training. According to the International Labour Organization (ILO), 80,000 Vietnamese leave the country for overseas employment each year.

2.22 Vietnam has high rates of informal employment. According to the General Statistics Office, Vietnam's official statistics agency, 33.6 million people – or 68.5 per cent of the working population – were employed informally in 2021 (this included 6 million informal workers in the formal economy). The rate of informal employment is significantly higher in rural areas: 96 per cent of workers in rural areas were employed informally in 2021. The majority of informal workers engage in agriculture, forestry, fishery, construction and family businesses. Most lack [social insurance](#) benefits and labour law protections, face greater job insecurity and lower pay, and are more likely to work in hazardous conditions.

2.23 At the time of publication, the age of retirement was 61 years for men and 56 years and four months for [women](#). Under the revised *Labour Code* (2019), the retirement age has increased annually by three months for men (until it reaches 62 in 2028) and by four months for women (until it reaches 60 in 2035). Early

retirement is possible in some circumstances and for some occupations (for example, people who have spent at least 15 years working highly laborious, toxic and dangerous occupations).

2.24 The CPV-affiliated Vietnam General Confederation of Labour (VGCL) is the only trade union in Vietnam (it has 11 million members). Under the *Labour Code* (2019), workers are theoretically permitted to form and join independent unions and to strike. In practice, there are no independent trade unions and strikes must be approved by the VGCL. Vietnam is considering ratifying the ILO's Convention on the Freedom of Association and Protection of the Rights to Organise (ILO Convention 87), which mandates the free establishment of trade unions. Vietnam ratified the ILO's collective bargaining convention (ILO Convention 98) in July 2019.

Welfare

2.25 Poor and other vulnerable groups – such as, but not limited to, ethnic minorities living in disadvantaged areas of the country, people with disability, the elderly and war veterans – are eligible for social assistance, including cash allowances, concessions and subsidies. Cash allowances are modest: in-country sources reported in October 2023 that they were insufficient to live on. In response to economic disruptions caused by the COVID-19 pandemic, the Government of Vietnam gave cash transfers to poor and near-poor households, social assistance beneficiaries and informal workers, and wage subsidies for formal sector workers.

2.26 The *Law on Social Insurance* (passed in 2014, amended most recently in June 2024) requires formally employed persons and their employers to make compulsory contributions to a state-managed social insurance fund. People who pay social insurance receive a retirement income (aged pension), and are likewise covered in the event of sickness, workplace accident or occupational disease, and if taking maternity leave. The Government of Vietnam introduced a voluntary contribution scheme in 2006, designed to expand social insurance coverage among informal workers, although uptake has been very low. Due to Vietnam's high rate of informal work, most people lack social insurance; in 2022, 38 per cent of the labour force was covered, mostly workers in the formal economy.

2.27 Amendments to the *Law on Social Insurance* passed in June 2024 and effective from January 2025 reduce the minimum number of years workers must have paid social insurance to be entitled to an aged pension from 20 to 15 years. The average monthly aged pension for those participating in the compulsory social insurance scheme was VND5.4 million (AUD340) in 2023. People not entitled to a social insurance pension are eligible for a non-contributory social pension from the age of 80. The social pension is modest (VND360,000, or AUD23, monthly in 2023, although people assessed as being in need, living alone without family support and/or with disability are eligible for a higher benefit). According to the ILO, as of August 2023, only 35 per cent of the population over the retirement age received a pension.

2.28 Formally employed persons who lose their jobs are covered by unemployment insurance funded by contributions from workers and employers. Like compulsory social insurance, unemployment insurance is linked to formal employment, and coverage is low (27 per cent of employed workers are insured according to the ILO). Beneficiaries are entitled to counselling and vocational training services in addition to payments. In 2018, payments were up to 60 per cent of one's monthly wage from the previous six months, plus allowances for health insurance and a re-employment bonus. Persons contributing to unemployment insurance for between one and three years are entitled to three months of benefits, with an extra month for every additional year of coverage.

2.29 The Government of Vietnam has made efforts to expand welfare coverage and benefits, including through amendments to the *Law on Social Insurance* (passed in June 2024 and effective from January 2025). In addition to reducing the threshold for pension eligibility (worker contributions of 15 years, down from the previous 20), the revised law aims to broaden the welfare net to more people, including those working part-

time and in family businesses. The Government of Vietnam has committed to increase pension payments (the National Assembly approved a 15 per cent increase effective from July 2024), including by ensuring employers contribute to the social insurance fund (some reportedly do not, despite being mandated to do so; the government said in February 2024 it was taking ‘drastic measures’ against employers that failed to pay). The UN Special Rapporteur on the right to development acknowledged Vietnam’s efforts to expand and strengthen welfare coverage following their visit to Vietnam in November 2023.

2.30 Welfare eligibility can be complex, and access should not be assumed. High rates of informal employment also significantly limit the number of people who can access social insurance and associated benefits. In-country sources said welfare programs were fragmented and not particularly well-targeted as of October 2023, although they acknowledged the Government of Vietnam’s efforts to make the welfare system better. Absent other means of support, such as family, sole reliance welfare would generally be insufficient to sustain a recipient.

Corruption

2.31 Transparency International ranked Vietnam 83rd out of 180 countries in its 2023 *Corruption Perceptions Index* (where one is least corrupt and 180 most corrupt). Vietnam’s score has improved significantly in recent years – it ranked 117th in 2018.

2.32 The *Law on Corruption Prevention and Combat* (passed in 2005, revised most recently in 2018) prescribes the prevention, detection and handling of corruption in the public and private sectors. Acts of corruption identified by the *Law on Corruption Prevention and Combat* (2018) include: embezzlement; taking, giving or brokering bribes; abusing one’s official capacity for personal gain; and impersonation for personal gain. The *Law on Corruption Prevention and Combat* (2018) requires state and non-state organisations to implement preventive measures, inform competent state authorities of suspected acts of corruption, render cooperation with investigations, and protect the rights and interests of individuals who report, provide information or file complaints against corrupt activities (‘informers’). The *Law on Corruption Prevention and Combat* (2018) grants every citizen the right to discover and report acts of corruption, and the right to protection.

2.33 In-country sources, speaking in October 2023, said whistleblower protections were not always applied in practice, and whistleblowers risked having their identities revealed and being subjected to reprisals, particularly where the accused held a senior position. Officials are legally obligated to report conflicts of interest where they arise and implement mitigation strategies. Commissioned police and military officers, career military personnel, deputy managers and above in state agencies and state-owned enterprises, and nominees for National Assembly and People’s Councils must declare their assets and income, including any overseas property and accounts. Some economic crimes (embezzlement, receiving bribes) carry the death penalty, although, where applied, the death penalty is typically not implemented in such cases.

2.34 Addressing high-level corruption was a core theme of the leadership of CPV General Secretary Nguyen Phu Trong (2011-2024). Characterising corruption as an existential threat to the CPV’s legitimacy, General Secretary Trong oversaw a wide-ranging crackdown known colloquially as the Blazing Furnace, resulting in the arrest and conviction of hundreds of senior state officials, including ministers, provincial party secretaries, and members of the CPV’s Central Committee and Politburo, Vietnam’s top decision-making body. Local and international media linked the resignations of then-National Assembly Chair Hue (April 2024), then-State President Thuong (March 2024) and then-State President Phuc (January 2023) to corrupt practices by subordinates. Former ministers have received prison sentences ranging from 18 years to life for bribe-taking. To Lam, who replaced Trong as General Secretary following the latter’s passing in July 2024, has said rooting out corruption would remain a high priority under his leadership.

2.35 The private sector – particularly finance, banking and real estate – has been a growing focus of the CPV’s anti-corruption efforts. In April 2024, Truong My Lan (chairwoman of property development group Van Thinh Phat and one of Vietnam’s wealthiest people) was sentenced to death for embezzling USD12.5 billion from the Saigon Joint Stock Commercial Bank (SCB) between 2012 and 2022 – the largest financial fraud in Vietnam’s history. Another 83 defendants, including SCB executives and Government of Vietnam officials, received prison sentences ranging from three years to life for their involvement (in May 2024, state media reported that Le Thanh Hai, a former member of the Politburo, was arrested in relation to the case). Lan, a prominent real estate tycoon, was found to have used thousands of ghost companies and bribery of government officials – including from the State Bank of Vietnam (Vietnam’s central bank) and the State Audit Office of Vietnam (Vietnam’s anti-corruption agency) – to carry out the fraud. Lan lost her appeal against the [death penalty](#) in December 2024 (her sentence could be commuted to life imprisonment if she returns most of the embezzled money).

2.36 In-country sources, speaking in October 2023, said the Blazing Furnace’s high profile acted as a deterrent, and had reduced corruption in government and the bureaucracy. In-country sources reported the Blazing Furnace also had the unintended consequence of slowing down government decision making – they said officials were fearful of being inadvertently implicated in anti-corruption investigations and, to protect themselves, exercised extreme caution when processing approvals, even those of a routine nature. According to in-country sources, this risk aversion caused delays in government spending and procurement, including for large infrastructure projects, made it more difficult for foreign donors to secure approval for development projects, and dented investor confidence.

2.37 In-country sources reported in October 2023 that corruption still occurred at a lower, day-to-day level. Public sector wages are low (they lag behind the private sector) and are cited as a factor in corruption. According to in-country sources, giving bribes to officials – which, they said, could take the form of cash or gifts – was normalised and culturally accepted. In-country sources said bribes to expedite the issuance of documentation (including passports), have documents verified in a timely manner, obtain land use right certificates, avoid traffic fines, pass health inspections and secure enrolment in good schools were common as of October 2023. According to in-country sources, bribes in public [healthcare](#) settings and the [courts](#) were common, and could also help in avoiding [military service](#) and facilitating illicit movements across [borders](#).

2.38 The 2023 *Provincial Governance and Public Administration Performance Index* (PAPI), an annual survey by the United Nations Development Programme (UNDP) into community perceptions of government performance at the provincial level released in April 2024, found that citizen perceptions of public sector corruption at the local level had improved from a year earlier, including in relation to bribes for [land use](#) rights certificates, public health services, teacher favouritism and avoidance of environmental regulations. PAPI respondents nevertheless reported that bribes and nepotism for public sector employment (e.g. land registrars, judicial officers, police, teachers, People’s Committee staff) remained common, in poor and better-off provinces alike.

2.39 Mechanisms exist to report corruption by state officials. However, in-country sources reported in October 2023 that there was a general reluctance to report corruption, particularly when senior officials were involved, due to fear of reprisals. International non-government organisations (NGOs) have reported instances of journalists being imprisoned on the grounds of abusing democratic freedoms for reporting on official corruption. In June 2023, an anti-corruption campaigner in Dak Lak Province was convicted of spreading anti-state propaganda and handed an eight-year prison sentence (they had campaigned against local corruption, and also advocated for multi-party elections and freedoms of expression and religion).

2.40 For more information on corruption among the police, see [Police](#).

Education

2.41 The 2013 Constitution commits the state to provide primary education free of charge, achieve universal secondary education, and develop higher and vocational education. It prioritises educational development in regions with extremely difficult socioeconomic conditions, including regions inhabited by [ethnic minorities](#).

2.42 Education is in Vietnamese, free and compulsory until the age of 14. Tuition fees may apply (students in ethnic minority and remote areas, and students in economic hardship, have exemptions). Almost all students attend public schools. Private education services are available and increasingly popular with middle-class families. Some students in remote areas may choose not to attend school regularly (or drop out entirely) in order to support their families in agriculture or tourism, and also following [early marriage](#). A [birth certificate](#) and local [residence registration](#) are needed to enrol in school.

2.43 Vietnam has a strong cultural commitment to education, as reflected in high levels of school enrolment and duration of schooling (on the latter, at 10.2 years, Vietnam lags behind only Singapore in Southeast Asia). At the time of the 2019 census (Vietnam's most recent), 98 per cent of children were enrolled in primary education, 89.2 per cent in lower secondary education and 68.3 per cent in upper secondary education. The 2019 census found that children were most likely to be out of school in the Central Highlands and Mekong River Delta, regions populated by [ethnic minorities](#). Nearly 98 per cent of the population aged 15 and above is literate (literacy levels are lower among some ethnic minorities). [Women](#) and girls enjoy parity with men and boys in enrolment in secondary and tertiary education, and have a literacy rate of 97.8 per cent. *The Economist*, in June 2023, described Vietnam's education system as one of the best in the world. Vietnam scores highly in international assessments of reading, maths and science, particularly for its stage of development, and outperforms some wealthier countries in the Organisation for Economic Co-operation and Development's (OECD) Programme for International Student Assessment.

2.44 Teacher standards are high; teachers receive regular training and are assessed on the performance of their students. To bridge regional variations, provinces are required to spend 20 per cent of their budgets on education, and teachers posted to remote areas are paid more. The Government of Vietnam operates boarding and semi-boarding schools at the secondary level in remote and mountainous areas of the country to improve access to education for children in these areas (usually ethnic minorities). In-country sources reported in October 2024 that students at boarding schools could return home during summer holidays and the Tet Lunar New Year, while students at semi-boarding schools were free to return home on weekends (although some chose not to).

Health

2.45 The 2013 Constitution commits the state to provide health insurance for all Vietnamese citizens, and to prioritise healthcare for [ethnic minorities](#) and others living in extremely difficult socioeconomic conditions. The public health system includes an extensive grassroots network of primary healthcare delivery. Vietnam has strong health indicators for its level of development, including with respect to infant and maternal mortality. Almost all live births, including in remote areas, are attended by skilled health personnel. Life expectancy in 2024, according to the UNFPA, was 75 (80 for [women](#), 70 for men).

2.46 Health insurance is compulsory for all Vietnamese citizens. The Government of Vietnam began implementing universal health insurance in 2009, with an initial focus on the poor, near-poor and informally employed. According to the World Bank, in 2023, 93 per cent of the population had health insurance through the government's national health insurance scheme, which covers medical services and treatments approved by the Ministry of Health. The national health insurance scheme includes contributions from employers and

employees. Health insurance may alternatively be obtained through one's household (rather than employer), which requires contributions from adult household members. In-country sources said health premiums were modest (around VND700,000, or AUD44, annually in October 2023). Poor households, ethnic minorities living in disadvantaged areas of the country, children under the age of six, the elderly (80 years and above) and those on a state pension receive free insurance – they do not pay premiums or medical expenses, including for prescriptions. The Government of Vietnam heavily subsidises premiums for households classified as near-poor, as well as for students and beneficiaries of [social assistance](#) programs. People without health insurance can access healthcare but need to pay for expenses in full.

2.47 Access to medical services and treatments not covered under the national health insurance scheme require payment. According to in-country sources, as of November 2024, health insurance only paid for medical examinations and treatment services. Preventive services including cervical cancer screening (Pap smears), mammograms, colonoscopies and Pre-Exposure Prophylaxis (PrEP) were not funded. In-country sources said out-patient clinics in public hospitals charged for many services. Where out-of-pocket costs applied, these were subsidised and generally affordable according to in-country sources. Out-of-pocket costs are higher in central and provincial-level hospitals; however, so is the level of care provided. [Bribes](#) may also need to be paid – PAPI has consistently found that bribes are common in public hospitals. According to the 2023 PAPI, 40 to 80 per cent of public hospital users in 40 provinces reported paying bribes in 2023. Bertelsmann Stiftung, an independent German foundation, reported in 2024 that petty corruption was an ongoing concern in the public healthcare system.

2.48 Healthcare services are widely available, including in rural areas, although facilities and quality of care are better in cities. The public health system comprises hospitals at the national and provincial levels; health centres at the district level; and health stations at the commune level. District health centres and commune health stations are considered grassroots healthcare providers – they offer preventive and curative health services, and are the first level of care for most people. Commune health stations are located in both urban and rural areas; according to the World Health Organization (WHO), 99 per cent of communes had health stations in 2023. Health stations provide basic care, including diagnosis and treatment; on average, they have five health workers, including nurses, obstetricians or midwives and, in most cases, doctors. According to the Government of Vietnam, as of February 2024, over 92 per cent of health stations had a doctor. District health centres are the next tier of care and provide in-patient hospital services and, if needed, referrals to hospitals at the provincial and national levels. Some districts may also have hospitals.

2.49 In-country sources reported in October 2023 that the quality of care provided by health centres and health communes varied from place to place. They said those in poorer parts of the country often lacked resources, including experienced staff, modern medical equipment and, in some cases, basic items, and the quality of care was generally inferior to that at the provincial and national levels. Many patients choose hospital care over health centres and commune stations, resulting in overcrowding in provincial and national hospitals. In-country sources said, owing to distance, [ethnic minorities](#) in remote areas of the country were more likely to seek healthcare through a grassroots provider than a hospital (according to in-country sources, ethnic minorities in remote areas of the country could generally access a hospital within two hours). Hospital translation services for patients who do not speak Vietnamese are not available. According to Government of Vietnam statistics published in 2021, 50 per cent of health professionals worked in hospitals, 35 per cent in health centres and 15 per cent in health stations.

2.50 Private healthcare services are available, including private hospitals and clinics (in 2023, more than 35,000 private clinics countrywide provided primary healthcare services). Private healthcare providers are concentrated in urban areas and their services are beyond the means of the average person. In-country sources reported that, as Vietnam's middle class had expanded, more households accessed healthcare through the private system, particularly in wealthier parts of the country, like Hanoi and Ho Chi Minh City. In

2023, the private system provided healthcare to 17 per cent of all in-patients and 28 per cent of all out-patients in Vietnam.

2.51 In-country sources reported in October 2023 that medication for common conditions was usually available and affordable for the average person (generic drugs are cheap). According to in-country sources, challenges in government procurement could occasionally lead to shortages in some essential drugs and vaccines – such as [HIV Anti-Retroviral Therapy \(ART\)](#) and routine childhood immunisations – in public medical facilities (international donors had provided procurement support in such instances). Medication is produced both domestically and imported. Health insurance fully covers the cost of medical services, including prescriptions, for vulnerable groups.

2.52 As of October 2023, the Government of Vietnam had recorded 11.6 million official cases of COVID-19 and 43,200 official deaths. The rollout of COVID-19 vaccines commenced in March 2021; according to the Government of Vietnam, by the end of 2022, nearly 100 per cent of the population aged 12 and above was double vaccinated, and 87 per cent of over 18s had received booster shots. In-country sources reported in October 2023 that COVID-19 vaccinations and medical care were provided in an impartial manner.

2.53 Vietnam has a functioning healthcare system, including primary healthcare at the grassroots level. DFAT assesses there is no official discrimination on ethnic or religious grounds in accessing healthcare, including with respect to COVID-19 vaccinations. Although equitable access to healthcare services is more difficult for those without health insurance (e.g. those lacking identity documents), most people have health insurance and means exist to access basic healthcare services regardless. Basic healthcare services in rural and remote areas are available; however, they are of lower quality to those in urban areas, and more difficult to access for people living in remote areas.

Mental health

2.54 According to Vietnam's Ministry of Health, mental illness affected 14 per cent of the population in 2023. In-country sources said in October 2023 that the most common forms of mental illness were disorders related to alcohol consumption, anxiety and depression. To promote better detection and treatment, in February 2022, Vietnam adopted a national plan to avoid non-communicable diseases and mental health disorders.

2.55 Publicly funded mental healthcare services are available in urban and rural areas, although limited in the latter. According to in-country sources, while there were some out-of-pocket costs for users, these were generally minimal and affordable as of October 2023. Specialised mental health hospitals and psychiatric units in general hospitals provide dedicated in-patient care for people experiencing severe illness, and out-patient treatment facilities for those requiring short-term care. Private facilities are also available, and some [civil society organisations](#) (CSOs) and [religious organisations](#) provide mental healthcare services. In-country sources reported that, as of October 2023, a National Institute of Mental Health (in Hanoi) and two national psychiatric hospitals (in Hanoi and Bien Hoa, the latter located in the south) operated at the national level. At the provincial level, as of October 2023, there were 36 psychiatric hospitals (24 across 31 northern provinces, 12 across 32 southern provinces), 25 psychiatric departments in general hospitals (11 across 31 northern provinces, 14 across 32 southern provinces), and mental health units attached to Centres for Social Diseases and Medical Prevention. At the grassroots level, in-country sources said mental healthcare could be accessed through district health centres and commune health stations. Medication to treat mental illness can be accessed through hospitals, health centres and health stations, although in-country sources reported that health stations (which operate at the commune level) only distributed medication for schizophrenia as of October 2023. Most medications are covered under the [national health insurance](#) scheme. According to in-country sources, medication was the primary form of treatment used to treat mental illness – counselling or psychotherapy were not sufficiently developed, and Vietnam had an acute lack of mental health professionals.

2.56 In-country sources, speaking in October 2023, said mental healthcare services at district health centres and commune health stations were limited, inadequate and some staff lacked the knowledge to treat mental illness, compared to the general quality and accessibility of services in major cities, including Hanoi and Ho Chi Minh City. Countrywide, at the time of publication, there were approximately 1,000 psychiatrists and even fewer psychologists (psychotherapy is currently not recognised as official therapy; psychologists are considered ‘technicians’ rather than professionals and can only provide psychological tests). In-country sources said severe conditions generally required in-patient care at provincial- or national-level hospitals, which could pose practical barriers to those living in remote areas.

2.57 In-country sources reported in October 2023 that the Government of Vietnam and Vietnamese society more broadly were paying closer attention to mental health since the COVID-19 pandemic, although state funding was limited and there remained a general societal reluctance to speak openly about mental health.

2.58 Stigma and feelings of shame are barriers to treatment, and some people or their families may deny a mental health problem exists in the first place. Mental illness was considered a form of weakness, particularly in the case of more severe conditions, and in-country sources reported in October 2023 that stigma was greater in rural areas, where there was less awareness and understanding of mental illness compared to urban settings. In-country sources reported stigma was most acute for schizophrenia. Depression, anxiety and post-traumatic stress disorder attracted less stigma, as most people did not associate these with mental illness. Young people may be more willing than older people to self-describe as mentally unwell and seek treatment. In-country sources estimated that only 10 per cent of people living with a mental illness sought treatment as of October 2023.

2.59 Mental healthcare services are available to those who need them, regardless of ethnicity, religion, sexual orientation or gender identity. Distance may be a practical barrier to access for those living in remote areas, and social stigma may encourage people to delay or forego treatment. DFAT assesses there is a low risk of official discrimination and a moderate risk of societal discrimination against people living with mental illness, with those living in cities attracting less stigma and able to access better services.

Illicit drug users

2.60 There were 244,000 registered drug users in Vietnam in June 2023, of whom 194,000 were officially considered drug dependent. Synthetic drugs, including amphetamine-type stimulants, are the most widely used illicit substances in Vietnam. In-country sources reported in October 2023 that cannabis, cocaine and heroin were also used. Some drug offences may attract the [death penalty](#).

2.61 The *Law on Prevention and Control of Narcotic Substances* (passed in 2000, revised in 2021) provides for voluntary and compulsory rehabilitation for people living with drug addiction. According to the *Law on Prevention and Control of Narcotic Substances* (2021), drug-dependent persons who fail to register for, fail to undergo or stop voluntary rehabilitation without permission; are found to have used an illicit substance while undergoing voluntary rehabilitation; are dependent on opioids and fail to register for, fail to undergo or stop opioid substitution therapy without permission; or relapse while subject to post-rehabilitation management must undergo compulsory rehabilitation in government-managed rehabilitation centres (‘06 Centres’). DFAT understands approximately 23,000 people, including minors, were undergoing compulsory rehabilitation in 06 Centres in 2022. Compulsory rehabilitation typically lasts one year, although some patients remain in care for longer. Conditions in 06 Centres vary. Some in-country sources in October 2023 described conditions as poor and similar to [prisons](#), although other in-country sources said they were clean and organised. People who complete drug rehabilitation are subject to post-rehabilitation management in their place of residence (of one year for those who have completed voluntary rehabilitation, of two years for those who have completed compulsory rehabilitation). Drug rehabilitation services are also provided by [religious organisations](#).

2.62 People addicted to heroin and other opioids may be diverted to government-subsidised opioid substitution therapy with methadone or buprenorphine. Opioid substitution therapy was first introduced in 2008. In-country sources reported that, as of October 2023, opioid substitution therapy was available countrywide, including in rural and remote areas; was highly subsidised; and had helped to reduce the number of people in O6 Centres. According to in-country sources, 52,000 people were receiving opioid substitution therapy in October 2023. Patients in some provinces can have methadone or buprenorphine doses delivered to their homes rather than having to travel to a dispensing clinic. In-country sources described Vietnam's opioid addiction system as 'extensive'.

2.63 It is unclear on what grounds a person living with addiction to heroin and other opioids would be taken to an O6 Centre rather than given drug substitution treatment. Drug substitution treatment is only available to illicit opioid users. In general, if an illicit opioid user is referred to treatment through the health system, they are more likely to receive drug substitution treatment; if referred by the [police](#), they are more likely to be placed in an O6 Centre. DFAT understands from in-country sources that, as of October 2023, people apprehended by the police more than once were more likely to be taken to an O6 Centre.

2.64 There is significant social stigma associated with illicit drug use. People living with addiction to illicit drugs are considered 'morally weak' and may experience discrimination from families, employers and when seeking to access housing. Stigma may exist against former and recovering drug users, although in-country sources reported in October 2023 that rehabilitated former drug users could generally lead normal lives. It may be possible to hide former drug use from an employer; however, families and communities are likely to know if a person is, or has been, a drug user. Drug users who have contracted HIV also face further discrimination, see below.

People living with HIV

2.65 In 2023, around 233,000 people were living with HIV in Vietnam. HIV is primarily concentrated among men who have sex with men, people who inject drugs, female sex workers and transgender people. The *Law on Prevention and Control of HIV/AIDS* (passed in 2006, revised in 2020) grants people living with HIV, including people in detention, the right to treatment and commits the state to providing anti-retroviral medicine free of charge to people infected by or exposed to HIV. The *Labour Code* (2019) prohibits discrimination on the grounds of HIV status. Deliberately transmitting HIV to another person without that person's knowledge is a criminal offence; prison sentences range from three to 20 years.

2.66 In-country sources said in October 2023 that there was a strong political commitment to contain the spread of HIV and eliminate AIDS, and that the Government of Vietnam took the matter very seriously. In October 2014, Vietnam became the first country in Asia to commit to targets set by the Joint United Nations Programme on HIV/AIDS (UNAIDS) regarding HIV testing and treatment and, in August 2020, adopted a national strategy to end AIDS by 2030. New HIV infections declined 60 per cent between 2010 and 2021, including due to the introduction of needle and syringe programs and opioid substitution therapy (see also [Illicit drug users](#)).

2.67 In 2022, according to UNAIDS, 89 per cent of people living with HIV in Vietnam knew their positive status; 73 per cent of people who knew they were living with HIV were receiving ART treatment; and 72 per cent of patients receiving ART had achieved viral suppression.

2.68 In-country sources reported in October 2023 that HIV testing and treatment services were available countrywide, including at the district and commune levels. The [national health insurance](#) scheme covers some, though not all, treatment costs. HIV-positive people with health insurance can access ART, opportunistic infection treatment and CD4 count tests free of charge (in-country sources reported shortages of ART in public medical facilities in recent years, owing to challenges in government procurement, with the Government of Vietnam seeking international donor support to fill gaps). HIV treatments not covered by health insurance,

such as PrEP and viral load testing, require payment; however, in-country sources said it was not uncommon for clinics receiving donor funding to provide PrEP free of charge or at minimal cost and that, where payments for HIV treatments were required, the cost was affordable to most. PrEP tablets, which can significantly reduce the risk of HIV, were first introduced in Vietnam in 2017 and are available for people at high risk of infection. Condoms, needles and syringes are provided free of charge to high-risk cohorts. According to in-country sources, Vietnam fared favourably in relation to the availability and accessibility of HIV treatment services by regional standards.

2.69 People living with HIV experience higher rates of poverty and unemployment compared to the general population, and also face social stigma due to assumptions about the circumstances in which they were infected. In-country sources reported in October 2023 that stigma could manifest itself in societal discrimination in school, the workplace and health settings, and said information relating to a positive HIV status might not be treated confidentially by health providers. People living with HIV may therefore seek to defer treatment or conceal their status, particularly to people not in their inner circle, including by seeking treatment outside of their hometowns, which necessitates travel and associated expenses. According to in-country sources, stigma against HIV infection itself was probably not as strong as the stigma directed at groups vulnerable to HIV (e.g. sex workers and [people who use illicit drugs](#), who faced strong stigma regardless of their HIV status). Stigma may also apply to PrEP users, where people seeking access to such preventive treatments are perceived as promiscuous or ‘not clean’.

2.70 DFAT assesses people living with HIV face a low risk of official discrimination, noting they are generally able to access treatment. DFAT assesses people living with HIV face a moderate risk of societal discrimination. See also [Sexual orientation and gender identity](#) and [Illicit drug users](#) for assessment of intersectional risks.

POLITICAL SYSTEM

2.71 Vietnam is a one-party state ruled by the CPV. Other political parties are prohibited. The 2013 Constitution designates the CPV as ‘the leading force of the state and society’. CPV members hold all senior government and [military](#) positions.

2.72 The National Congress is the CPV’s largest decision-making body, with 1,600 delegates. It convenes every five years, most recently in January and February 2021. National Congress delegates elect the 200-member Central Committee, Vietnam’s second-highest decision-making body, which meets biannually. The Central Committee, in turn, elects the Politburo, Vietnam’s most powerful decision-making body.

2.73 The General Secretary of the CPV sits at the top of Vietnam’s political system: they head the Party, the Politburo and the Central Military Commission (the pre-eminent body for [military](#) policy). The General Secretary is chosen by the Central Committee. The State President (head of state), Prime Minister (head of government) and Chair of the National Assembly (Vietnam’s unicameral parliament) are powerful figures, albeit subordinate to the General Secretary as supreme leader (sitting second, third and fourth in Vietnam’s political hierarchy, respectively).

2.74 The 500-member National Assembly (*Quoc Hoi*) is the highest representative body of the Vietnamese people and Vietnam’s chief lawmaking body. It has exclusive constitutional and legislative powers and a broad mandate to oversee government functions. The National Assembly formally appoints the State President, Prime Minister, Ministers and the Chief Justice (candidates are confirmed in advance by the CPV’s Central Committee). National Assembly elections are held every five years by popular vote, most recently in May 2021. Candidates may self-nominate, including as independents. The candidate selection process includes three rounds of community consultations at both the national and provincial levels. All nominees must be vetted and approved by the Vietnam Fatherland Front, a CPV-affiliated organisation, before they can stand for election. Over 97 per cent of delegates to the current National Assembly are CPV members; its Chair is a

member of the Politburo. Self-nominated delegates are not necessarily independent of the CPV in practice – those that are successful (a minority) tend to have party links of some sort. The National Assembly holds two annual sessions of 30 days each; extraordinary sessions may also be held (several of which were convened during the National Assembly’s most recent term, mainly to discuss personnel matters).

2.75 Administratively, Vietnam is organised into 58 provinces and five centrally run cities (Can Tho, Da Nang, Hanoi, Hai Phong and Ho Chi Minh City) grouped into eight regions (Northwest, Northeast, Red River Delta, North Central, South Central Coast, Central Highlands, Southeast and the Mekong River Delta). Centrally run cities are administered by the national government; they are equal in status to provinces. Provinces and centrally run cities are divided into districts (over 700) and communes (around 11,000). Local government consists of People’s Councils and People’s Committees. People’s Councils represent the authority of the state at the provincial level; its members (councillors) are popularly elected. Like the National Assembly, candidates for People’s Councils must be approved by the CPV. Elections are held every five years. Councillors, in turn, appoint and oversee People’s Committees, which carry out administrative duties and implement state policies at the provincial, district and commune levels.

2.76 Citizens have the right to vote from the age of 18. Voting for National Assembly and People’s Council elections is not compulsory, although social pressure to vote at National Assembly elections is high, making it essentially mandatory in practice. The National Election Council reported voter turnout of 99.6 per cent at the last election for National Assembly (May 2021).

Human Rights Framework

2.77 Vietnam has ratified seven of nine core UN treaties relating to human rights, including the International Covenant on Civil and Political Rights (ICCPR); the International Covenant on Economic, Social and Cultural Rights; the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW); the Convention on the Rights of the Child; and the Convention on the Rights of Persons with Disabilities (for a full list, see [here](#)). Vietnam did not have a [national human rights institution](#) at the time of publication.

2.78 The 2013 Constitution guarantees political, civil, economic, cultural and social rights in accordance with the law, including rights to freedom of [opinion](#), assembly, association, [religion](#) and belief. These rights may be restricted for reasons of national defence, national security, social order, social morality and community well-being (and they regularly are in practice). The 2013 Constitution stipulates that all citizens are equal before the law and prohibits discrimination on political, civic, economic, cultural or social grounds.

2.79 The *Labour Code* (2019) prohibits discrimination in [employment](#), including on grounds of gender, race, nationality, ethnicity, skin colour and disability. Other specific laws and government regulations provide protections to, and seek to promote the rights of, [people with disability](#) and [women](#), including women experiencing [domestic violence](#). There are no laws explicitly prohibiting discrimination against [LGBTQIA+](#) persons.

SECURITY SITUATION

2.80 Vietnam is generally regarded as a safe country: it has low levels of violent crime, gun violence is uncommon and [police](#) are a visible presence. The intentional homicide rate was 1.5 per 100,000 people in 2015 according to UN data (most recent available). In-country sources reported in October 2023 that Hanoi, as the centre of the party and government, was particularly safe, with petty or street crime more likely to occur in Ho Chi Minh City. Social unrest and acts of terrorism in Vietnam are extremely rare. The state has a

monopoly on the use of force, and the state's authority extends throughout Vietnam's territory, including in areas occupied by [ethnic minorities](#).


2.81 In June 2023, in a rare politically motivated security incident, 30 armed assailants attacked two police stations and a [People's Committee](#) headquarters in the Central Highlands province of Dak Lak; nine officials – including four police officers and the local CPV Secretary and mayor – were killed. Dak Lak is ethnically diverse and home to the [Montagnards](#), a broad grouping of distinct tribal peoples who sided with the American-backed Republic of Vietnam during the [Vietnam War](#) and who in the past have sought greater autonomy or independence. The Government of Vietnam rejects the term '[Montagnard](#)' and the groups themselves do not identify as 'Montagnard'; it is used in this report for brevity. In-country sources reported that the attacks coincided with land confiscations for public construction projects and crackdowns on unregistered [religious activity](#) in the area.

2.82 In January 2024, state media reported 100 people were sentenced in a five-day mass trial for their involvement in the attacks in Dak Lak, of whom 10 received life sentences for conducting terrorism aimed at opposing the people's government. The remainder received prison terms ranging from 3.5 to 20 years, mostly on terrorism-related charges, and were also ordered to financially compensate the victims and pay damages for the destruction of property. The [death penalty](#) (highest punishment for terrorism) was not applied. The majority of defendants (93) were ethnic minorities; some – believed to be living abroad – were convicted in absentia. The authorities said the defendants were incited to carry out the attacks by foreign-based organisations Montagnards Stand for Justice (MSFJ, based in Thailand) and the Montagnard Support Group Inc (MSGI, based in the United States). The MSFJ and MSGI were subsequently proscribed as terrorist organisations by Vietnam. Security in the region has since been tightened.

2.83 Organised crime exists in Vietnam, some of which has national and international reach. Criminal syndicates are involved in gambling, prostitution, cybercrime, and trafficking in drugs, [people](#), [organs](#) and wildlife. Criminal syndicates are also known to produce counterfeit documents (including documents used by immigration agents – see [Prevalence of fraud](#)), provide moneylending services (see [Loan sharks](#)) and extort businesses in the form of monthly payments for protection services. In-country sources, speaking in October 2023, said businesses providing 'night services' (restaurants, nightclubs, karaoke bars) were most likely to be targeted for extortion, with the quantum determined by how much money a given business generated (that is, the more money a targeted business generated, the more it paid in protection money). According to in-country sources, organised criminal activity was most prevalent in border areas, particularly along Vietnam's border with Cambodia; it was less of a concern in Hanoi (they said there was more organised crime in Ho Chi Minh City than Hanoi).

2.84 Vietnam's Ministry of Public Security (MPS), which is responsible for internal security and oversees the [police](#), reported dismantling nearly 600 criminal syndicates in 2022, and local media reported the MPS disrupted several criminal syndicates involved in the production of counterfeit documents in 2024. In-country sources said law enforcement most actively targeted criminal syndicates engaged in people and drug trafficking and cybercrime.

2.85 While they are active, in-country sources reported in October 2023 that criminal syndicates posed a low risk to the average person, and, where somebody became a target, were more likely to be subjected to intimidation, psychological pressure and other forms of harassment, including online, than physical violence (see also [Loan sharks](#)). People affected by criminal syndicates, including businesspeople subjected to extortion, can access state protection via the police; however, they may be reluctant to do so in practice due to perceived connections between criminal syndicates and the police and associated fears of reprisals, as well as perceptions the police response would be slow and bureaucratic (in-country sources said most instances of extortion were not reported for these reasons). Likewise, people affected by criminal syndicates can [relocate](#)



internally, although perceived connections between criminal syndicates and the police – and associated fears that one’s new location could be disclosed – may act as a deterrent in practice.

2.86 In-country sources that DFAT spoke to in October 2023 were not aware of the Government of Vietnam employing criminal syndicates to harass and intimidate people.

3. REFUGEE CONVENTION CLAIMS

RACE/NATIONALITY

3.1 Vietnam recognises 54 ethnic groups, of which the Kinh (also known as the Viet) is the largest at 85 per cent of the population. Over 14 million people belong to ethnic minority groups. Sizeable ethnic minorities include the Tay (1.9 per cent of the population), the Thai (also 1.9 per cent), the [Hmong](#) (1.5 per cent) and the [Khmer Krom](#) (1.4 per cent). The Jrai (also known as Gia Rai), Ede (also known as Rhade), Ba Na and other tribal peoples inhabiting the mountains of the Central Highlands are sometimes collectively called the '[Montagnard](#)' (a term not officially recognised by the Government of Vietnam, nor used by the groups themselves); together, they account for 1 to 2 per cent of Vietnam's population. A further 34 recognised ethnic groups have populations of less than 100,000, of which 11 have less than 5,000. A full list of recognised ethnic groups can be found [here](#).

3.2 The Kinh traditionally live in coastal and low-lying areas of the country (which are also the most productive). Ethnic minorities are concentrated in remote and mountainous areas; they comprise a larger proportion of the population in the Northwest, Central Highlands and parts of the Mekong River Delta in the southwest. Ethnic minorities also live in other parts of Vietnam, including major cities, by virtue of [internal migration](#). Vietnam promotes a concept of brotherhood and unity between ethnic groups – ethnic separatism or any suggestion of it is not tolerated by the state.

3.3 The official language of Vietnam is Vietnamese. Ethnic minorities have their own languages (e.g. Hmong, Khmer), which they are free to preserve and use, although they do not have official status. Ethnic minority languages are taught in some schools, and there are television programs and radio channels that broadcast in ethnic minority languages. The ILO estimated in 2023 that nearly 21 per cent of people from ethnic minority communities could not read and write Vietnamese (usually older generations).

3.4 All ethnicities are officially equal under the 2013 Constitution, which forbids discrimination on ethnic grounds (the 2019 *Labour Code* does likewise in relation to employment). Ethnic minorities have a constitutional right to preserve their language, national identity, traditions and culture, and they do so in practice. The 2013 Constitution commits the state to prioritising the [healthcare](#) and [educational](#) development of ethnic minorities, and the state provides free health insurance and other benefits. An Ethnic Council appointed by the National Assembly makes recommendations on issues concerning ethnic minorities and supervises the implementation of policies designed to support their socioeconomic development. The functions of the Ethnic Council are guaranteed by the 2013 Constitution; its current chair, Y Thanh Ha Nie Kdam, originates from the minority Ede community. In promulgating decisions affecting ethnic minorities, the government is constitutionally compelled to consult the Ethnic Council.

3.5 Most ethnic minorities are Vietnamese citizens – as citizens, they enjoy equal rights as the Kinh, including access to government services, freedom of movement and formal employment. Poverty, language and the remote nature of their communities, rather than legal barriers, may impede the ability to exercise these rights fully. Some ethnic minorities may be stateless, which brings additional challenges, although

numbers are small (see [Stateless people](#) for more information). Ethnic minorities are active politically: 89 delegates to the current [National Assembly](#) (18 per cent of the total) are from ethnic minority backgrounds, as are the Minister for Ethnic Minority Affairs (Hau A Lenh) and the President of the Vietnam Women's Union (Ha Thi Nga).

3.6 Ethnic minorities are disproportionately affected by poverty – despite accounting for 15 per cent of Vietnam's population, they represented 79 per cent of its extreme and moderate poor in 2023. As with the general population, rapid economic development has brought significant reductions in poverty and improvements in human development indicators, including health and education outcomes for ethnic minority groups. Nevertheless, human development indicators lag behind those of the Kinh, and poverty levels remain considerably higher (poverty rates in the northern mountains and Central Highlands, where most ethnic minorities live, are more than double the national average). Rates of infant and maternal mortality are higher among ethnic minorities, and ethnic minority children are far more likely to be stunted. School completion rates are lower, sometimes due to remoteness, sometimes out of choice (see [Education](#)), and ethnic minority women are more likely to experience [domestic violence](#). The UN Special Rapporteur on the right to development said in November 2023 that 'thousands' of ethnic minorities lacked [household registration](#) and [identity cards](#), which are required to access government services.

3.7 A National Target Program (NTP) for Socio-Economic Development in Ethnic and Mountainous Areas (2021-2025) seeks to accelerate poverty reduction, including to double the 2020 per capita income of ethnic minorities by 2025, and narrow the socioeconomic gap between ethnic groups. The NTP is coordinated by the Committee for Ethnic Minority Affairs (CEMA), the lead national agency for ethnic minority affairs in Vietnam; its chair has ministerial rank (the incumbent, Hau A Lenh, is an ethnic Hmong). The NTP has a budget of nearly USD6 billion and includes projects on land and housing, agriculture, human resource development, public health and gender equality. At the time of publication, the NTP had made limited progress, with Vietnam's [anti-corruption campaign](#) hampering the willingness of provincial governments to make expenditure decisions. In-country sources reported in October 2023 that addressing the socioeconomic challenges faced by ethnic minorities was a high priority for the Government of Vietnam, and that poverty alleviation programs were well resourced; however, implementation, particularly at the provincial level, remained an ongoing challenge.

3.8 CEMA and the MPS have stated publicly they consider socioeconomic development in ethnic minority areas as a means to political stability, national security and solidarity. Historically, there has been some mistrust between the Kinh and ethnic minority groups, some of which fought on the side of the south during the [Vietnam War](#). Land expropriations by local and provincial officials for development projects, perceived unfavourable compensation for expropriated land, and disputes with some communities over freedom of [religion](#) are points of tension. According to United States-based human rights organisation Defend the Defenders, 66 people belonging to ethnic minority communities were prisoners of conscience as of January 2024 (30 per cent of Vietnam's total at the time), most sentenced for undermining national unity and solidarity, which are criminal offences (see also [Political Opinion](#), including [Prisoners of conscience](#)). The Government of Vietnam is particularly sensitive to perceived links with foreign-based organisations it considers promote separatist agendas.

3.9 DFAT assesses ethnic minorities who are citizens of Vietnam face a low risk of official discrimination on the basis of their ethnicity, and notes state efforts to improve ethnic minorities' socioeconomic conditions are longstanding and ongoing, including through various forms of [social assistance](#). Ethnic minorities who have real or imputed affiliations with foreign-based diaspora groups deemed by the Government of Vietnam to be promoting separatism, advocate for human rights and/or participate in religious activity not sanctioned by the state are at a high risk of official discrimination, in the form of harassment, monitoring and detention on national security grounds.

Hmong

3.10 'Hmong' is a term for a diverse ethnic group that lives in different parts of mainland Southeast Asia (Northwest and Central Highlands of Vietnam, northern Laos, northern Thailand) and southern China. They speak mutually intelligible languages and do not necessarily live in contiguous territory. Most Vietnamese Hmong live in the mountainous Northwest, including Lao Cai Province. Geographic remoteness can pose a practical obstacle to accessing government services, although this is not unique to the Hmong. The Hmong are physically distinguishable from the Kinh, including through traditional dress.

3.11 The Hmong had a population of 1.4 million at the time of 2019 census, the majority of whom resided in rural areas. The Hmong are mostly [Christian](#) (Mormonism is increasingly popular, with in-country sources reporting high conversion rates in October 2023). Some Hmong hold indigenous spiritual beliefs, including ancestor veneration; syncretism is also practised.

3.12 Like the [Montagnard](#), the Hmong have historical links to the United States from the [Vietnam War](#) era, when some Hmong were reportedly recruited by the Central Intelligence Agency and subsequently granted refugee status in the United States. Hmong groups have also participated in political protests, including in relation to land rights and [religious freedom](#). According to United States-based Defend the Defenders, there were eight prisoners of conscience from the Hmong community in January 2024 (out of a countrywide total of 258).

3.13 DFAT assesses the Hmong, like other ethnic minorities in Vietnam, face a low risk of official or societal discrimination on the basis of their ethnicity. Like any other citizen of Vietnam, regardless of ethnicity, Hmong who are involved in political activism; advocate for greater rights; have imputed links to foreign-based organisations deemed by the state to be subversive or 'reactionary'; and/or engage in unregistered religious practices face a high risk of official discrimination in the form of harassment, monitoring, arrest and prosecution, sometimes on national security grounds.

Khmer Krom

3.14 The 1.3 million Khmer Krom population is concentrated in the Mekong River Delta region bordering Cambodia (southwest Vietnam). The Khmer Krom are ethnically Khmer, speak Khmer and predominantly follow Theravada [Buddhism](#). Like the [Hmong](#) and [Montagnard](#), many Khmer Krom were recruited to fight on the side of South Vietnam and the United States during the [Vietnam War](#). The Khmer Krom have previously called for sovereignty over their ancestral lands. For this reason, in-country sources, speaking in October 2023, said that the Khmer Krom, among Vietnam's ethnic minorities, were particularly mistrusted by the state.

3.15 The Khmer Krom report discrimination in their ability to worship independently of the state. In April 2024, authorities demolished a lecture hall belonging to a Buddhist pagoda serving the Khmer Krom community, which they deemed to be illegally built. A week earlier, authorities arrested the pagoda's abbot for posting allegedly slanderous videos on [social media](#) and charged him with abusing democratic freedoms. International media reported in December 2023 that some Khmer Krom monks were subjected to harassment, including receiving threats by plain clothed officers at their pagodas and having their bicycles confiscated so they could not travel to collect alms.

3.16 According to United States-based Defend the Defenders, there were three prisoners of conscience from the Khmer Krom community in January 2024 (out of a countrywide total of 258). The Khmers Kampuchea-Krom Federation, an advocacy group based outside Vietnam, reported that four Khmer Krom human rights defenders were arrested in July 2023 for abusing democratic freedoms. According to the Khmers Kampuchea-Krom Federation, the four Khmer Krom human rights defenders had sought to raise awareness of the Universal Declaration of Human Rights and distributed copies of the UN Declaration on the Rights of Indigenous Peoples

prior to their arrest. In June 2024, *Radio Free Asia* reported ongoing state harassment of Khmer Krom activists, one of whom was reportedly denied a passport because they were on Vietnam's [Exit Control List](#).

3.17 DFAT assesses the Khmer Krom, like other ethnic minorities in Vietnam, face a low risk of official or societal discrimination on the basis of their ethnicity. Like any other citizen of Vietnam, regardless of ethnicity, Khmer Krom who are involved in political activism; advocate for greater rights; have imputed links to foreign-based organisations deemed by the state to be subversive or 'reactionary'; and/or engage in unregistered religious practices face a high risk of official harassment, including monitoring, arrest and prosecution, sometimes on national security grounds.

Montagnard

3.18 'Montagnard' is a widely accepted French umbrella term ('mountain dweller') used by Vietnam's former colonial rulers to collectively describe 30 distinct tribal groups living in the Central Highlands (also sometimes referred to as the 'Degar'). These tribal groups claim to pre-date the arrival of the Kinh in modern-day Vietnam. The largest of these tribal groups are the Jrai (also Gia Rai, population of 514,000 at the 2019 census), Ede (also Rhade, population of 400,000) and Ba Na (287,000). Other groups include the Cham, Raglai (Raglai), Bru Van Kieu, Gie Trieng, Mnong and Xtieng. The Government of Vietnam does not recognise the term Montagnard or the existence of indigenous people. In-country sources, speaking in October 2024, said these groups did not identify as 'Montagnard' (a term given to them by outsiders) and did not organise or coordinate as a homogenous group. The term 'Montagnard' is used in this report for brevity.

3.19 The Montagnard are concentrated in Dak Lak Province, with an estimated combined population of between 1 and 2 million. The Montagnard, who are split between the Austronesian and Mon-Khmer ethnic groups, are predominantly Evangelical [Protestant](#). Historically, relations between the Montagnard and the state have been fraught. The Montagnard fought alongside American and South Vietnamese forces in the [Vietnam War](#), and have occasionally held protests for greater self-determination, land rights and religious freedom. The Central Highlands is the most ethnically diverse region in Vietnam and, according to in-country sources, the most heavily monitored and policed. In June 2023, armed assailants belonging to the Montagnard attacked police stations and local government offices in Dak Lak, killing nine officials; 100 people were convicted, primarily for terrorism offences (see also [Security situation](#)).

3.20 Land is a particularly sensitive issue for the Montagnard and a major source of tension with the state. Land acquisitions for development projects have displaced many Montagnard from their traditional homelands and surrounding natural resources. One of the two districts (Cu Kuin) in which the June 2023 [security incident](#) occurred had witnessed several land confiscations prior to the attacks, including a land dispute between 64 local households and state authorities. In September 2023, officials acknowledged that the incident was partly triggered by grievances relating to land.

3.21 Religion is another source of tension with the state. Many Montagnard belong to unregistered, non-state sanctioned [religious groups](#) and say the authorities suppress their right to worship freely. In addition to land disputes, Cu Kuin District, site of the June 2023 security incident, had been the subject of a crackdown on religious activity prior to the attacks.

3.22 DFAT assesses the Montagnard, like other ethnic minorities in Vietnam, face a low risk of official or societal discrimination on the basis of their ethnicity. Like any other citizen of Vietnam, regardless of ethnicity, Montagnard who are involved in political activism, including participating in unauthorised protests and advocating for greater rights; are perceived to promote separatism and/or have imputed links to foreign-based organisations deemed by the state to be subversive or 'reactionary'; and/or engage in unregistered religious practices face a high risk of official discrimination, including harassment, monitoring, arrest and prosecution, sometimes on national security grounds. See also [Religion](#) for assessment of intersectional risks.

Stateless people

3.23 People who are stateless are not recognised as nationals by any state and are therefore unable to access [education](#), [healthcare](#) or formal [employment](#). In Vietnam, the *Law on Vietnamese Nationality* (2008) defines a stateless person as a person who has neither Vietnamese nationality nor foreign nationality.

3.24 The UN Refugee Agency (UNHCR) reported there were 26,811 stateless people in Vietnam at the end of 2022. In-country sources said in October 2023 that most stateless people in Vietnam resided in the Mekong River Delta region in the southwest and originated from neighbouring Cambodia; this included people who were expelled by, or chose to flee, the Khmer Rouge and stripped of their Cambodian nationality. Some predominantly Northwest-based ethnic [Hmong](#) are also stateless. In-country sources from the Hmong community reported in October 2023 that stateless Hmong included children whose births were not registered, and subsequently lacked other documentation, because they were born from [early marriages](#), which are illegal in Vietnam but common among the Hmong. Stateless people also include Vietnamese [women](#) who relinquished their Vietnamese nationality in order to marry foreign men, in accordance with Vietnam's single nationality principle, and failed to obtain the foreign nationality of their spouse prior to divorce and return to Vietnam. Separately, there are a large number of stateless people originating from Vietnam living in Cambodia, some of whom live in floating villages on Tonle Sap Lake.

3.25 In March 2020, Vietnam committed to address statelessness through a *Prime Ministerial Decision to implement the UN Global Compact for Safe, Orderly and Regular Migration*. This includes Vietnam acceding to the Statelessness Conventions by 2025, establishing a statelessness determination procedure, strengthening access to civil registration, improving the identification and reduction of statelessness, and protecting the rights of stateless people. In-country sources said in October 2023 that this was a priority for the Government of Vietnam. As part of this process, the National Assembly passed the *Law on Identification* (2023) to allow for the issuance of [identity certificates](#) to 'Vietnamese residents of undetermined nationality' (the 2023 *Law on Identification*, effective from July 2024, replaced the 2014 *Law on Citizen Identification*). The *Law on Identification* (2023) defines a 'Vietnamese resident of undetermined nationality' as a person residing in Vietnam without any documents proving they have Vietnamese or other nationality but have a consanguineous relationship with a person who previously held Vietnamese nationality. Under the *Law on Identification* (2023), people of this profile who have obtained identity certificates are entitled to use their identity certificates for transactions and to exercise their legal rights and interests (to be eligible for an identity certificate, in addition to being of Vietnamese origin, they must have resided in Vietnam continuously for at least six months). At the time of publication, uptake (and the practical effect) of this measure were unclear.

3.26 Naturalisation of long-term stateless people (for example, people of Cambodian heritage) is possible, albeit difficult, in practice. Requirements include Vietnamese language ability and respecting the traditions, customs and practices of the Vietnamese people (see also [Passports](#)). Naturalisation can be denied if deemed detrimental to Vietnam's national interests. The requirement for proof of renunciation of foreign nationality is the most significant hurdle for stateless former Cambodian refugees to Vietnamese naturalisation.

3.27 Under the *Law on Vietnamese Nationality* (2008), a child born to stateless parents, or to a stateless mother and unknown father, may acquire Vietnamese [nationality](#) if the parents or mother were permanent residents of Vietnam at the time of the child's birth (see [Documentation](#)).

3.28 As non-citizens, stateless people are generally unable to access government services, including health, education and welfare. Recent legislative changes may mitigate some of these challenges, although no substantive change had occurred in practice at the time of publication. [Civil society](#) or [religious organisations](#) might provide some support services to stateless people, although these will differ from place to place and may be limited by practical obstacles like geography and isolation. Stateless populations should be assessed

against broader intersectional risks (see, for example, [Women](#), [Sexual orientation and gender identity](#), [Victims of human trafficking](#) and [People with disability](#)).

RELIGION

3.29 The 2013 Constitution guarantees the right to freedom of religion and belief – people have the right to ‘follow any religion or follow none’. All religions are equal under the 2013 Constitution. The *Law on Belief and Religion* (2016) prohibits discrimination and stigmatisation on religious grounds and forcing or hindering others in following or not following a religion or belief, including forcing somebody to renounce their faith.

3.30 Religious activity is regulated by the *Law on Belief and Religion* (passed in November 2016, effective from January 2018) and its implementing decree (*Decree 95*, which superseded *Decree 162* in March 2024). The *Law on Belief and Religion* (2016) requires collective religious activity – including routine worship, festivals, conferences and training – to be registered with the state and to take place in a registered location. Collective religious activity not registered with the state – including online and in the home (e.g. prayer sessions, gatherings) – is prohibited, although occurs in practice and, according to in-country sources, was tolerated to a degree, depending on the attitudes of local authorities, as of October 2023. It is a criminal offence to abuse freedom of religion in such a way that infringes upon the interests of the state and undermines national unity and social order, and the state can prohibit religious activity on national security or morality grounds. *Decree 95* (issued in December 2023 and effective from March 2024) empowers authorities to suspend the activities of religious organisations or groups for up to two years if they are found to have violated national security, national unity or social morality. *Decree 95* (effective from March 2024) also includes a new requirement for religious organisations or groups to report, within 20 days of receipt, financial aid (in kind or in cash) from foreign sources.

3.31 Vietnam recognises the legal status of 43 religious organisations belonging to 16 religious denominations. Recognised religions include [Buddhism](#), [Hoa Hao Buddhism](#), [Catholicism](#), [Protestantism](#), the Seventh-Day Adventist Church, Islam, [Cao Daiism](#), Cham Brahmanism and the Baha’i Faith. Distinct denominations within recognised religions must individually register with the state. According to the Government of Vietnam, in addition to legally recognised religious organisations, there were more than 3,700 registered, non-recognised religious groups operating in Vietnam in February 2024, including the Church of Jesus Christ of Latter-Day Saints (Mormons), the Assemblies of God, and the Vietnam United Gospel Outreach Church.

3.32 Recognised religious organisations can, inter alia, organise religious practice; publish religious books; produce, import and export religious cultural products and articles; construct new religious establishments and renovate or upgrade existing ones; appoint religious officers; establish religious training institutions; receive lawful donations from domestic and foreign sources; and undertake healthcare, social protection, charity and humanitarian activities. Recognised religious organisations are encouraged by the state to provide charitable and healthcare services, and they do so in practice (for example, they supported the Government of Vietnam’s COVID-19 response, and some provide social services, including [drug rehabilitation](#)). In-country sources reported in October 2023 that the state was sensitive to the political views of religious leaders and monitored their activities closely.

3.33 Most Vietnamese are culturally Buddhist but do not belong to an organised religion – 86 per cent of the population reported no formal religious affiliation at the time of the 2019 census (Vietnam’s most recent). During the 2019 census, 6.1 per cent of the population identified as [Catholic](#), 5.8 per cent as [Buddhist](#) and 1 per cent as [Protestant](#). Small numbers identified, inter alia, as [Cao Dai](#), Cham Brahman, Muslim and Baha’i. Traditional religious-cultural practice (e.g. ancestor veneration) is also common. Vietnamese people are

generally very tolerant of people of other faiths: in-country sources said religious intolerance was not an everyday problem.

3.34 Under the *Law on Belief and Religion* (2016), religions not legally recognised by the state can operate by obtaining a religious activity registration certificate. Applications for a religious activity registration certificate must include information about a group's doctrine, history, by-laws, leaders, members and meeting location. Registration must be sought at the national or provincial levels, depending on the geographic scope of a group's activities. Applications must be approved or rejected within 60 days of receipt. In-country sources reported in October 2023 that, while the process was simple in theory, in practice, it could be complicated by local authorities, and approval was not guaranteed. Non-recognised religions with registration certificates can, inter alia, preach and conduct religious activities at approved locations, including religious ceremonies; appoint religious officers; and undertake charity and humanitarian work.

3.35 The *Law on Belief and Religion* (2016) stipulates that a religion holding a religious activity registration certificate can apply for formal legal recognition after five consecutive years of religious activity (previously 23 years). Applications for legal recognition must include a religious group's organisational structure and charter; details of its finances, leadership and geographic scope of operation; number of adherents; declaration of its lawful property; summary of its tenets, canon laws and rites; and summary of its operations since the granting of a religious activity registration certificate. In 2023, the Government of Vietnam recognised Ta Lon Dutiful and Loyal Buddhism (August 2023) and the Vietnam Full Gospel Church (December 2023) as religious organisations – the first religious organisations to be granted formal legal recognition since 2019. The Vietnam Full Gospel Church (a [Protestant](#) group belonging to the Pentecostal denomination) has been active in Vietnam for more than 30 years; it was granted a certificate of registration to conduct religious activities in 2018. Ta Lon Dutiful and Loyal Buddhism operates in the Mekong River Delta region, in southwest Vietnam.

3.36 The *Law on Belief and Religion* (2016) includes a separate process for unregistered religious groups to seek permission from local authorities for specific religious activities, although many choose not to do so. According to the Government of Vietnam, in 2023, more than 80 unregistered religious groups were operating outside of state auspices. Unregistered groups may be subjected to periodic crackdowns, particularly if perceived to be a risk to social stability and national unity (e.g. because of growing popularity, perceived activism and/or foreign links). Many operate in [ethnic minority](#) areas of the country, including the Northwest, Central Highlands and Mekong River Delta regions. Unregistered groups include the Unified Buddhist Church of Vietnam (believed to be the largest independent, unregistered religious group in the country, particularly active in the south); An Dan Dai Dao (a Buddhist group active in the south); the Evangelical Christian Church of Vietnam; the Central Highlands Evangelical Church of Christ; Protestant House; the Word of Life Church; the Almighty God Church; the Good News Mission Church; the Church of Jesus; the Church of God Who Loves Us (also known as Ba Co Do); the World Mission Society Church of God (also known as Church of God the Mother); the Bao Loc Exorcism Group; Pure Sect Hoa Hao; and the Falun Gong.

3.37 Recognised religious organisations and non-recognised but registered religious groups – that is, organisations and groups that act in accordance with the *Law on Belief and Religion* (2016) – are free to practise their faith. Religions of this profile tend to be well established and maintain positive and transparent relations with the authorities. This is particularly true of religious organisations and groups that do not engage in perceived activism (e.g. in relation to human rights, land or the environment).

3.38 Members and leaders of unregistered religious groups that operate outside of state auspices are most likely to experience harassment, including but not limited to: surveillance and police questioning of leaders and members; pressure to renounce their religion or join a registered, state-sanctioned group; disruption of activities; destruction of property and religious artefacts; and arrest and imprisonment. Harassment of unregistered groups can vary due to the attitudes of local authorities; however, overall, unregistered religious groups and their leaders who are perceived by the state to have political and/or foreign agendas generally

face greater harassment. In this context, harassment of people of faith, where it occurs, may not be solely on the basis of their religious beliefs but for broader reasons (see also [Political opinion](#)). In-country sources reported in October 2023 that leaders and members of unregistered religious groups did not generally experience violence because of unsanctioned religious activities.

3.39 The Government of Vietnam reported eliminating several small, unregistered religions in ethnic minority areas in 2023, including the Duong Van Minh; Gie Sua; Ha Mon; and the United Montagnard Church of Christ (the government accused the latter of plotting to establish an independent state following [terrorist attacks](#) in Dak Lak Province in June 2023). In September 2023, state media reported that the government had ordered a crackdown on the activities of the World Mission Society of Church of God (also known as Church of God the Mother), a non-denominational Christian church with origins in the Republic of Korea. The World Mission Society of Church of God is believed to have expanded in recent years through active recruitment, including in Quang Nam, Thanh Hoa and Vinh Phuc provinces. According to international media reports from September 2023, the World Mission Society of Church of God was targeting college students in Hanoi; missionaries of the church are known to approach people at coffee shops, parks and business workshops. In January 2024, according to human rights NGOs, an ethnic Ede belonging to the separate Central Highlands Evangelical Church of Christ was convicted of abusing democratic freedoms and imprisoned for four-and-a-half years for holding unauthorised religious gatherings, including prayer sessions, in their home between 2019 and 2022 (see also [Protestants](#)). In July 2022, followers of Tinh That Bong Lai (also known as Peng Lei Buddhist House), an independent Buddhist group, were likewise convicted of abusing democratic freedoms and given prison sentences ranging between three and five years for allegedly posting critical videos on [social media](#) about local police and a state-affiliated monk.

3.40 DFAT assesses members of recognised religious organisations and members of non-recognised but registered religious groups can practise their faith, including in rural areas, and face a low risk of official discrimination. Members of unregistered religious groups face restrictions in their ability to worship and risk harassment and arrest, although the precise extent of this risk can vary from place to place and any perceived or actual involvement in political activism. Restrictions and harassment are more likely to occur in rural than urban areas, where more unregistered religious activity occurs. Religious groups that advocate for political, environmental or other causes the authorities deem sensitive are highly likely to attract adverse state attention, and therefore face a higher, intersectional risk (see [Political opinion](#)). People face a low risk of violence on the basis of their religious beliefs and are generally free to access government services, regardless of whether their religion is state sanctioned or not. Societal discrimination on the basis of religion is not common in Vietnam.

Buddhists

3.41 The 2019 census recorded 4.6 million Buddhists in Vietnam. Most Vietnamese Buddhists practise Mahayana Buddhism, although the ethnic [Khmer](#) community also practises Theravada Buddhism. Many Buddhists worship in registered congregations, notably those affiliated with the Vietnam Buddhist Sangha (VBS). According to the VBS, official data does not account for ‘potentially tens of millions’ of people who believe and practise without being formally affiliated to a registered Buddhist group (the census only recorded Buddhists formally registered with the VBS). As such, while Buddhism is officially the second-largest religion in Vietnam according to the 2019 census, unofficial variations in Buddhist practice mean that it is likely the largest religion in Vietnam.

3.42 Registered Buddhist groups experience few restrictions. Where official harassment or discrimination occurs in the form of surveillance, police questioning, intimidation and destruction of property, it does so against unregistered, non-state sanctioned Buddhist groups, their members and, in particular, leaders. Official harassment has been reported against those belonging to the outlawed Unified Buddhist Church of Vietnam

or An Dan Dai Dao, which were formed in South Vietnam prior to reunification. As with other religions, the extent of official harassment or discrimination varies from place to place and the attitudes of local authorities. The risk of official harassment or discrimination is highest for members or leaders of non-sanctioned, unregistered Buddhist groups involved in political activism and who are perceived to threaten the interests and authority of the party or government (see also [Political opinion](#) and [Khmer Krom](#)).

3.43 DFAT assesses Buddhists who belong to registered organisations or groups, and are not politically active, face a low risk of official discrimination. Buddhists belonging to unregistered, non-state sanctioned Buddhist groups face a moderate risk of official discrimination, in the form of police questioning and intimidation. Buddhists who are perceived to challenge the interests and authority of the party or government, including by advocating for political, environmental or other causes the authorities deem sensitive, face a high risk of official discrimination, in the form of surveillance, police questioning, intimidation, arrest and imprisonment, although these risks are not unique to Buddhists or to people of faith more broadly (see [Political Opinion](#)). DFAT assesses Buddhists face a low risk of societal discrimination because of their religion.

Hoa Hao

3.44 Nearly 1 million people identified as Hoa Hao Buddhist at the time of the 2019 census. Hoa Hao is a Vietnamese school of Buddhism founded in 1939 in southern Vietnam by Huynh Phu So. Hoa Hao Buddhists opposed French rule and later supported the Government of South Vietnam during the [Vietnam War](#). The state recognised Hoa Hao Buddhism as a religion in 1999, although many practitioners refused to join the state-approved Hoa Hao Buddhist Church. Hoa Hao Buddhists live primarily in the western part of the Mekong River Delta region.

3.45 As with other religions in Vietnam, there is a distinction between the treatment of registered and unregistered Hoa Hao groups, as well as between groups that engage in perceived political activism and those that do not (see also [Political opinion](#)). Adherents of registered Hoa Hao groups can generally worship freely, with few restrictions. In contrast, adherents of unregistered, non-state sanctioned Hoa Hao religious groups, such as Pure Sect Hoa Hao, reported official harassment in the form of surveillance, intimidation and being prevented from gathering for important religious events (e.g. the founding day of the religion and the birth and death anniversaries of Huynh Phu So). Hoa Hao leaders of unregistered groups have been arrested and imprisoned in the past, including for violating [national security provisions](#) of the *Criminal Code* (2015).

3.46 DFAT assesses adherents of registered Hoa Hao groups face a low risk of official discrimination. Adherents belonging to unregistered, non-state sanctioned Hoa Hao groups face a moderate risk of official discrimination in the form of police questioning and intimidation. Hoa Hao Buddhists who are perceived to challenge the interests and authority of the party or government, including by advocating for political, environmental or other causes the authorities deem sensitive, face a high risk of official discrimination in the form of surveillance, police questioning, intimidation, arrest and imprisonment, although this risk is not unique to Hoa Hao Buddhists or to people of faith more broadly (see [Political Opinion](#)). DFAT assesses Hoa Hao Buddhists face a low risk of societal discrimination because of their religion.

Cao Daism

3.47 Nearly 600,000 people identified as Cao Dai at the time of the 2019 census. Cao Daism is an indigenous syncretic religion established in 1926 by Ngo Van Chieu, who claimed to have spoken to God in a séance. Cao Daism incorporates elements of [Buddhism](#), [Christianity](#), Confucianism and Daoism. Cao Daism is hierarchical (with Catholic influences) and has a pantheon of saints from various religious traditions. Cao Daism's most famous symbol is an eye in a triangle symbol, which represents God. Like [Hoa Hao Buddhism](#), Cao Daism originates in the Mekong River Delta region in southwest Vietnam.

3.48 As with other religions in Vietnam, there is a distinction between the treatment of registered and unregistered Cao Dai groups, as well as between those groups that engage in perceived political activism and those that do not (see also [Political opinion](#)). Members of registered Cao Dai groups can generally worship freely, and where official harassment or discrimination is directed toward Cao Dai believers, it is directed toward those belonging to unregistered, non-state sanctioned groups. There have been reports in recent years of clashes between registered and unregistered Cao Dai groups. At the time of publication, DFAT could not confirm whether these incidents were linked to government action or represented a split between different groups (schisms within Cao Daism have formed in the past).

3.49 According to international media, an adherent of the unregistered 1926 Pure Cao Dai religious group, who was critical of the CPV and its approach to Cao Daism while abroad, was arrested and questioned after returning from a religious freedom summit in the United States in July 2022. International sources reported that the same individual was prevented from travelling abroad in September 2023 to attend a religious pilgrimage.

3.50 DFAT assesses adherents of registered Cao Dai groups face a low risk of official discrimination. Adherents belonging to unregistered, non-state sanctioned Cao Dai groups face a moderate risk of official discrimination in the form of police questioning and intimidation. Cao Daists who are perceived to challenge the interests and authority of the party or government, including by advocating for political, environmental or other causes the authorities deem sensitive, face a high risk of official discrimination in the form of surveillance, police questioning, intimidation, arrest and imprisonment, although this risk is not unique to Cao Daists or to people of faith more broadly (see [Political Opinion](#)). DFAT assesses Cao Daists face a low risk of societal discrimination because of their religion.

Christians

3.51 Most Vietnamese Christians are [Catholic](#) or [Protestant](#). Some follow new religious movements based on Christianity, such as the World Mission Society Church of God (also known as Church of God the Mother).

3.52 In-country sources reported in October 2023 that state surveillance of Christian churches, including use of closed-circuit television cameras and listening devices, occurred in Vietnam. In-country sources said officials had sat in on church services and used community informants to collect information on Christians. According to in-country sources, authorities monitored Christian church leaders closely and required them to report regularly on church activities. In-country sources were not aware of family members of church leaders being threatened.

3.53 Members of recognised Christian religious organisations and non-recognised but registered religious groups are free to congregate, worship and display religious iconography at registered religious sites, including registered house churches. Members of recognised Christian religious organisations and non-recognised but registered religious groups are also free to possess Bibles (which are available in different local languages) and to evangelise within their registered area of operation. Adherents of unregistered, non-state sanctioned Christian groups are most likely to experience state restrictions and harassment, with those groups engaged in perceived political activism facing the highest risk of harassment (see also [Political opinion](#)). In general, Christians face a low risk of official or societal discrimination, including with respect to their ability to access government services or obtain employment or housing, and a low risk of violence.

Catholics

3.54 Approximately 6 million people identified as Catholic at the time of the 2019 census, making Catholicism officially the single-largest religion in Vietnam. Catholics live countrywide, with the highest concentration living in central Vietnam (Nghe An, Ha Tinh and Quang Binh provinces). In-country sources

reported that Catholics were able to practise freely at registered churches and that registered Catholic communities were able to evangelise as of October 2023.

3.55 Relations between Vietnam and the Vatican have improved significantly in recent years. In December 2023, the Vatican appointed a resident papal representative – the first since Vietnam’s reunification in 1975, when diplomatic relations were severed. At the time of publication, Vietnam was the only Communist country with a resident pontifical envoy. High-level visits have occurred in both directions since 2023; Archbishop Paul Gallagher, the Vatican’s Secretary for Relations with States and International Organizations, visited Vietnam in April 2024, following an earlier visit to the Vatican by then-State President Thuong. The Vatican is required to consult the Government of Vietnam in the appointment of Catholic bishops and archbishops, although the Vatican does not require the government’s formal approval to make appointments.

3.56 As elsewhere in the world, most Catholics worship in masses at churches as part of local parishes, with several parishes organised as a diocese, headed by a bishop. According to in-country sources, Catholics worshipped freely and received sacraments such as the Eucharist, Reconciliation (confession) and Confirmation in registered churches. Some Catholics in remote areas of the country may have trouble accessing a priest due to their remoteness, although Catholic media have reported new parishes opening in remote areas of Vietnam, including in Bac Kan Province (northeast), in recent years.

3.57 Some communities, particularly outside of cities, worship in homes of believers (also known as house churches). Under the law, house churches, like any other form of collective religious activity, must be registered with the state. In-country sources reported in October 2023 that registered house churches could generally operate unhindered. In contrast, unregistered house churches may be targeted by the authorities (see [Religion](#)). In March 2023, according to Catholic media reporting, authorities entered and broke up a Mass in an unregistered house church in the Central Highlands. There does not appear to be a consistent pattern, though, and official attitudes toward unregistered house churches can vary from place to place.

3.58 The ‘Red Flag Association’, a militant movement reportedly under the direction of local government, has staged protests outside Catholic churches in the past. The Red Flag Association is reported to have disbanded in 2018. In-country sources, speaking in October 2023, said they were not aware of recent anti-Catholic protest activity in Vietnam and said relations between the Government of Vietnam and the Catholic Church were cordial. In-country sources reported that Catholics did not generally face societal discrimination and physical harm because of their religion, and that state protection was available where needed, as of October 2023.

3.59 DFAT assesses Catholics who belong to registered churches and are not politically active are free to worship, including in rural areas, and face a low risk of official discrimination. Catholics who participate in unregistered religious activity face a moderate risk of official discrimination in the form of police questioning and intimidation. Catholics who are perceived to challenge the interests and authority of the party or government, including by advocating for political, environmental or other causes the authorities deem sensitive, face a high risk of official discrimination in the form of harassment, surveillance, police questioning, intimidation, arrest and imprisonment, although this risk is not unique to Catholics or to people of faith more broadly (see [Political Opinion](#)). DFAT assesses Catholics face a low risk of societal discrimination on the basis of their religion.

Protestants

3.60 Nearly 1 million people identified as Protestant at the time of Vietnam’s 2019 census. Most Protestants are from [ethnic minority](#) communities in the Northwest and Central Highlands, although Protestants can be found throughout the country, including in Hanoi and Ho Chi Minh City. There is a wide range of Protestant traditions present in Vietnam, and relations between them are generally positive. In December 2023, the Government of Vietnam [officially recognised](#) the Pentecostal Vietnam Full Gospel Church

and, separately, approved the establishment of a Baptist seminary in Ho Chi Minh City – the third Evangelical seminary in Vietnam and the first belonging to the Vietnam Baptist Church. The Evangelical Church of Vietnam (South), the largest Protestant religious organisation in the country, was recognised in 2001 (it has over 700,000 members). The Evangelical Church of Vietnam (North), recognised in 1958, has over 250,000 members. Some Protestants have relationships with churches overseas, including in Australia.

3.61 Protestant groups may experience some bureaucratic difficulties. For example, gatherings have, at times, been banned on technicalities like not having approved lists of attendees, and permits to construct or renovate churches may be refused, particularly in remote areas. Experiences are not uniform, can depend on the attitudes of local authorities, and are not specific to Protestants. DFAT is aware of reports of more serious harassment, such as Protestant ministers in remote areas who have had their assets seized or premises raided. DFAT notes that religious and political issues, including opinions with respect to land disputes and ethnic minority rights, often overlap (see also [Political opinion](#)). International media reported that Protestants were prevented from discussing issues of religious freedom with foreign diplomats in February 2023 and from travelling to an international conference on religious freedom in November 2022. Nevertheless, and as with other [religions](#) in Vietnam, registered Protestant groups can generally operate freely, and are less likely to experience official harassment and discrimination, than unregistered ones. Protestant groups that are perceived to engage in political activism, including in relation to human rights, land and the environment, are most likely to attract state attention. This also applies to Protestant house churches.

3.62 In-country sources reported that activities such as Protestant conferences and meetings were generally unrestricted in large cities. In March 2023, an American Evangelical speaker attracted a crowd of more than 10,000 people, including government officials. Other international Protestant conventions have also been held in recent years. The unregistered Word of Life Church, which has been active in Vietnam since the 2000s, has held mass gatherings of thousands of followers in Hanoi, including at the National Convention Centre, and has conducted charity in collaboration with the state.

3.63 As noted under [Religion](#), authorities have targeted unregistered religious groups with perceived political agendas since June 2023 terrorist attacks in Dak Lak Province (Central Highlands), which the Government of Vietnam attributed to foreign-based organisations representing [Montagnard](#) interests (see also [Security situation](#)). A particular target has been the Central Highlands Evangelical Church of Christ, an unregistered Protestant group popular with ethnic minorities which the Government of Vietnam accuses of inciting ethnic minorities to seek the establishment of a separate state. According to *Radio Free Asia*, local authorities disrupted gatherings of members belonging to the Central Highlands Evangelical Church of Christ and summoned practitioners for questioning in November 2023. According to a foreign-based spokesperson, harassment of the Central Highlands Evangelical Church of Christ had increased since June 2023. In January 2024, a practitioner belonging to the Central Highlands Evangelical Church of Christ received a four-and-a-half-year prison sentence for hosting unauthorised religious gatherings, including prayer sessions, in their home between 2019 and 2022.

3.64 In-country sources reported in October 2023 that efforts to evangelise and recruit new members were possible, particularly in large cities. DFAT understands this is the case in relation to large events in which people might preach. This seems less likely in more remote areas, although the situation can vary from place to place. DFAT understands that, over time and in different parts of Vietnam, there have been varying levels of tolerance from authorities toward evangelism. In-country source, speaking in October 2023, said Protestants did not experience official or societal discrimination, and faced a low risk of physical harm, on their basis of their religion alone.

3.65 DFAT assesses members of registered Protestant churches are free to worship and face a low risk of official discrimination or violence on the basis of their religious beliefs, including in rural areas. Protestants who participate in unregistered religious activity face a moderate risk of official discrimination in the form of

harassment, police questioning and intimidation. Protestants who are perceived to challenge the interests and authority of the party or government, including by advocating for political, environmental or other causes the authorities deem sensitive, face a high risk of official discrimination in the form of surveillance, police questioning, intimidation, arrest and imprisonment, although this risk is not unique to Protestants or to people of faith more broadly (see [Political Opinion](#)). DFAT assesses Protestants face a low risk of societal discrimination on the basis of their religion.

POLITICAL OPINION (ACTUAL OR IMPUTED)

3.66 The 2013 Constitution provides for freedom of opinion and speech, assembly and association. In practice, these rights are highly circumscribed, including through provisions of the *Criminal Code* (2015) that prohibit establishing or joining an organisation that acts against the government (Article 109); making, storing or spreading information for the purpose of opposing the state (Article 117); and abusing democratic freedoms to infringe upon the interests of the state (Article 331). Like other [national security provisions](#) of the *Criminal Code* (2015), these carry prison sentences of up to 20 years. The [death penalty](#) may also apply in some instances. Human rights organisations said these provisions were used to silence dissenting voices. In-country sources reported in October 2023 that state tolerance for dissent had declined in recent years.

3.67 The CPV is the sole legal political entity in Vietnam – no other political entity can operate, and association with a political entity other than the CPV is prohibited (see also [Country overview](#)). Political expression that is critical of government policy or questions the legitimacy of the CPV is not tolerated.

3.68 The CPV is estimated to have 5.3 million members. Membership can give better access to social and economic opportunities, particularly for senior positions in government (including local government), the [judiciary](#) and the [military](#); party membership is a prerequisite for some positions. As Vietnam urbanises and its economy matures, more opportunities have become available for non-CPV members in the private sector. People can prosper economically without belonging to the party.

3.69 Vietnam is sensitive to the activities of foreign-based dissident organisations led by members of the diaspora, including the [Viet Tan](#), and considers such groups ‘reactionary’ (some, including the Viet Tan, have been proscribed by the Government of Vietnam as terrorist organisations). According to international media, Vietnam has targeted dissidents outside of its borders in recent years, including high-profile cases in Thailand and Germany (see also [Enforced or involuntary disappearances](#)). In-country sources reported in October 2023 that Vietnam monitored dissidents abroad and their families inside Vietnam, who had also been subjected to questioning about their relatives’ activities and travel plans. DFAT is aware of reports of Vietnamese state agents attempting to attend closed door conferences organised by organisations of this profile. According to in-country sources, the Government of Vietnam had sophisticated surveillance capabilities and was able to monitor dissidents abroad, including [online](#). The *Washington Post* reported in October 2023 that Vietnam attempted to hack the mobile phones of members of the United States’ Congress and American journalists, among others.

3.70 Vietnamese people living abroad who have an established record of criticising the party and government, particularly those who are prominent in the diaspora, have high-profile affiliations with dissident diaspora groups and/or have large online followings and networks in Vietnam, are likely to be known to, and have their activities monitored by, Vietnamese authorities. This may occur online and through party sympathisers and informants within the diaspora. Vietnamese people living abroad with a lower profile, including people attending public protests or expressing anti-government views, including online, are likely to be of significantly less interest, and their activities may not necessarily be known to the authorities.

3.71 DFAT assesses people living in Vietnam who openly criticise the party or government face a high risk of official discrimination in the form of arrest and imprisonment on national security grounds. People with

actual or imputed links to illegal political or dissident groups (e.g. the [Viet Tan](#)) face a high risk of official discrimination in the form of harassment, surveillance, interrogation, prosecution and imprisonment, and, where they are foreign nationals, being prevented from entering Vietnam or deported (including after completing a period of detention). DFAT assesses Vietnamese people living abroad of high profile and with established records of political activity considered hostile by Vietnam face a high risk of official discrimination in the form of state surveillance and, should they return to Vietnam and continue to be openly critical of the party or government, a high risk of arrest and imprisonment.

Prisoners of conscience

3.72 In-country sources reported in October 2023 that broad and vague provisions of the *Criminal Code* (2015) relating to national security were frequently used to arrest, detain and convict dissenting voices and shut down activism deemed counter to the party's and government's interests. Relevant provisions of the *Criminal Code* (2015) include: Article 109 (activities against the people's government); Article 116 (undermining national unity and solidarity); Article 117 (spreading anti-state propaganda); Article 118 (disrupting security); Article 318 (disturbing public order); and Article 331 (abusing democratic freedoms to infringe upon the interests of the state). National security provisions of the *Criminal Code* (2015) provide for prison sentences of between five and 20 years, with the [death penalty](#) applying in some instances. In-country sources said people who criticised state policies and/or advocated for human rights, political plurality, freedom of expression, and freedom of religion or belief attracted charges under these provisions. DFAT understands *Criminal Code* (2015) articles 109, 117 and 331 are most commonly used against people who meet this profile.

3.73 The Government of Vietnam states it does not hold prisoners of conscience. This is disputed by international human rights organisations. Human Rights Watch estimated more than 160 people were serving prison sentences for peacefully exercising their civil and political rights as of January 2024. Other NGOs cite higher figures. Defend the Defenders, a United States-based human rights organisation, reported at least 258 prisoners of conscience, including political dissidents, bloggers, lawyers, unionists, land rights activists and adherents of unregistered religions, in January 2024. The 88 Project, another United States-based human rights organisation, identified 182 people who were imprisoned for expressing disapproval of the party or government, engaging in peaceful protest or belonging to a group not recognised by the government as of October 2024, of whom at least 32 were arrested in 2023. The 88 Project identified a further 420 people who were the subject of harassment by state agents and considered at risk of arrest due to their activism as of October 2024. [Criminal trials](#) of defendants of this profile are invariably short, and many have faced difficulty obtaining legal representation. In-country sources, speaking in October 2023, said prisoners of conscience faced more challenging [prison conditions](#) than the general prison population (see also [Detention and prison](#)).

3.74 On their release, former prisoners of conscience have been subjected to supervised probation (*quan che*), a secondary form of punishment which allows the state to place national security offenders under the supervision of a local authority for between one- and five-years following release. According to in-country sources, as of October 2023, former prisoners of conscience subjected to *quan che* faced close surveillance and movement restrictions (they must live and work within a defined area) and were required to report regularly to the police. Those under *quan che* are also ineligible to apply for state positions and serve in the military.

3.75 In-country sources reported in October 2023 that former prisoners of conscience were monitored closely after completing their prison sentences and any supervised probation, including their homes, communications and online activities, and were not allowed to meet foreigners. Former prisoners of conscience who have engaged in activity considered anti-state, including online posts, have been summoned for police questioning and faced increased risk of re-arrest and prosecution. According to in-country sources, former prisoners of conscience had experienced delays when applying for official documentation

and may be prevented from travelling abroad. In-country sources said the families of prisoners of conscience were also subjected to physical and electronic state surveillance, including of their communications, and experienced societal discrimination. For example, police had pressured landlords to evict or refuse housing to families of prisoners of conscience. In-country sources also said the children of prisoners of conscience had been deliberately neglected by teachers and fellow pupils in schools.

3.76 DFAT assesses former prisoners of conscience face a high risk of official discrimination in the form of harassment, physical and electronic surveillance, particularly if they continue to be involved in activities deemed sensitive by the Government of Vietnam, including activities perceived to be anti-party or anti-government. Former prisoners of conscience and their families face a moderate risk of societal discrimination as a result of state pressure.

Human rights defenders

3.77 Human rights is a sensitive topic in Vietnam. In-country sources reported in October 2023 that people who defend and advocate for human rights in a way that is perceived to challenge the legitimacy of the CPV and government, and their families, were routinely harassed, including state monitoring of online and offline activities, regular police questioning, intimidation and reprisals. According to in-country sources, some human rights defenders had been harassed outside of their homes by unknown individuals; been evicted from their rental properties or had rental applications rejected by landlords (reportedly in response to police pressure); experienced difficulty enrolling their children in school and obtaining official documentation; subjected to arbitrary tax investigations and checks on their [household registration](#); and had credit cards locked, bank accounts frozen and social media accounts hacked. In-country sources said the police were known to install closed-circuit television cameras in the vicinity of human rights defenders' homes, to surveil movements in and out of their homes. According to in-country sources, it was common for human rights defenders and others who met foreign diplomats to be visited at their homes or 'invited for tea' (a euphemism for being summoned to a police station) by MPS officers and asked to report on what was discussed, and the line of questioning they received, during the meeting. Violence was typically not used in such scenarios.

3.78 Human rights defenders have also had their movements blocked during events deemed sensitive to the party and government (e.g. visits by foreign dignitaries, elections, major anniversaries) or when planning to meet members of the international community. In February 2022, Human Rights Watch reported that security agents frequently prevented political and human rights activists from temporarily leaving their homes, including by stationing plain clothed police officers outside of their homes, placing padlocks on doors, and erecting roadblocks or other physical barriers to restrict movement during such events; in-country sources confirmed these practices, including during the September 2023 state visit of the President of the United States. Human rights defenders are generally free to move around Vietnam, albeit while monitored; however, they may be prevented from [travelling abroad](#) for human rights-related meetings (for example, by having [passports](#) refused or being prevented from boarding flights). In-country sources reported in October 2023 that human rights defenders who did travel abroad to participate in human rights-related meetings were typically questioned by [police](#) on their return to Vietnam.

3.79 Human rights defenders who have engaged with UN human rights mechanisms, including treaty review bodies and special procedures mandate holders, have experienced state-sponsored intimidation and harassment. In-country sources confirmed this, as did the UN Secretary-General's 2023 and 2024 global reports on reprisals against people cooperating with UN human rights mechanisms and representatives. DFAT understands some activists were placed under surveillance during the November 2023 visit to Vietnam of the UN Special Rapporteur on the right to development. According to in-country sources, people who planned to engage with UN human rights mechanisms were often questioned in advance by authorities, pressured not to engage or experienced 'obstacles' impeding their journey to the engagement.

3.80 Human rights lawyers face state pressure not to defend certain clients, particularly defendants in politically sensitive cases (see also [Legal system](#)). In-country sources reported in October 2023 that several prominent human rights lawyers had chosen to emigrate (some were reportedly granted protection in third countries) because of fears about their safety. There have also been instances in recent years of human rights lawyers being prosecuted on national security grounds.

3.81 DFAT assesses human rights defenders face a high risk of official discrimination in the form of harassment, surveillance, prosecution and imprisonment under national security provisions of the *Criminal Code* (2015), particularly where an individual has a track record of promoting human rights and ignores state pressure to cease their advocacy. Human rights defenders face a moderate risk of societal discrimination as a consequence of state pressure.

Viet Tan

3.82 The Viet Tan ('Vietnam Reform Party') is a diaspora organisation promoting multi-party democracy in Vietnam. The Viet Tan is headquartered in the United States. According to its official website, the Viet Tan is organised into local chapters and receives strategic direction from a Central Committee led by the group's chair, currently Ly Thai Hung, an American national. The Viet Tan has origins in the National United Front for the Freedom of Vietnam, which comprised former South Vietnamese leaders, and reinvented itself as a non-violent movement in 2004. In-country sources reported in October 2023 that the CPV considered the Viet Tan a threat to its legitimacy and rule.

3.83 The Viet Tan was proscribed as a terrorist organisation by the Government of Vietnam in October 2016. As a proscribed entity, it is outlawed in Vietnam and does not have an open presence there. The MPS considers anybody who participates in the Viet Tan or who lures or incites others to participate in the Viet Tan; sponsors or receives sponsorship from the Viet Tan; attends training courses organised by the Viet Tan; or places themselves at the Viet Tan's direction to be an accomplice and sponsor of terrorism. In-country sources said that, given its terrorist designation, anybody suspected of belonging to the Viet Tan would face a high risk of arrest. According to in-country sources, a Vietnamese citizen abroad with an established pattern of behaviour posting online material supportive of the Viet Tan would likely be questioned on return, should their online activity become known to the authorities.

3.84 The Viet Tan is an extremely sensitive topic in Vietnam and there are no known members inside the country (all known members are based abroad). The Viet Tan's chair and general secretary are based in the United States, with representatives in several other countries, including Australia. The Viet Tan operates lawfully in Australia as an advocacy group. The Viet Tan is not listed as a terrorist organisation in Australia. At the time of publication, DFAT was unable to obtain authoritative information on the Viet Tan's recruitment processes and how membership could be obtained.

3.85 In January 2019, an Australian national reportedly belonging to the Viet Tan was detained in Vietnam and charged with 'terrorism to oppose the people's government' (Article 113 of the 2015 *Criminal Code*) and entering Vietnam illegally from Cambodia. The Government of Vietnam accused the individual of luring and training others to participate in the Viet Tan for the purpose of conducting terrorism and sabotage. They were sentenced to 12 years' imprisonment in November 2019 (five other defendants, all Vietnamese nationals, received prison terms of between three and 11 years). The Australian national returned to Australia via an international prisoner transfer and was released in July 2023 before their original prison term expired.

3.86 DFAT assesses a known or suspected member of the Viet Tan, as a proscribed terrorist organisation, would face a high risk of official discrimination in the form of arrest and imprisonment, including on terrorism charges, in Vietnam. As noted under [Political Opinion](#), people with actual or imputed links to illegal political or dissident groups like the Viet Tan face a high risk of harassment, including in the form of surveillance, and

interrogation, arrest, prosecution and imprisonment on national security grounds. People meeting this profile could be prevented from entering Vietnam or may be deported, including after a period of detention (see also [Conditions for returnees](#)).

Public protests

3.87 The 2013 Constitution provides a right to assemble and hold demonstrations; however, this right is severely restricted in practice. Public protests that are perceived to challenge the party or government are not tolerated, even where of a peaceful nature. Protests outside of state agencies and public buildings, and protests that are deemed to interfere with the activities of the CPV, are prohibited under *Decree 38* (2005). Permission to stage a protest must be sought from authorities. Where public protests have occurred, most have related to local issues (usually land issues) and have been small in scale. Authorities or their proxies may use force when responding to unauthorised protest activity, and protesters may have financial penalties or prison sentences imposed on them.

3.88 Peaceful protests have occurred in recent years in relation to perceived aggression by China in the South China Sea (where China's territorial claims overlap with Vietnam's) and against proposed legal revisions to discourage workers from withdrawing their [social insurance](#) (aged pension) early. Large-scale protests occurred in 2016 following a Taiwanese-owned steel factory in central Vietnam illegally discharging toxic industrial waste into the ocean, resulting in water pollution and the mass death of fish and other aquatic creatures (also known as the Formosa disaster). The Formosa disaster protests occurred primarily in the affected provinces of Ha Tinh, Quang Binh, Quang Tri and Thua Thien-Hue but also elsewhere, including Hanoi and Ho Chi Minh City, and some activists were arrested. Large-scale protests are generally rare.

3.89 Protests about state requisition of land occur occasionally. All land is legally the property of the state, which issues tenure rights to individuals or organisations while retaining the right to reacquire the land via eminent domain, including for national security and socioeconomic development purposes. Vietnam's economic development has seen vast amounts of land previously used for agriculture requisitioned for infrastructure, commercial development and public works; [ethnic minorities](#) have been particularly affected. The *Land Law* (most recently revised in 2024) provides for the provision of replacement land or, if replacement land is unavailable, financial compensation determined by market principles (land valuations under earlier iterations of the *Land Law* were determined by government). Historically, decisions around land expropriation and compensation often lacked transparency, and in-country sources reported in October 2023, prior to adoption of the revised *Land Law* (2024), low levels of compensation (they said replacement land was rarely provided). Following a November 2023 visit to Vietnam, the UN Special Rapporteur on the right to development acknowledged that development projects often required the acquisition of land and brought economic benefits, although expressed concern that, in some cases, individuals and communities may have been displaced without adequate compensation and/or resettlement. The visit of the UN Special Rapporteur on the right to development pre-dated passage of the revised *Land Law* (2024). Nevertheless, at the time of publication, land disputes remained the primary source of public complaints to authorities and were often closely entwined with concerns about environmental pollution and [corruption](#) by officials.

3.90 Like other forms of unauthorised public protest, protests against land seizures can be met with force. There have been instances of police and plain clothed individuals using batons and other instruments to disperse protesters, including, according to *Radio Free Asia*, in Thanh Hoa Province in February 2023 (16 people were arrested but subsequently released).

3.91 DFAT assesses people involved in unauthorised public protests face a high risk of official discrimination in the form of arrest and, with it, potential prosecution and imprisonment.

Media and journalists

3.92 The 2013 Constitution grants citizens the right to freedom of the press and of access to information; however, in practice, these rights are highly restricted. The media is closely controlled and censored by the state. Reporters Without Borders ranked Vietnam 174th out of 180 countries in its 2024 *World Press Freedom Index* (Vietnam disputes its methodology). Nearly all media are state-affiliated. Financially independent, theoretically private media exist, although are subject to the same censorship as state media and exercise caution – including self-censorship – in their reporting.

3.93 According to in-country sources, speaking in October 2023, the CPV, through its Central Propaganda and Education Commission, directed media in relation to what they could report on; those that failed to comply could have their licences withdrawn. Topics most likely to attract censorship include human rights, political dissent, sovereignty disputes with China and – the [Blazing Furnace](#) notwithstanding – corruption involving high-level political figures. Criticism of the state and political leadership is a red line; reporting of this nature, to the extent that it exists, is largely [online](#), by independent journalists and bloggers, many of whom are based outside Vietnam.

3.94 CPV membership is not a prerequisite for journalists seeking employment in state-affiliated media. However, editors-in-chief must be CPV members and be proficient in Marxist-Leninist political theory; training in the latter is mandatory. While state media dominate the traditional media landscape, in-country sources reported in October 2023 that a growing proportion of the population received their news from social media, particularly Facebook, rather than television, print or radio. Online media operators and [social media](#) platforms, like those offline, are closely monitored.

3.95 Journalists face arrest, prosecution and imprisonment under the same national security provisions of the *Criminal Code* (2015) used against activists. According to Reporters Without Borders, Vietnam is among the most prolific jailers of journalists in the world, with 35 journalists, including bloggers, in detention as of May 2024. DFAT is aware of multiple examples of independent journalists, including bloggers, being prosecuted on national security grounds for their reporting since 2021, mostly on the grounds of spreading anti-state propaganda and abusing democratic freedoms to infringe upon the interests of the state (prison sentences ranged from two to 15 years). According to 2024 data from the United States-based Committee to Protect Journalists, no journalist or media worker has been killed in recent years in Vietnam as a result of their work.

3.96 DFAT assesses journalists, including bloggers, who openly criticise the party or government face a high risk of official discrimination in the form of arrest and prosecution on national security grounds.

Social media users

3.97 Vietnam has one of the highest proportions of Internet users in the world. Social media usage is widespread (approximately 80 per cent of the population) and represents the primary source of news for many Vietnamese. Facebook is particularly prevalent, with over 70 million users. YouTube, Instagram, TikTok and Zalo (a local messaging application) are also popular tools for accessing news and circulating information. In-country sources reported that the Government of Vietnam was wary of social media's potential to challenge the state's narrative on contentious issues and organise protests, and that it regularly pressured social media companies to remove critical accounts, posts and videos. The Government of Vietnam blocks websites considered politically sensitive, including the websites of foreign-based dissident groups and some foreign news services, including the BBC. In-country sources, speaking in October 2023, said these websites could be accessed through Virtual Private Networks (VPNs).

3.98 While people enjoy relatively more freedom online, the state monitors social media activity. In-country sources reported in October 2023 that former prisoners of conscience, human rights defenders and people with large online followings, including influencers (also known in Vietnam as Key Opinion Leaders, or KOLs) were most likely to have their social media activity monitored. However, these sources also said the state's online surveillance capabilities were broad, sophisticated and efficient, and social media users of low profile could also attract state attention based on the use of certain words in their posts (including retrospective posts). People who express critical views of the party or government online over a period of time, including those of a lower profile, were often arrested and convicted, usually for conducting anti-state propaganda or abusing democratic freedoms. According to in-country sources, monitoring of online activity had increased between 2021 and 2024, and the scope for freedom of expression online had narrowed in this time – where it occurred, criticism was more likely to be subtle and indirect.

3.99 In 2023 and 2024, international media reported numerous instances of social media users being imprisoned on national security grounds (invariably under Articles 117 or 331 of the 2015 *Criminal Code*) for posting material deemed critical of the party, government (including local government, law enforcement and the judiciary) and Vietnam's political leadership. Prison sentences ranged from two to eight years, and supervised probation was also applied in some cases. A number of journalists belonging to online-based media outlets have also been imprisoned for posting critical content. DFAT is aware of instances of people being arrested and imprisoned for social media posts critical of the Government of Vietnam's handling of the COVID-19 pandemic. As is the case offline, online content promoting human rights or multi-party democracy, content critical of state policies, and content considered defamatory of the political leadership and state institutions (including corruption allegations) is highly sensitive. Financial penalties may also be applied for posting content deemed inappropriate or negative, and some activists are known to have had their social media accounts blocked or hacked.

3.100 The *Law on Cybersecurity* (2018) requires technology companies active in Vietnam to store user data locally and remove 'unlawful or false information' that infringes on national security, social order and safety, and the lawful rights and interests of agencies, organisations and individuals. It prohibits the use of cyberspace to, inter alia, organise and manipulate people to oppose the state; distort history and deny revolutionary achievements; and provide false information that causes confusion among the people. Breaches of the *Law on Cybersecurity* (2018) are subject to financial penalties and/or criminal prosecution, depending on the seriousness of the breach. International observers say these definitions are ambiguous and afford the Government of Vietnam wide-ranging discretion to determine what content should be censored; if interpreted liberally, they could be applied to any criticism of the state, economy or an individual's private life.

3.101 The implementing decree (*Decree 53*) of the *Law on Cybersecurity* (2018) came into effect in October 2022, requiring technology companies to remove content deemed unlawful or false by the Government of Vietnam within 24 hours of an official request. In-country sources said compliance rates with *Decree 53* were high. In response to Government of Vietnam requests, between July 2022 and June 2023, United States-based social media company Meta restricted 3,140 items (nearly all were Facebook posts) – a significant increase on previous reporting periods. According to Vietnam's Ministry of Information, in the first six months of 2023, Facebook removed 2,549 posts and 12 accounts; YouTube removed 6,101 videos and seven channels; and TikTok removed 415 links and 149 offending accounts.

3.102 A non-binding *National Code of Conduct for Social Media* issued in June 2021 ('Decision 847') encourages social media users to post positively about Vietnam. International media reported in 2023 that the Government of Vietnam was considering introducing regulations requiring all social media account holders to identify themselves, and for Internet Service Providers to block from the Internet anybody who shares illegal content, although such regulations had not been introduced at the time of publication. In February 2024, the government launched social listening software with AI integration ('Socialbeat') to monitor, track and analyse in real time over 1 billion online items per day in Ho Chi Minh City, including content posted on Facebook,

Instagram, X (formerly Twitter) and YouTube. Ho Chi Minh City's Department of Information and Communications said Socialbeat would help it better understand the opinions and needs of citizens and business in the city.

3.103 In-country sources alleged in October 2023 that a Government of Vietnam cyber force known as 'Force 47' (also known as 'Regiment 47', 'AK47' or 'e47') monitored online discussions and trolled people who posted negative or misleading information about Vietnam. Reports suggest Force 47 was established in 2016 or 2017 and comprises 10,000 members ('cyber soldiers'), drawn primarily from the Ho Chi Minh Communist Youth Union. In-country sources alleged that Force 47 hacked critical social media accounts and planted malware on the computers and mobile telephones of activists.

3.104 Vietnamese people living abroad may also have their social media monitored, particularly people of high profile who are critical of the party and government, such as: people who hold leadership positions and have influence in the diaspora; have known affiliations with dissident diaspora groups; organise public protests against the party or government; and/or have large online followings and networks in Vietnam. Vietnamese people living abroad with a lower profile, including people attending public protests or expressing anti-government views, including online, are likely to be of significantly less interest (see also [Political Opinion](#)).

3.105 DFAT assesses social media users inside Vietnam who openly criticise the party or government and/or promote human rights and multi-party democracy face a high risk of official discrimination in the form of arrest and prosecution, especially those with a pattern of such activity and/or large online followings. The majority of social media users in Vietnam are able to use online platforms without incident, although with the awareness that content is being monitored and regulated. Vietnamese people living abroad who use social media to openly criticise the party or government and/or promote human rights and multi-party democracy face a high risk of official discrimination in the form of arrest and prosecution should they continue to use social media for these purposes on their return to Vietnam and their activities became known to the authorities. DFAT assesses social media users and bloggers generally do not face societal discrimination.

Civil society organisations (CSOs)

3.106 Civil society is tightly regulated. In the Vietnamese context, civil society is generally understood to comprise registered NGOs, charities and associations (also known as 'social organisations', Vietnam's preferred terminology) but also includes informal networks which are unregistered and therefore unregulated. Many CSOs operate under government umbrella organisations and may be funded by the state. All CSOs must register with and have their activities approved by the state, including meetings and other public activities, and disclose their sources of funding (some do not in practice). These processes are reportedly complex and bureaucratically burdensome: extensive paperwork is required, delays are common and approvals are not guaranteed. In-country sources, speaking in October 2023, said these requirements were increasingly opaque, and reported that the operating environment for CSOs had deteriorated since the last publication of this report, including for registered CSOs engaged in traditionally non-sensitive issues and with previous experience working with the Government of Vietnam.

3.107 CSOs generally cannot engage in policy advocacy or conduct research on topics like politics, public policy and human rights. CSOs engaged in human rights and governance matters are considered particularly sensitive; they are typically unable to achieve registration or do not pursue it, are monitored closely and may be targeted under [national security provisions](#) of the *Criminal Code* (2015). CSOs with links to foreign groups, including CSOs that receive foreign sources of funding, also attract close state attention. Historically, CSOs engaged on environmental, labour, [disability](#), [women's](#) and [LGBTQIA+](#) issues have been able to operate relatively freely, although in-country sources reported in October 2023 that they, too, were increasingly being

targeted by the authorities as part of a broader crackdown on civil society - not because of the issues they were working on but because of their ability to organise.

3.108 According to in-country sources in October 2023, CSOs – both registered and unregistered – were increasingly seen as a threat to stability because of their perceived ability to mobilise local communities and international support, and faced growing pressure and monitoring. In-country sources said pressure could include lengthy tax investigations or threats to commence investigations, which may be applied in an arbitrary manner; office raids; and harassment of staff and their families, including in the form of monitoring by, or verbal threats from, the MPS. CSOs that engage on sensitive issues or policy advocacy may have their registration delayed or cancelled and have their activities shut down; at worst, their members might be subjected to arrest and convicted for crimes such as tax evasion, anti-state propaganda and abusing democratic freedoms. This crackdown, coupled with complex registration and approval processes, has made it more difficult for CSOs to operate, and, according to in-country sources, some had ceased operations.

3.109 CSOs working on environmental issues, including climate change, the clean energy transition, air pollution and wildlife trafficking, have attracted close government scrutiny and challenges to their operations. Since 2021, the authorities have arrested and imprisoned several prominent environmental activists belonging to registered CSOs, primarily for alleged tax evasion (which carries a maximum sentence of seven years' imprisonment under the 2015 *Criminal Code*), but also for misappropriating state documents. International human rights organisations said they were prosecuted for their activism, which the Government of Vietnam denied. According to international media, at least three of the imprisoned activists were subsequently released. In-country sources, speaking in October 2023, considered the tax law vague and open to misuse, including against civil society activists.

3.110 In-country sources reported in October 2023 that, while some CSOs had closed their operations due to fear of arrest, many were adept at navigating these challenges and continued to operate. According to in-country sources, some CSOs pursued alternative legal modalities, while others deliberately remained informal, unregistered networks or clubs. In-country sources said CSOs working in service delivery faced fewer barriers than those engaging on policy, and that CSOs considered by the state to have a legitimate stake in an issue (e.g. CSOs formed by directly impacted communities) and which did not promote opposing views to the party and government were more likely to have their operations tolerated.

3.111 DFAT assesses that civil society actors that engage in advocacy (including in relation to human rights and governance) and/or question party or government policy decisions face a high risk of official discrimination in the form of harassment, intimidation, investigation or arrest. CSOs affiliated with government and/or focused on service delivery generally face a low risk of official discrimination but may still experience some harassment and intimidation.

GROUPS OF INTEREST

Women

3.112 Vietnam has a strong legislative and policy framework on women's rights and has made significant progress toward gender equality. Women and girls have strong indicators by regional and international standards in relation to educational outcomes and labour force participation. In practice, women continue to face ongoing challenges relative to men, including because of entrenched social and gender norms about women and their role in society, which act as a barrier to full equality.

3.113 The 2013 Constitution provides equal rights for men and women in all fields and prohibits discrimination on the grounds of sex. Vietnam ratified CEDAW in 1982 and adopted a *Law on Gender Equality* in 2006 (currently in the process of being revised). Gender equality and women's empowerment are stated priorities for the Government of Vietnam. The *National Strategy on Gender Equality* (2021-2030) includes targets to increase women's public and business leadership; narrow the gender gap in unpaid domestic care; increase the share of women in formal work; increase resources to prevent and respond to gender-based violence (GBV); and incorporate gender equality in the national curriculum. A gender impact assessment is required for most legislation. The *Labour Code* (2019) provides for equality between men and women in the workplace, prohibits discrimination on the grounds of marital status and pregnancy, and forbids sexual harassment. Female employees are entitled to six months of maternity leave (two months before childbirth, four months after) under the *Labour Code* (2019). Family planning services, including contraception, are readily available in Vietnam, including in ethnic minority areas. Abortion is legal until 22 weeks of pregnancy.

3.114 Vietnamese women's educational attainment is on a par with men's, and women are politically and economically active. The World Economic Forum, in its most recent *Global Gender Gap Report* (June 2024), ranked Vietnam 29th in the world for women's economic opportunity and participation, ahead of many countries at higher income levels (Australia was 42nd). Women's labour force participation, at 68 per cent in 2023 according to the World Bank, is among the highest in the world (Australia's was 62 per cent), although it has declined since the COVID-19 pandemic (71 per cent in 2019). Women occupy positions in the Politburo and the CPV's Central Committee, Vietnam's two highest decision-making bodies. A woman has held the position of Vice State President since 1987; the incumbent, Vo Thi Anh Xuan, served as acting State President from March to May 2024 and from January to March 2023. Women are represented in cabinet and account for over 30 per cent of delegates (151 out of 500) to the current National Assembly (Vietnam's legislature) – the highest level of female representation since 1976 and above the global average (the CPV has a target of 35 per cent by 2030). Nguyen Thi Kim Ngan chaired the National Assembly from 2016 to 2021 – the first woman to hold the position.

3.115 In practice, gender inequality persists, including because of traditional views about family, societal expectations that women should be responsible for unpaid domestic care work, and stereotypes on gender-appropriate fields of study and occupation. Gender inequality is most pronounced in rural areas and among ethnic minorities, where women's social indicators, including for education, health, income and domestic violence, lag behind those of the Kinh. Women are under-represented in private sector leadership roles, local government and at senior political levels: at the time of publication, the Politburo had one woman among its 16 members, and women held only three of 22 ministerial-level positions (Minister of Home Affairs, Minister of Health and Governor of the State Bank of Vietnam, Vietnam's central bank).

3.116 While women have high rates of labour force participation, they are over-represented in the informal economy (and therefore generally lack social insurance, including aged pension and maternity leave), form most of the working poor and earn less income than men. In 2021, 57 per cent of women in the labour force were considered to be in vulnerable employment, compared to 46.9 per cent of men, owing largely to the higher percentage of women working in the informal sector. While illegal, in-country sources, speaking in October 2023, said employment termination due to age or pregnancy occurred in the private sector, which had a preference toward employing men. In-country sources reported that traditional gender norms meant women continued to bear most of the burden for unpaid domestic care work, particularly in rural areas (according to Government of Vietnam statistics, in 2023, women performed nearly twice as much unpaid domestic care work, at 16.13 hours per week on average, than men, at 8.75 hours per week). The prevalence of disability is higher among Vietnamese women and girls than men and boys, and they are also more likely to fall victim to human trafficking.

3.117 Historically, Vietnamese parents have preferred sons to daughters because they were considered to enhance the social status of parents. Traditional views held that sons and men carried on the family name and

traditions, earned more financially, and cared for ageing parents who lacked social protection. Son preference remains an ongoing issue, and while the *Law on Gender Equality* (2006) prohibits sex selection and abortion on the basis of a foetus' gender, these practices continue to occur. In 2023, Vietnam had the third-highest rate globally of gender-biased sex selection at birth, with 112 boys born for every 100 girls (behind only China and India). Revealing the gender of a foetus is illegal although, in practice, it is common for doctors, if requested, to inform a couple indirectly during a scan. Vietnam has one of the highest abortion rates in the world, with girls accounting for most aborted fetuses; in 2020, the UNFPA estimated Vietnam had a yearly deficit of 46,000 girls. Many Vietnamese women emigrate for marriage, particularly to East Asia (where they account for most marriage migrants), contributing to the gender imbalance. By 2034, Vietnam is projected to have 1.5 million more men than women (and 2.5 million more men than women by 2059). In-country sources said the gender imbalance could promote the [trafficking](#) of women and girls for marriage into Vietnam.

3.118 Under the *Law on Marriage and Family* (2014), the legal minimum age of marriage is 18 years for women and 20 years for men. Early marriage occurs in practice: in October 2023, 14.6 per cent of women between 20 and 24 years of age reported marrying before they turned 18, with higher rates recorded in rural and [ethnic minority](#) communities. The [Hmong](#) – at 57.7 per cent – had the highest prevalence. In-country Hmong sources, speaking in October 2023, said early marriage was 'endemic' in their community (many Hmong girls married at 14 or 15 years of age). A cultural practice known as 'bride-napping' occurs within the Hmong community. Hmong boys – often with the help of their friends and family – abduct girls and detain them for three days, during which time the girl is expected to decide whether she will marry her abductor. Refusal to marry may lead to violence. The practice is illegal and there have been some prosecutions according to in-country Hmong sources, mostly of mature-aged men. In-country Hmong sources reported that bride-napping was less frequent today, although still occurred, and, where it did, was rarely reported. The practice of bride-napping is specific to the Hmong.

3.119 Vietnam has family planning policies that theoretically restrict the number of children a woman can have to two. In-country sources said in October 2023 that enforcement was 'loose' and that there were few, if any, practical consequences for violating the policy for the average person; children would not be denied healthcare or education, and their parents would not be punished. In July 2024, Vietnam's Ministry of Health proposed that limits be removed on the maximum number of children couples may have as part of a proposed Law on Population, to counteract a declining birth rate and ageing population.

3.120 DFAT assesses women face a low risk of official or societal discrimination on the basis of their gender. DFAT assesses women face a high risk of GBV in the form of [domestic violence](#) as outlined the subsequent section. DFAT assesses girls face a moderate risk of early marriage, although this risk increases to high for girls from the [Hmong](#) community living in the Northwest and Central Highlands. Hmong girls face a moderate risk of forced marriage in the form of 'bride-napping'. Where it occurs, bride-napping includes a high risk of violence. For information on single and divorced women, see below. See also [human trafficking](#) and [disability](#) for intersectional risks faced by women and girls.

Single and divorced women

3.121 Vietnamese culture emphasises traditional, conservative patriarchal family values: cohesiveness under a male family patriarch is highly valued. Some women, particularly those of higher education and means, may choose to be single. Around one-third of women aged 15 to 49 were not married in 2023. There are no legal barriers to being a single female-headed household.

3.122 Women who are single face pressure to marry, usually from family members, although this does not normally involve physical violence. Single women and single mothers, including with children born out of wedlock, may attract stigma, especially in rural areas, where, according to in-country sources speaking in October 2023, women had less freedom and privacy compared to big cities like Hanoi and Ho Chi Minh City,

and social attitudes were more conservative. If lacking family support and stable employment, single women may experience difficulty finding suitable and affordable accommodation.

3.123 Divorce is possible and can be requested by either spouse, in accordance with the *Law on Marriage and Family* (2014). A marriage can be dissolved either through mutual consent ('no-fault divorce') or at the unilateral request of one spouse ('fault-based divorce'). Fault-based divorce can be requested on several grounds, including: adultery; abusive behaviour (including [domestic violence](#)); desertion by, or imprisonment of, a spouse for a significant period of time; and the inability to co-habit as husband and wife. Under the *Law on Marriage and Family* (2014), a husband does not have the right to request a divorce while their wife is pregnant, giving birth or nursing a child under the age of one year. The *Law on Marriage and Family* (2014) prohibits sham divorce, forcing or deceiving a person into divorce, and obstructing a divorce.

3.124 The divorce process involves multiple stages, including: filing of a divorce petition with a provincial- or district-level court; attending mandatory mediation; and, where mediation fails, court trial and judgement. Common property is divided according to, inter alia, each spouse's contributions to the creation, maintenance and development of the property, including housework, which is considered income-generating labour by the *Law on Marriage and Family* (2014), as well as spouses' individual circumstances, including their ability to generate a future income. Where children are involved, spouses can agree on custody arrangements among themselves; where an agreement cannot be reached, the court will decide and may award joint or sole custody. The *Law on Marriage and Family* (2014) stipulates that, where spouses cannot reach an agreement and child custody must be determined by a court, the custody of a child under three years of age is awarded to the mother, except where the mother cannot afford to directly look after, care for, raise and educate the child; for custody of a child aged between three and seven years, the court will decide taking into consideration both spouses' conditions and their ability to care for the child; where the child is aged seven years or older, the court will take into consideration the wishes of the child when determining custody arrangements. In-country sources DFAT consulted in November 2024 could not say definitively whether the courts favoured the father or the mother in child custody rulings (such data was not readily available); however, anecdotally, they said mothers would more likely be the default. In the case of a no-fault divorce where the spouses agree to the division of their common property and child custody arrangements, a court must review the agreement to ensure it protects the legitimate interests of the wife and child before it grants a divorce.

3.125 The *Law on Marriage and Family* (2014) stipulates that, following divorce, the parent who does not directly raise the child must support the child. Child support is calculated according to the financial capabilities of the parents and the child's needs. The court may grant alimony based on, inter alia, the duration of the marriage, each spouse's financial situation and their contributions to the marriage. A person who refuses to fulfil their maintenance obligations after a divorce may be subjected to two years of non-custodial reform or imprisonment for a period between three months and two years.

3.126 Divorce is increasingly common and accepted in Vietnam, particularly in cities. According to in-country sources, speaking in October 2023, the rate of divorce was highest among couples married less than five years. In-country sources reported that community attitudes to divorce had shifted, particularly among younger people in urban areas, and stigma was less pronounced. Where it exists, stigma is most likely to take the form of family shame and family ostracism, although this risk is not uniform, including in cases where divorce is the result of [domestic violence](#). Stigma can also have economic consequences. Suitable accommodation may be unaffordable or not exist, particularly in rural areas, because of the assumption that couples will buy property or live with parents and in-laws. Stigma does not generally translate into physical harm. Economic dependence can still be a major barrier to divorce, especially in rural areas. Divorcees are free to re-marry.

3.127 Single women, including single mothers, may receive state [welfare](#), including if classified as poor or near-poor or have a [disability](#); welfare can include assistance with bills, living expenses and [health insurance](#). However, these services may be limited by other factors; for example, women who work in the informal sector

may not be covered by [social insurance](#), and those who are internal migrants may have difficulty accessing services where their [household registration](#) is not in the place where they reside.

3.128 DFAT assesses single women and divorcees, including single mothers, face a low risk of official discrimination. DFAT assesses single women and divorcees, including single mothers, face a moderate risk of societal discrimination in the form of family pressure to marry in the case of single women and family ostracism in the case of some divorced women, particularly in rural areas. Stigma does not necessarily translate into broader societal discrimination, and single women and divorcees, including single mothers, can still lead meaningful lives, particularly where they have support networks to call upon.

Domestic violence

3.129 The *Law on Domestic Violence Prevention and Control*, passed in 2007 and revised in 2022 (with the revised law effective from July 2023), identifies 16 acts as constituting domestic violence. These include: threatening behaviour; psychological pressure; neglect; isolation; preventing family members from having lawful and healthy social relations; sexual acts against a spouse's will; forced pregnancy, abortion or foetal sex selection; spreading information about family members designed to offend their honour and dignity; forcing family members to overstudy, overwork or make financial contributions beyond their capacity; and controlling family members' property and incomes in order to create dependence. The *Law on Domestic Violence Prevention and Control* (2022) also bans perpetrators of domestic violence from contacting their victims, and provides for medical treatment, temporary shelters, legal aid, mental health counselling and skills training for victims. Punishments for domestic violence range from warnings to three years' imprisonment, depending on the nature and severity of the offence; perpetrators may also have to undergo education to help them terminate acts of domestic violence. The UN Special Rapporteur on the right to development, writing in November 2023, commended Vietnam's 'human rights-based approach' toward domestic violence.

3.130 Women's rights [CSOs](#) are relatively free to operate and advocate for reform, and provide training to police and judicial officers. The *Law on Domestic Violence Prevention and Control* (2022) allows CSOs to receive government funds to deliver domestic violence prevention and response services.

3.131 In-country sources reported in October 2023 that domestic violence against women was a major concern. The risk is greater in rural areas, where traditional, conservative cultural gender roles and norms are stronger, although in-country sources said domestic violence was a countrywide phenomenon. Women disproportionately experience domestic violence, typically by their intimate partner, although men and people of diverse [sexual orientations and gender identities](#) may also experience domestic violence. A 2019 Government of Vietnam study found that 63 per cent of women had experienced physical, sexual, emotional, behavioural and/or economic violence by their husbands or male partners in their lifetime. Domestic violence prevalence rates were higher in rural and remote areas, with the highest rates of physical violence reported in the Central Highlands and Red River Delta regions, which have large concentrations of ethnic minority communities, and among women with [disability](#). Psychological abuse, including coercive control, was the most common form of violence experienced by women according to the 2019 survey. In-country sources reported that the rate of domestic violence increased during the COVID-19 pandemic and associated economic pressures and mobility restrictions. The Government of Vietnam reported 3,260 cases of domestic violence in 2023 (down from 4,454 reported cases in 2022), including: 1,520 cases of physical violence; 1,400 cases of psychological violence; 230 cases of economic violence; and 110 cases of sexual violence. Of the 3,240 cases reported in 2023, 565 victims were men, a 20 percent increase from a year earlier.

3.132 People who experience domestic violence (and GBV more broadly) can report to the police or to the chair of their commune's People's Committee. The Government of Vietnam, mass organisations (e.g. the Vietnam Women's Union) and CSOs provide GBV support services to women who experience domestic violence, including dedicated 24/7 hotlines, medical care, mental health counselling and legal advice.

Emergency shelters also operate, and provide accommodation and medical, legal and livelihood services to women fleeing violence. These shelters include: three 'Peace House' shelters run by the Vietnam Women's Union (two in Hanoi, one on Can Tho); four *Anh Duong* ('Sunshine') Houses (Ho Chi Minh City, Da Nang, Thanh Hoa and Quang Ninh provinces), of which two are government-run and two are CSO-run; and one 'One Stop Service Centre' (Huong Vuong Hospital, Ho Chi Minh City). In-country sources reported in October 2024 that women who accessed these shelters could stay between two weeks and six months, and may be accompanied by their children. Before they leave, an assessment is made whether it is safe and viable to do so. In-country sources said shelters were safe and clean (DFAT understands some are comparable to Australian shelters) but were concentrated in urban areas and insufficient for Vietnam's size and violence prevalence. Women who experience domestic or other forms of GBV in remote areas of the country can access government-run Social Assistance Centres located in their provincial capital.

3.133 According to in-country sources, Social Assistance Centres had limited resources, and their staff often lacked adequate GBV-related skills and knowledge (the Centres have a broad remit, and also provide support to elderly persons, people with disability and orphans, among others). In-country sources said GBV support services in Vietnam had improved in terms of availability and quality but judged they were inadequate overall. The availability and efficacy of support services for men experiencing domestic violence is beyond the scope of this report.

3.134 In practice, most instances of GBV, including domestic violence, go unreported, and support services are under-utilised. Nearly half (49 per cent) of women who participated in the Government of Vietnam's 2019 study said they did not report the violence against them, including to family or friends, and over 90 per cent never sought formal support services, citing that they were deterred from seeking help and speaking up because they had normalised the violence and/or because they feared doing so would result in aspersions being cast upon them (that is, they would not be considered a 'good wife'). Of those who did seek help from a formal service, 4.8 per cent went to the police, 3.6 per cent went to local leaders, 2.3 per cent went to a hospital or health professional, 2.3 per cent went to a court or legal centre, and 2.3 per cent went to a women's organisation. Less than 1 per cent went to a shelter. Respondents generally sought help only when they were injured and/or could no longer endure the violence.

3.135 In-country sources also attributed the under-reporting of GBV and under-utilisation of support services to practical and cultural barriers. Victims may feel shame or guilt, fear stigma by authorities and society and, with it, a loss of face for themselves and their families. In-country sources said prevailing social attitudes also did not help – many people did not see violence against women in the home as a crime or, at least, considered it a private matter that should be resolved between the victim and the perpetrator. In the case of sexual harassment or rape victims, marriage prospects may be diminished where it becomes public knowledge. Traditional cultural attitudes may act as a deterrent, too: if it became known a woman was staying at a shelter, this could bring shame and stigma when they return to their community.

3.136 Police officers are overwhelmingly male and, according to in-country sources speaking in October 2023, tended to blame and shame the victim, which discouraged victims from seeking police protection. Male police officers can lack sensitivity and might not understand, or appropriately apply, laws and policies relating to domestic violence. In some cases, police will take the matter seriously and arrest the perpetrator; in others, they will be dismissive and encourage the matter be resolved privately or, most commonly, through grassroots mediation. In principle, mediation is voluntary, requires the consent of both parties and must respect the woman's safety. In-country sources expressed scepticism about the effectiveness and appropriateness of mediation in domestic disputes involving physical violence – mediators lacked the requisite skills, and individuals who had experienced GBV were encouraged to compromise, which increased their risk of further violence. Where legal action is taken, domestic violence claims are pursued as civil – rather than criminal – matters, unless the affected individual is seriously injured. Of the 3,260 cases of domestic violence reported by the Government of Vietnam in 2023, most perpetrators (around 3,000) were issued

warnings or fines; only 129 had criminal charges filed against them. In August 2023, the MPS and UN Women launched gender-sensitive guidelines for police officers at the grassroots level handling cases of violence against women, although the practical effect of this initiative was unclear at the time of publication.

3.137 Relocation for those who have experienced GBV is possible in theory but difficult in practice. Barriers to relocation may include economic factors (e.g. the inability to rent a property due to lack of funds or lack of properties for single people), an absence of support networks, difficulties in relocating children (e.g. due to custodial arrangements), and stigma and cultural attitudes.

3.138 DFAT assesses state protection exists and is improving for women experiencing GBV, including domestic violence, although cultural factors and lack of policy training and capacity can reduce its effectiveness and/or can place individuals at further risk of violence, particularly so in rural areas. DFAT assesses women experiencing domestic violence have access to support services; however, cultural and structural factors, including stigma, dependence and a lack of awareness of the availability of these services, create barriers to access. The ability to relocate to escape a perpetrator depends on individual circumstances, including financial resources and support networks.

Victims of human trafficking

3.139 Vietnam is primarily a source country for human trafficking. In-country sources reported in October 2023 that most victims were trafficked in Asia (primarily China, Cambodia, Laos, Myanmar, Thailand, Malaysia, the Republic of Korea and Taiwan), usually for forced marriage, forced labour or forced criminality. Some victims are trafficked to the Middle East and Europe, including Saudi Arabia, the United Kingdom, Czechia and Serbia (usually migrant workers in debt bondage). According to in-country sources, traffickers used Vietnam's land borders, which were largely unpatrolled, as their primary travel routes (air routes were less commonly used). Traffickers increasingly use social media (which is widespread in Vietnam) and online gaming to lure victims.

3.140 In-country sources, speaking in October 2023, said women and girls were most likely to be trafficked, usually for forced marriage, although men and boys were trafficked, too, usually for forced labour or forced criminality. Ethnic minorities face the greatest risk of human trafficking: according to international NGO analysis, ethnic minorities are three times more likely to be trafficked than Kinh (relative to their population, the Hmong are most affected). Victims of human trafficking tend to be economically vulnerable, possess limited education and young (international NGO analysis found the average age of victims in 2021 was 19.2). Most originate from mountainous regions along Vietnam's northern border with China and the southern Mekong River Delta region. Nevertheless, human trafficking is not specific to ethnic minorities and the poor, and victims have included educated young students and recent graduates from middle-class backgrounds, including Kinh.

3.141 In-country sources reported in October 2023 that human trafficking activities had increased since the COVID-19 pandemic, with associated economic vulnerabilities making people more susceptible to traffickers. Victims are usually trafficked for sexual exploitation; forced marriage; forced labour in factories, mining, construction, brothels and online scam centres; and to work as domestic servants. In-country sources said victims trafficked to Europe were often forced to work on cannabis farms and in nail salons. According to in-country sources, Vietnamese women accounted for one-third of trafficking victims and the largest number of foreign prostitutes in Malaysia. Vietnam was also the largest supplier of foreign brides for South Korean and Taiwanese men.

3.142 In-country sources reported in October 2023 that growing numbers of victims were trafficked into forced labour in online scam centres ('scam factories') in Myanmar and, in particular, Cambodia's Sihanoukville Special Economic Zone. Victims are typically lured through online advertisements and, once in-country, have

their passports confiscated and are forced to perpetrate various forms of online fraud. According to in-country sources, victims were forced to work long hours against their will, recruit others, and subjected to confinement, violent assault and sexual exploitation; they could only leave by paying a ransom or if they were sold on. Escape can be high-risk (compounds are heavily guarded), and some victims have experienced serious injury by jumping from windows of multi-storey buildings in their attempts to escape. Vietnam has sought to strengthen cooperation with neighbouring countries as part of its counter-human trafficking efforts; in December 2023, it formally committed to jointly fight human trafficking and other forms of transnational crime with Cambodia and Laos. According to the US Department of State, between mid-2022 and June 2024, Vietnam rescued and repatriated 4,100 Vietnamese nationals exploited in online scam centres in Cambodia, Myanmar, Laos and the Philippines.

3.143 In-country sources reported in October 2023 that traffickers were often known to the victim, including partners, family members and neighbours. In many cases, victims will directly engage traffickers for work or marriage opportunities. Speaking in relation to [Hmong](#) women, in-country sources said the prospect of marriage in China (to where most Hmong women were trafficked) was more appealing than living in poverty and potentially being subjected to [bride-napping](#). Most traffickers, like victims, are from ethnic minority communities. In-country sources said some traffickers were as young as 18.

3.144 In-country sources reported that addressing human trafficking was a priority for the Government of Vietnam and that significant efforts had been made to strengthen Vietnam's counter-human trafficking legal framework, although enforcement remained an ongoing challenge. The *Law on Human Trafficking Prevention and Combat* (passed in 2011 and revised in November 2024) provides for the prevention, detection and handling of human trafficking, including state provision of support – from travel expenses, temporary shelter and medical and psychological support to legal aid, education and vocational training – to Vietnamese citizens or [stateless persons](#) who fall victim to trafficking. The *Criminal Code* (2015) provides for penalties of between five and ten years' imprisonment and a fine of up to VND100 million (AUD6,300) for anybody who uses violence, the threat of violence or deception to transfer or receive another person, including for sexual slavery, coercive labour and the taking of body parts. Longer prison sentences and fines apply in certain circumstances, including where the offence is committed by an organised group; multiple victims are involved; the trafficking is transnational in nature; the victim is under the age of 16; the offence results in the death or suicide of the victim; and the offence has been committed more than once. According to international NGO analysis, in 2021, convicted traffickers received average prison sentences of 8.8 years and were made to pay average compensation of USD1,300 (AUD2,085) to their victims. In October 2023, the ring leaders of a group which trafficked girls into slavery received the maximum penalty of 30 years imprisonment.

3.145 The US Department of State, in its most recent *Trafficking in Persons Report* (June 2024), upgraded Vietnam to Tier 2, an assessment that Vietnam does not fully meet minimum standards for the elimination of human trafficking but is making significant efforts to do so. The upgrade was made on account of Vietnam demonstrating increased efforts from a year earlier to investigate, prosecute and convict suspected traffickers and identify, repatriate and assist trafficking victims, including rescuing and assisting 4,100 Vietnamese nationals working in online scam centres in neighbouring countries. According to the US Department of State, Vietnam investigated 365 suspected traffickers across 147 cases and secured 198 convictions in 2023. The US Department of State expressed concern about a perceived failure during the reporting period to investigate, prosecute or convict government officials suspected of involvement in human trafficking.

3.146 The Government of Vietnam and [CSOs](#) rescue and repatriate victims trafficked to other countries and, once returned to Vietnam, provide services to support their social reintegration, in accordance with the *Law on Human Trafficking Prevention and Combat* (2024). Available services include a national hotline, safe housing, financial assistance, medical support, mental health counselling, vocational training, internships, job placements and legal aid. Vietnam's Ministry of Labour, Invalids and Social Affairs, in partnership with CSOs, and the Vietnam Women's Union operate dedicated shelters for women and children human trafficking

victims, although these are few. DFAT is aware of at least one such shelter in northwest Vietnam, near the border with China. Returnees identified by Vietnamese law enforcement as victims are referred to shelters, which accommodate both short- and long-term residents and provide counselling, training and job placements, among other services. Shelters also monitor victims once they have returned to their communities, including through visits. In-country sources said support services for male victims of trafficking were lacking in comparison.

3.147 In-country sources reported in October 2023 that victims of human trafficking, particularly women, faced social stigma when returning to their communities ('people think you are a bad person'). Victim blaming was common, especially for women. According to in-country sources, women with lived experience of human trafficking often did not feel accepted and supported, including by their families, and some subsequently returned to shelters. As a result, victims may choose not to self-identify and seek support services. Under the *Law on Human Trafficking Prevention and Combat* (2024), stigmatising or discriminating against human trafficking of victims is prohibited.

Victims of organ harvesting and trafficking

3.148 DFAT is aware of reports that [criminal syndicates](#) run organ trafficking rings in Asia as part of their [human trafficking](#) operations. Organ trafficking is illegal under Vietnam's *Criminal Code* (2015); punishment may include imprisonment of between three and 20 years, and a fine of up to VND100 million (AUD6,300). The offender may also be barred from holding certain positions or performing certain work up to five years. According to international media reporting, Vietnamese authorities have investigated and prosecuted several organ trafficking rings in recent years.

3.149 The profile of organ harvesting and trafficking victims is often, though not always, the same as that of victims of human trafficking: female, of an ethnic minority, rural, poor and less educated. Victims are reportedly targeted through social media.

3.150 Victim-survivors of organ harvesting and trafficking are at high risk of medical complications and related costs; some have died. The money that victim-survivors receive for their organs, if paid at all, is unlikely to cover costs for medical complications. If a victim-survivor of organ harvesting and trafficking were to come Australia, it is likely that authorities would quickly become aware of the crime, should they seek medical care, due to the need for particular kinds of medication following surgery, which are restricted in Australia.

Sexual orientation and gender identity

3.151 Vietnam is considered progressive by regional standards in its treatment of LGBTQIA+ persons. Same-sex relations are not prohibited by law, and never have been – a person cannot be arrested because of their sexual orientation or gender identity. Vietnam lifted a ban on same-sex marriage in 2014, although it is yet to be legalised (same-sex couples do not have the right to adopt children). The *Law on Marriage and Family* (2014), which defines marriage as the establishment of a husband-and-wife relationship between a man and a woman, is due to be considered for revision by the National Assembly in the next Congress period (commencing 2026).

3.152 The *Civil Code* (2015) provides the right to re-determine one's gender identity and, where this has occurred through gender-affirming surgery, to apply for a change in name and gender in identity documents. An action arising from the *Civil Code* (2015) is the development of a Law on Gender Affirmation, which, if adopted, would codify the right to change gender, re-identify gender and choose methods of gender reassignment. Vietnam is considering expanding its definition of gender from the current binary definition

(male/female) to all gender identities and gender expressions as part of revisions to the *Law on Gender Equality* (2006), due to be considered by the National Assembly in 2027. In-country sources reported that consultations on the revised *Law on Gender Equality* (2006) had been broad and inclusive, and included CSOs.

3.153 Members of the LGBTQIA+ community can access government services, including [health](#), [education](#) and state protection. In 2018, the Binh Dan Hospital in Ho Chi Minh City opened a clinic catering exclusively to LGBTQIA+ persons – the first public medical facility in Vietnam to do so. In-country sources reported in November 2024 that Binh Dan Hospital provided a wide range of services, including post-surgery care for gender-affirming surgeries, sexual health services and HIV/AIDS-related care. In August 2022, Vietnam's Ministry of Health issued a directive, aligned with WHO guidelines, instructing the health sector that diversity in sexual orientation and gender identity is not a disease that can be cured, thereby prohibiting the diagnosis of homosexuality, bisexuality and transgenderism as an illness. The directive requires medical professionals in public health settings to treat people with diverse sexual orientations and gender identities with respect, dignity, non-discrimination and equality, and prohibits forced treatment, including 'conversion therapy' (an unscientific procedure that purports to change someone's sexuality or gender identity). The directive does not apply to non-government or non-health services.

3.154 In-country sources estimated that up to 8 per cent of Vietnam's population identified as LGBTQIA+, including between 300,000 and 500,000 transgender people, in November 2023 (no official data exist). The LGBTQIA+ community is visible, and CSOs that represent its interests and provide support services are active, although in-country sources reported in October 2023 that these CSOs were not immune from state harassment amid a broader crackdown on [civil society](#) in Vietnam. Pride events have been held annually since 2012 and, while closely monitored by security agencies, generally pass without incident.

3.155 In-country sources reported in October 2023 that support networks existed for members of the LGBTQIA+ community, including a network of friendly healthcare facilities. The Lighthouse Social Enterprise, a local CSO, operates a private health clinic in Hanoi ('The Lighthouse Clinic') exclusively for the LGBTQIA+ community. The Lighthouse Clinic provides free medical and mental health services for LGBTQIA+ persons, including psychological counselling, sexual and reproductive health consultations, and testing, prevention and treatment for HIV and sexually transmitted infections. Borderless.lgbt, an online platform launched in November 2022 in Ho Chi Minh City, provides dedicated healthcare services to the LGBTQIA+ community in conjunction with private medical clinics, including psychosocial support. According to in-country sources, health clinics catering to the LGBTQIA+ community existed beyond Hanoi and Ho Chi Minh City, including in Dong Nai, Binh Duong and Tay Ninh provinces.

3.156 According to in-country sources, most medical services specific to LGBTQIA+ persons, including gender-affirming surgery, hormone therapy and [PrEP](#), were not funded by [health insurance](#) as of November 2024. Other services (e.g. HIV ART) were funded and could be accessed free of charge. In-country sources reported in November 2024 that sympathetic doctors used relevant health insurance codes to treat certain conditions; for example, where an essential surgery to address an intersex condition was not on the list of medical services approved by health insurance, some doctors could be willing to find and use another code (e.g. 'abdominal surgery').

3.157 LGBTQIA+ friendly spaces, including bars and clubs, operate openly. LGBTQIA+ friendly spaces can be found mostly in large cities but exist elsewhere, too, according to in-country sources. Hanoi and, in particular, Ho Chi Minh City are considered most LGBTQIA+ friendly, and there is a general social acceptance of gay men and lesbian women in these cities. In-country sources reported in October 2023 that community attitudes toward the LGBTQIA+ community had improved significantly in the last decade and, while some social stigma and social discrimination persisted, it was significantly less pronounced. There was a growing social acceptance of diverse sexual orientations and gender identities and, as a result, members of the LGBTQIA+ community could be more open in public. This was particularly the case in urban settings and among younger people, who

tended to be more liberal. There is growing public support for legalising same-sex marriage – in August 2022, more than 1 million people signed a petition, organised by local CSOs, in support of same-sex marriage in the space of three days (the CSOs had a goal of 250,000 signatures).

3.158 While social attitudes are changing, traditional views of gender roles persist, particularly outside of cities, and members of the LGBTQIA+ community continue to report some societal discrimination, including in healthcare, education and employment. In-country sources acknowledged the August 2022 directive from the Ministry of Health had strengthened protections for the LGBTQIA+ community in government medical settings; however, members of the community, particularly those who are transgender, continued to experience some discrimination and stigma from healthcare workers, mostly in the form of verbal slurs and insults. In-country sources reported that wealthy gay men faced the least discrimination.

3.159 Family pressure to conform to traditional social norms on people who identify as LGBTQIA+ is strong; as a result, and to the extent possible, many LGBTQIA+ people seek to hide their sexuality or gender identity from family members. According to in-country sources, discrimination and the risk of verbal and physical violence was most acute in domestic settings. Many families continue to believe that LGBTQIA+ identity can be treated and cured, including through shamans, forced sex with somebody from the opposite gender or conversion therapy. Vietnam banned conversion therapy in public health settings in August 2022. In-country sources reported that conversion therapy services continued to be advertised and offered by medical and non-medical service providers, including in Hanoi, as of October 2023.

3.160 In-country sources told DFAT in October 2023 that lesbian women (like heterosexual women more broadly) faced strong pressure from their families to conform to traditional patriarchal cultural norms and marry and bear children. In-country sources reported that some parents subjected lesbian daughters to forced marriage and/or ‘corrective rape’ (the practice of a man raping a lesbian woman to ‘correct’ her sexual identity). The hidden nature of ‘corrective rape’ makes it impossible to assess how commonly it occurs. In-country sources said there were fewer friendly public spaces that catered specifically for lesbian women; most tended to cater specifically for gay men.

3.161 Bisexual people face similar familial pressure to marry and have families. They are unlikely to self-identify, particularly if married, due to family shame but, if needed, can better conceal their sexuality relative to other members of the LGBTQIA+ community. Bisexuality attracts social stigma, more so in rural areas, particularly when a person is married. Bisexual men and bisexual women can access the same support services and state protection as other categories of LGBTQIA+ persons.

3.162 Intersex people have the right to legally change their gender following gender-affirming surgery. According to in-country sources, at the time of publication, gender-affirming surgery and hormone therapy were not legally accessible in Vietnam. DFAT understands that gender-affirming medical services, including surgery, were available underground in Vietnam as of October 2024, although in-country sources could not speak to how widespread such underground services were. In-country sources reported in October 2023 that Vietnamese people wishing to access gender-affirming medical services generally travelled abroad (Thailand primarily), if they could afford to do so.

3.163 Transgender people enjoy less social acceptance than other members of the LGBTQIA+ community, and face a greater risk of verbal and physical abuse and discrimination than gay men or lesbian women more able to conceal their sexual orientation. Among different categories of LGBTQIA+, transgender people face the greatest risk of bullying in school and verbal harassment in the workplace, health and other public settings. Transgender people may also experience discrimination on the basis of their gender identity when applying for employment; many work in the informal sector, where protections are weaker, although this is not unique to them. In-country sources cited the discrepancy between one’s legal gender in their identity documents and their actual lived identity and appearance as an ongoing concern for transgender people, including when having to present identity documents to access government or other services or when undertaking

international travel; the proposed Law on Gender Affirmation, if adopted, would address this. Like other categories of LGBTQIA+, transgender people may access health services catering to the LGBTQIA+ community, although this is easier in practice for those residing in major cities like Hanoi and Ho Chi Minh City.

3.164 In-country sources reported in October 2023 that members of the LGBTQIA+ community were more likely to experience verbal harassment than physical violence – physical violence in public places, including in the provinces, was uncommon. Where it occurred, physical violence was most likely in a domestic setting, at the hands of fellow family members. A study by the Lighthouse Social Enterprise published in 2023 found that psychological violence – in the form of negative comments and insults – was most likely to occur in school, followed by the home and workplace.

3.165 In-country sources, speaking in October 2023, said members of the LGBTQIA+ community could access state protection and pursue legal remedies, including in [domestic violence](#) cases; however, where it was needed, most sought protection from CSOs in the first instance, including through dedicated hotlines. Many people who identified as LGBTQIA+ questioned the effectiveness of the police, including in domestic violence cases, and had greater faith in the ability of CSOs to respond with sensitivity and care. [Grassroots mediation](#) may also be pursued where domestic violence is involved. Lesbian and bisexual women can access shelters for women experiencing domestic violence (these would generally not be open for transgender women).

3.166 Like other Vietnamese people, compulsory [military service](#) applies to members of the LGBTQIA+ community. In-country sources reported in October 2023 that gay and bisexual men completing military service would generally seek to conceal their sexual orientation as, should it be known, they would very likely experience harassment and bullying. Exemptions to military service exist and may apply to members of the LGBTQIA+ community (exemptions on the basis of sexuality do not apply).

3.167 DFAT assesses members of the LGBTQIA+ community face a low risk of official discrimination and a moderate risk of societal discrimination, particularly by their families and in schools. While some members of the LGBTQIA+ community may experience violence in a domestic setting, members of the LGBTQIA+ community face a low risk of violence overall and have access to state protection should they need it.

People with disability

3.168 The *Law on Persons with Disabilities* (2010) defines a person with disability as somebody ‘who is impaired in one or more body parts or suffers functional decline manifested in the form of disability which causes difficulties to his/her work, daily life and study’. According to the Government of Vietnam, 7 million people (or 7 per cent of the population) have a disability consistent with this definition, of whom [women](#) and girls form the majority (58 per cent). In-country sources, speaking in October 2023, said the real figure was likely higher, as they considered Vietnam’s definition of disability to be narrow – it was limited to physical and sensory disabilities, and excluded other disabilities such as, but not limited to, psychosocial disabilities like dementia and Autism Spectrum Disorder. The Government of Vietnam estimates that more than 1 million people have ‘severe’ or ‘extremely severe’ disabilities, including victims of landmines and Agent Orange, a herbicide used by the United States during the [Vietnam War](#), exposure to which can cause disability.

3.169 The *Law on Persons with Disabilities* (2010) mandates equal participation for people with disability, including with respect to healthcare, education, vocational training, employment, public places, transportation and legal assistance, but does not contain any anti-discrimination protections. The *Law on Persons with Disabilities* (2010) is due for revision to bring it into alignment with the Convention on the Rights of Persons with Disabilities (which Vietnam ratified in 2015), although this is expected to be delayed to the next National Assembly period (commencing 2026). The *Labour Code* (2019) prohibits discrimination on grounds of disability. It commits the state to protect the rights to work and self-employment of people with disability, and to adopt policies to encourage their employment. Under the *Labour Code* (2019), employers must provide

reasonable accommodation with respect to working conditions for people with disability and organise periodic health check-ups. In-country sources reported in October 2024 that employers or potential employers used various excuses (e.g. ‘organisational fit’, ‘capability for role’) to dismiss or not hire people with disability.

3.170 People with disability consistent with the Government of Vietnam’s definition receive a [disability allowance](#) and other benefits, the quantum and nature of which are determined by the severity of the disability (‘extremely severe’, ‘severe’ or ‘mild’). According to the UN Special Rapporteur on the right to development, who visited Vietnam in November 2023, these benefits were ‘insufficient to cover basic needs’. Social assistance facilities provide support services, rehabilitation and vocational guidance for people with disability; according to the Government of Vietnam, there were 500 such facilities countrywide in February 2024, some of which were private. Specialised vocational training facilities are also available for people with disability. In addition to the state, [CSOs](#) and [religious organisations](#) provide support services to people with disability.

3.171 People with disability face social stigma and other barriers to full participation in society. In-country sources, speaking in October 2023, said discrimination could be most pronounced at the family level: it was common for parents of children with disability to shelter them, particularly in rural areas. People with disability are less likely to go to school (especially secondary school), have lower rates of employment and higher rates of poverty, while women with disability face a greater risk of [domestic violence](#). Education options for children with disability are limited, particularly for children with sensory or intellectual disabilities. People with sensory or physical disability cannot obtain a driver’s licence (even if they have an accessible or modified vehicle). Entrance into the civil service requires ‘adequate health to perform tasks’ and a mandatory health examination, the result of which is provided to the selection panel; in-country sources said few people with disability were selected for the civil service as of October 2024. The 2022 PAPI (released April 2023) indicated strong social bias against people with disability – over half of respondents said they were unwilling to vote for a candidate with disability for political office. At the time of publication, no persons with disability were represented in the [National Assembly](#).

3.172 Public transport can be difficult to access for people with physical or sensory disabilities. Many buses are equipped to accommodate people in wheelchairs, although in-country sources said in October 2023 that drivers often used excuses not to take them in (‘the bus is running late, wait for the next one’). Trains are generally inaccessible, and there may be difficulties in accessing common services like banks, post offices or shops.

3.173 Roads, footpaths and pedestrian overpasses are generally not designed for disability mobility access, including in major cities. Many buildings only have stairs, and no lifts or wheelchair ramps (newer buildings tend to be more accessible). The UN Special Rapporteur on the right to development, following their November 2023 visit, observed that roads and most public buildings were not accessible for wheelchairs, and that road crossings were not provided with traffic lights adapted for people with vision impairment or people in wheelchairs.

3.174 DFAT assesses people with disability conforming to the Government of Vietnam’s definition of disability face a low risk of official discrimination and a moderate risk of societal discrimination. People with disability who do not conform to the Government of Vietnam’s definition of disability face a moderate risk of official discrimination in the form of difficulties to accessing basic government support and health services.

People who owe money to loan sharks

3.175 A ‘loan shark’ is a moneylender who charges extremely high rates of interest, typically under illegal conditions. Money loaned under such conditions is known as ‘black credit’ in some contexts, including in Vietnam. People unable to readily access formal financial services (including due to a lack of legal

documentation), those with poor credit histories and those in urgent need of cash are most likely to seek black credit.

3.176 Loan sharks operate in Vietnam. According to in-country sources, as of October 2023, loan sharks were most prevalent in Ho Chi Minh City and other southern provinces, and more ‘hidden’ in Hanoi, where, as the administrative capital, security was tighter. In-country sources said loan sharking was a countrywide problem: organised criminal syndicates provided loan services to anybody who needed them (with loans reportedly provided up to 30 times the official cash rate). According to the United Kingdom’s Home Office, unofficial moneylending services may also be provided by neighbourhood money lenders, which were less likely than criminal syndicates to charge high interest and employ harassment to recoup debts. DFAT cannot attest to how widespread illegal moneylending in Vietnam is but notes that informal moneylending services are widely available, including online, and sometimes advertised openly (e.g. fliers on utility poles or through social networking platforms like Facebook, TikTok and Zalo). According to local and international reporting, people can borrow money from illegal moneylenders in Vietnam with minimal to no collateral.

3.177 There is a potential for reprisals for unpaid debts, particularly where the creditor is an organised criminal syndicate. According to in-country sources, speaking in October 2023, reprisals might be carried out by individuals hired by creditors to exert pressure on debtors, rather than by the creditors’ themselves (some loan sharks had established legitimate debt collection companies to pursue unpaid debts). Reprisals can take various forms, ranging from psychological pressure and public embarrassment to intimidation and violence, although in-country sources said violence was not typically used. Specific reprisals may include property damage, asset seizures, playing of loud music outside debtors’ homes, and sending funeral wreaths to their homes or workplaces. While the use of violence was not common, the disruption to a debtor’s life – and associated psychological pressures – was sometime acute. In-country sources reported instances of creditors or their contractors moving into a debtor’s home, including eating their food, until the debt was repaid in part or in full. Debtors’ family members may also face verbal and physical harassment and threats.

3.178 In-country sources reported that loans from illegal moneylenders were often used to repay gambling debts or purchase ‘migration packages’ to third countries; with respect to the latter, migration agents were behind these loans in some cases. Illegal moneylending is also often linked to [human trafficking](#). Demand for illegal moneylending services is thought to have increased during the COVID-19 pandemic and associated economic disruptions.

3.179 While limited information is available about loan shark victims, in-country sources said [criminal syndicates](#) had national and international reach. Where criminal syndicates of such a profile (as opposed to smaller, neighbourhood lenders not affiliated with criminal syndicates) were involved, the threat of reprisal, including violence, could exist in different parts of the country. According to in-country sources, speaking in October 2023, a debtor who escaped without repaying their debt could expose remaining family members to reprisal. In-country sources were aware of instances of debtors who could not repay their loans committing suicide, though could not speak to its prevalence.

3.180 In-country sources reported in October 2023 that the Government of Vietnam had taken measures against loan sharks in recent years, including by tightening conditions for debt collection companies. The Prime Minister has issued multiple directives to strengthen government efforts to prevent and combat loan sharking, including in 2019 and 2023. *Official Telegram No.766 on strengthening solutions to prevent, stop and handle “black credit” activities*, issued by the Prime Minister in August 2023, requested relevant agencies – including the State Bank of Vietnam (Vietnam’s central bank), the MPS and the Ministry of Information and Communications – to, inter alia: strengthen inspections of credit institutions’ operations; diversify loan offerings and banking products to meet peoples’ legitimate borrowing needs; promptly detect, delete and prevent online material related to black credit; and promote awareness of the consequences of black credit. In a move designed to undercut loan sharks, in 2022, the State Bank of Vietnam directed consumer finance

companies to work with the VGCL to offer small loans at preferential rates of interest to union members and employees. According to local media reporting in June 2023, at least 65,000 people had utilised this scheme, which local media indicated remained active as of July 2024. Capital Aid for Employment of the Poor (CEP), a microfinance institution active in the south, provides loan and savings products in collaboration with the VGCL to low-income workers and poor labourers, including loans for emergency use. Loans range from VND15 million (approximately AUD945) to VND50 million (approximately AUD3,150), repayable over 12 to 36 months at interest between 0.4 and 0.64 per cent. In-country sources reported in November 2024 that other organisations also provided microfinance for small businesses and individuals, including the Vietnam Women's Union (which has 20 million members nationally).

3.181 State protection from loan sharks is available, and there are examples of loan sharks being arrested, prosecuted and given long prison sentences. According to local media reporting, police in Ho Chi Minh City detected and punished 404 individuals across 263 suspected cases of loan sharking in 2023, and a further 115 individuals across 63 cases in the first quarter of 2024. According to the same reporting, police detected and eliminated 27 mobile applications offering loans at exorbitant rates of interest (up to 900 per cent annually), including 'Goldvay', 'sugarvay', 'findong', 'wellvay', 'cfcash' and 'baovay'.

3.182 In practice, debtors may be reluctant to report to the [police](#), including due to feelings of shame and, where the creditor is a criminal syndicate, fears of reprisal; in-country sources reported in October 2023 that, unless physical violence was involved, most debtors did not report to the police. Irrespective, the police may be unable to investigate and prosecute a loan shark because there is typically no written evidence of a loan. This is particularly true in recent years: much loan sharking activity moved online during the COVID-19 pandemic and the debtor may not know the identity of the creditor.

3.183 DFAT assesses people who owe money to loan sharks do not face official or societal discrimination, with harassment from money lenders mitigated through relocation. When money is borrowed from criminal syndicates, particularly large, organised syndicates, the risk of harassment even after relocation may remain high. When money is borrowed from smaller, community-based lenders, the risk of harassment following relocation is lower. While it cannot be discounted entirely, DFAT assesses the risk of violence for the purpose of recovering unpaid debt to be low overall. The risk of violence may increase where the debtor seeks to consistently evade the creditor, or larger scale criminal syndicates are involved. See also intersectional risks for [victims of human trafficking](#).

People whose relatives were involved in the Vietnam War

3.184 Some asylum seekers say they face discrimination because of their relatives' involvement in the Vietnam War on the side of the [Republic of Vietnam](#) (South Vietnam, often a grandparent). While some in-country sources reported in October 2023 that discrimination was possible, they stated if and where it did occur, it was not as severe as in the past. Other in-country sources said discrimination based on a relative's participation in the Vietnam War was a non-issue – the war was a long time ago, people had moved on and Vietnamese people were forgiving. Discrimination, if it occurs, may relate to an inability to join the CPV, where party members might have better access to political and economic opportunities, and assume senior state positions, including in the civil service.

3.185 Possessing images or objects linked to the former Republic of Vietnam, including its former flag (known as 'Co Vang' or 'Yellow Flag') is an offence in Vietnam, and can carry harsh penalties. In July 2018, a court convicted three people of spreading anti-state propaganda for holding up the Co Vang in public (they received four-year prison sentences).

3.186 Members of the [diaspora](#) who fought on the side of the South during the war or held high-ranking government positions in the former Republic of Vietnam are free to return to Vietnam and many do so regularly.

3.187 DFAT assesses relatives of people who were involved in the Vietnam War on the side of the south face a low risk of official discrimination, if at all.

4. COMPLEMENTARY PROTECTION CLAIMS

ARBITRARY DEPRIVATION OF LIFE

Extrajudicial killings

4.1 Reports of extrajudicial killings by state agents are not common in Vietnam. DFAT is not aware of a pattern of established incidents of 'encounter killings' like those reported in other parts of Asia.

Enforced or involuntary disappearances

4.2 Vietnam is not a signatory to the Convention for the Protection of All Persons from Enforced Disappearance.

4.3 The Government of Vietnam has been accused of abducting activists abroad and returning them to Vietnam for arrest and prosecution. In April 2023, international media reported that Vietnamese state agents kidnapped and forcibly returned a prominent Vietnamese online commentator living in Thailand who had been critical of the CPV and the Government of Vietnam on [social media](#). According to international media, the individual in question had been granted refugee status by UNHCR and was awaiting resettlement to a third country at the time of their reported abduction. International media reported the individual was arrested on return to Vietnam, ostensibly for trying to enter the country illegally from Laos, and subsequently charged with spreading anti-state propaganda. There have been media reports of similar abductions in the past.

4.4 Reports of enforced or involuntary disappearance by state agents inside Vietnam are not common.

Deaths in custody

4.5 Deaths in custody occur in Vietnam, usually due to advanced age or natural causes. According to international media, at least six people died in police custody between January and November 2023.

4.6 The *Criminal Code* (2015) provides punishments of between three months and seven years for law enforcement officers who deliberately inflict bodily harm on others in the course of their official duties, although these are reportedly not enforced consistently. In December 2023, state media reported three police officers received prison sentences ranging from 15 months to 11 years for the death of a detainee in 2022. The officers had pled guilty to using physical violence against the detainee.

DEATH PENALTY

4.7 Vietnam applies capital punishment via lethal injection. Under the *Criminal Code* (2015), 18 crimes are subject to the death penalty, including: subversion against the state; espionage; rebellion; terrorism;

producing, transporting or trading [narcotics](#); murder; child rape; embezzlement; and receiving [bribes](#). Some of these crimes do not meet the threshold of ‘most serious crimes’ under the ICCPR. Eight crimes for which the death penalty previously applied were removed from the *Criminal Code* in 2015, including plundering property; surrendering to the enemy; and destroying important national security works, establishments or facilities. The *Criminal Code* (2015) prohibits the death penalty from being applied in the case of juvenile offenders (people under the age of 18); women who are pregnant or caring for a child under three years of age; and people aged 75 or above at the time of the crime or trial. In such instances, the sentence is commuted to life imprisonment. In the case of persons sentenced for embezzlement or taking bribes, the sentence is commuted to life imprisonment if, after sentencing, the offender returns at least one-third of the property embezzled or bribes taken, cooperates closely with the authorities and makes reparations.

4.8 Statistics on the death penalty are a state secret. In 2023, Amnesty International recorded at least 122 death sentences and estimated that at least 1,200 people were on death row. The death penalty is applied routinely in cases involving murder and drug trafficking. Vietnam has some of the strictest [drug laws](#) in the world – anybody found guilty of trafficking 100 grams or more of heroin, cocaine, methamphetamine or amphetamine faces the death penalty. According to Amnesty International, of the death sentences it recorded in 2023, 82 per cent were imposed for drug-related offences. The death penalty is typically not applied for political crimes and, to the best of DFAT’s knowledge, has not been applied for political crimes in decades. International media and human rights organisations reported that a death row prisoner was executed in September 2023 for murder and child rape allegedly committed in 2005. According to the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, the prisoner’s family were not notified of the execution date, nor given the opportunity to visit the prisoner before their execution. In December 2023, two death row prisoners due to be executed imminently had their executions delayed according to the Government of Vietnam.

4.9 The State President may grant clemency from the death penalty. Clemency is typically granted on major national holidays (e.g. Vietnam’s National Day, Tet Lunar New Year). According to state media, then-State President Thuong commuted to life imprisonment the death sentences of five prisoners during Lunar New Year in February 2024, having granted similar commutations to 11 prisoners on Vietnam’s National Day on 2 September 2023. A prisoner must admit their crime to be eligible to seek amnesty. In-country sources said in October 2023 that the death penalty retained popular appeal.

TORTURE

4.10 Torture, including for the purpose of obtaining testimony by duress, is a criminal offence. The use of torture in correctional institutions or rehabilitation centres carries a prison sentence of between six months and 15 years, depending on the exact circumstances; torture committed against a minor, pregnant woman, elderly person or a person with [disability](#) attracts more severe punishments. Where it results in death, torture carries a prison sentence of between 12 years and life. Similar provisions apply where torture is used to extract a confession. Vietnam ratified the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2015. The Government of Vietnam has since implemented laws and regulations against torture, and issued guidelines and delivered training to relevant state agencies, including to officers working in [detention facilities](#). According to in-country sources, speaking in October 2023, recording devices must be used during interrogations at police stations, although they said this was not always the case in practice. Some [police](#) officers have been prosecuted for mistreating detainees (see also [Deaths in custody](#)).

4.11 International human rights organisations report that [police](#) use torture to extract forced confessions from criminal suspects. Techniques reportedly used include: beatings; striking the knees and ankles of suspects with a wrench while they are tied in a chair; hanging suspects upside down, often while naked; applying

cigarette burns; and waterboarding. Psychological forms of torture, including threats against one's family, are also reportedly used. [Prison conditions](#), including extended periods of solitary confinement, may amount to torture. In-country sources, speaking in October 2023, said [prisoners of conscience](#) faced a heightened risk of mistreatment relative to the general prison population, although the level of risk could vary by prison.

4.12 Some [death row prisoners](#) allege they were tortured by investigators to obtain confessions. The Office of the United Nations High Commissioner for Human Rights (OHCHR) and the International Commission of Jurists have previously issued statements about allegations of torture and fair trial violations against death row prisoners. The UN Special Rapporteur on extrajudicial, summary or arbitrary executions described as credible allegations that a death row prisoner executed in September 2023 for murder and child rape was coerced into a self-incriminating confession.

4.13 In-country sources said that, while torture occurred, including in police detention and prison, it was not encouraged or systematic, and did not represent a uniform risk as of October 2023. Where torture did occur, they said it was due to a lack of capacity on the part of individual officers and generally used as a last resort. According to in-country sources, the level of risk of torture depended on the individual officer rather than the crime.

4.14 DFAT assesses detainees face a low risk of torture, although the risk is higher for detainees who have committed certain categories of crime, including national security crimes and/or crimes punishable by death. DFAT assesses [prisoners of conscience](#) face a moderate risk of mistreatment, possibly amounting to torture, while completing their prison sentences.

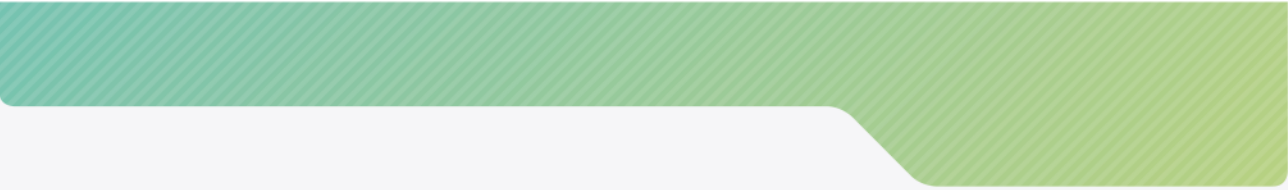
CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

Arbitrary arrest and detention

4.15 The *Criminal Code* (2015) prohibits arbitrary arrest and detention. Criminal suspects can be detained without charge for up to three days (while police conduct initial investigations), although multiple extensions can be sought from a court. The law provides for prolonged pre-trial detention of suspects for serious crimes, including [crimes relating to national security](#) (suspects can be detained without charge until investigations are complete). Once charges are laid, suspects may be subject to an order to stay at a particular address or be remanded in custody for up to 16 months or longer in the case of serious crimes. DFAT understands official time limits are not always respected in practice and are often extended to keep prisoners in pre-trial detention for indefinite periods. This is particularly true for serious crimes, including crimes relating to national security; in such circumstances, in-country sources said in October 2023 it could take 'years' before a detainee had their day in court.

4.16 People in pre-trial detention are entitled to a lawyer and to contact family. In-country sources reported that these rights were not always respected in practice for suspects accused of national security crimes. DFAT understands that some, though not all, activists may be held incommunicado while in pre-trial detention; some are granted contact with family or lawyers. Bail is rarely, if ever, granted to people accused of national security crimes.

4.17 [National security crimes](#) are broadly interpreted and, according to in-country sources, were routinely used to arrest, detain and sentence activists and [human rights defenders](#). The UN Working Group on Arbitrary Detention has determined the detentions of several activists to be arbitrary. In October 2021, the UN Working Group on Arbitrary Detention found the charge on which pro-democracy activist Pham Doan Trang was



detained (Article 117 of the 2015 *Criminal Code*, relating to the spreading of anti-state propaganda) was ‘so vague that it is impossible to invoke a legal basis for her detention’, and, for that reason, determined Trang’s detention was arbitrary. A similar finding was made by the same Working Group in July 2021 regarding Le Huu Minh Tuan, an independent journalist arrested in June 2020 and sentenced to 11 years in prison in January 2021. The Working Group found that Tuan’s case followed a ‘familiar pattern of arrest that does not comply with international norms’ and was part of a pattern that ‘indicates a systemic problem with arbitrary detention in Vietnam’.

4.18 DFAT assesses arbitrary arrest and detention occurs in practice, particularly where crimes related to national security are involved. See also [Prisoners of conscience](#) and [Human rights defenders](#).

5. OTHER CONSIDERATIONS

STATE PROTECTION

Military

5.1 Vietnam has a large and professional military, comprising an army; navy; air force; border guard; and coast guard. In September 2024, the *World Factbook* estimated the collective strength of the Vietnam People's Army (VPA), as the military is known, at 450,000 active personnel, although other sources say it is larger. The CPV's Central Military Commission, headed by the General Secretary of the CPV, oversees the VPA. The State President is nominally Commander in Chief. Vietnam also maintains a Militia and Self-Defence Force within the Ministry of Defence, organised at the district and commune levels. Women are represented in the armed forces, including in management positions, although their rate of participation is low (around 3 per cent in 2024). In January 2024, Vietnam adopted a national action plan to improve the role of women in peace and security, including a goal of women's full, equal and meaningful participation in national defence and security by 2030.

5.2 Military conscription of two years applies to men between the ages of 18 and 25 (18 to 27 in the case of men who postpone their conscription to enter university or college). Women can volunteer for conscription (they are not drafted). Under the *Law on Military Service* (adopted in 2015, effective from 2016), conscription can be postponed on various grounds, including: poor health and study (tertiary or vocational); where one is the sole earner in a household and has caring responsibilities for family members; has an active-duty sibling; and has been assigned as an official or volunteer to a socioeconomically deprived area of the country. Children or siblings of 'revolutionary martyrs' (people who sacrificed themselves for the independence, construction and defence of Vietnam); children of wounded or sick soldiers; people performing civilian tasks considered essential; and officials or volunteers assigned to a socioeconomically deprived area of the country for two years or longer are exempt from conscription. In-country sources said in October 2023 that these exemptions were used frequently. Non-exempt persons may attempt to avoid conscription, including – according to in-country sources – by paying bribes to enlisting officers.

5.3 Where avoidance of conscription is detected by authorities, a financial penalty or prison term may apply, particularly for repeat offenders. Desertion and breach of duty, including employing deceitful methods to evade the discharge of duties, are criminal offences under the *Criminal Code* (2015); they carry penalties ranging from community service to 12 years' imprisonment (for serious offences like desertion in wartime and carrying or abandoning weapons and secret documents). DFAT is unable to comment on the prevalence of desertion or avoidance and their consequences outside of the criminal sanctions described above.

Police

5.4 Vietnam has two primary internal security units, both overseen by the MPS: (1) the People's Security Force, which collects intelligence on activities that may damage national security; and (2) the People's Police

Force, which is responsible for social order and public safety. The People's Police Force also manages more traditional police work, including criminal investigations, neighbourhood policing, traffic control and household registration. In-country sources estimated 10 per cent of police officers were women in October 2023.

5.5 Police operate at national, provincial, district and commune levels. The distinction between different police units may not be obvious, except for traffic police, who wear a different coloured uniform. Commune police often have lower salaries and fewer benefits than police at the district, provincial and national levels. In-country sources reported in October 2024 that police in urban areas were more likely to have access to training and development opportunities compared to police in rural areas, although the MPS was working to address this. In general terms, though, police were well trained, and many had degrees in policing or higher-level vocational education. They are considered capable.

5.6 Police corruption occurs, although a distinction must be made between high- and low-level corruption. Corruption may take the form of 'coffee money' (a small payment at the side of the road), which may, in turn, be paid to superiors as part of a patronage network. This practice may be accepted domestically, and not necessarily recognised as corruption, by the average person in Vietnam. For example, in-country sources speaking in October 2023 said it was common for police to receive payments from sidewalk food vendors who operated without permits. In-country sources also said traffic police may be bribed to waive certain offences, like crossing a red light, speeding or operating an unregistered vehicle (bribes for drink driving or causing an accident were less likely to work). High-level corruption, including payments by organised crime, is much less tolerated, more so in the current environment (see Operation Blazing Furnace under Corruption). Where it occurs, high-level corruption, including by police, is very likely to be investigated and severely punished.

5.7 According to international media reporting, local police occasionally used thugs to suppress protest activity. State protection from the police would not necessarily be available in such circumstances. More broadly, and for the most part, the police can and do provide state protection where it is required. Police provision of state protection to individuals who have experienced GBV (including domestic violence) and human trafficking, and for members of the LGBTQIA+ community, is available but can vary across urban and rural areas, and is highly dependent on police training in such sectors and the views and attitudes of individual officers (officers in rural areas are more likely to hold conservative attitudes to domestic violence and LGBTQIA+ matters).

5.8 DFAT assesses the police are effective in maintaining law and order and providing protection to most people. See relevant sections for intersectional risks faced by women, people who identify as LGBTQIA+ and victims of human trafficking seeking police support.

Legal system

5.9 The Supreme People's Court in Hanoi is the highest judicial authority in Vietnam, headed by a Chief Justice. The Superior People's Court (appeals court) is the second highest authority, with three courts in Hanoi, Ho Chi Minh City and Da Nang. Sitting beneath these are courts at the provincial and district levels. Provincial-level courts act both as first instance (trial) and second instance (appeal) courts. The Central Military Court hears military matters and is directly subordinate to the Supreme People's Court. The National Assembly may establish special legal tribunals at the recommendation of the Chief Justice.

5.10 The *Criminal Procedure Code* (2015) enshrines the presumption of innocence. The law specifies that judges shall adjudicate independently; prohibits interference by bodies, organisations and individuals; provides that hearings shall be timely and public; and guarantees defendants the right to a defence. Closed trials are permitted under some circumstances (e.g. where state secrets might be divulged or where national customs or norms must be protected). Verdicts are required to be made public. According to in-country

sources, speaking in October 2023, due process was not always respected in practice, particularly in cases involving alleged breaches of [national security](#) articles of the *Criminal Code* (2015), and that trials may fall short of international standards. Harsh sentences for serious crimes, including [death](#) for drug-related crimes and murder, are de rigueur. Under the *Criminal Code* (2015), the age of criminal responsibility is 14 years for serious crimes, including murder, rape, terrorism, the illegal production, trading or trafficking of narcotics, deliberate bodily harm, robbery and kidnapping for ransom, and 16 years for all other crimes.

5.11 The OHCHR has previously expressed ‘serious concern’ about the independence of the judiciary and the right to a fair trial. In-country sources, speaking in October 2023, did not consider the judiciary to be independent of the CPV, particularly in politically sensitive cases and cases relating to national security. Most judges are CPV members (all candidates are screened by the party) and must reportedly follow CPV findings in their rulings.

5.12 By law, the state must assign a lawyer to criminal defendants charged with offences punishable by [death](#), minors, people with physical disabilities and people deemed ‘mentally incompetent’. Legal aid is available for defendants with meritorious service to the revolution; people living below or just above the poverty line; children; [ethnic minorities](#) living in socioeconomically deprived areas of the country; and certain categories of people experiencing financial difficulties (e.g. the elderly, [people with disability](#), [people living with HIV](#), and victims of [human trafficking](#) and [domestic violence](#)).

5.13 In-country sources reported in October 2023 that defence lawyers were often denied timely and regular access to their clients, hampering their ability to prepare a strong defence. Defence lawyers could meet with their clients only at times approved by the investigator; meetings were infrequent and never private (prison officials and the investigator were always present). Where an investigation is ongoing, defence lawyers can only discuss general welfare matters with their client, and not defence strategy. Attorney-client privileges are not guaranteed: under the *Criminal Code* (2015), lawyers can be held criminally responsible for not reporting clients for national security or other extremely serious crimes, including murder, rape, human or organ trafficking, and the production, transportation or trading of narcotics, where they had knowledge of the crime while performing their duties. Lawyers defending clients in politically sensitive cases have reported being threatened and harassed by authorities.

5.14 The *Criminal Procedure Code* (2015) stipulates that, in cases relating to national security where confidentiality of investigations is vital, the prosecutor may prevent defence lawyers from speaking to their client until the police have completed their investigation – a process that can take one year or more. According to in-country sources, speaking in October 2023, lengthy pre-trial detention was common for those charged with national security offences, and defendants of this profile were often denied access to legal representation until one week before their trial commenced (see also [Arbitrary arrest and detention](#)).

5.15 In-country sources familiar with Vietnam’s legal system, speaking in October 2023, said criminal trials tended to be ‘quick’. In cases involving the [death penalty](#), the trial could conclude in two days or less; in cases involving [national security](#), the trial could last a few hours. According to in-country sources, there was little to no cross-examination of the evidence, and defence lawyers did not question the integrity of the prosecution’s case and the way in which evidence was obtained – what the prosecutor said was generally accepted as fact. In many cases, defence lawyers were not allowed to call witnesses (DFAT is also aware of witnesses in sensitive cases being intimidated by government officials to not appear in court when summoned). According to in-country sources, speaking in October 2023, outcomes in high-profile criminal cases – for example, relating to [corruption](#) or [national security](#) – were pre-determined, with courts acting as rubber stamps.

5.16 [Corruption](#) occurs in the legal system. In-country sources reported in October 2023 that judges and court officials were not well paid, and that bribes could help expedite proceedings and ensure favourable outcomes, particularly in lower courts. Civil cases, which are preferred for [domestic violence](#) matters, are reportedly more susceptible to bribery. Bribery is less likely to work in cases involving serious crimes, such as

murder or drug trafficking; according to in-country sources, if bribery in drug-related cases were to work, it would be prior to or at the point of a suspect's arrest, not at the court stage – conviction rates were almost 100 per cent. In-country sources said bribery was not possible in politically sensitive cases and cases relating to national security.

5.17 The law provides for community-based dispute resolution known as grassroots mediation to settle minor disputes, conflicts and violations of the law (see also [Domestic violence](#)). Grassroots mediation has deep historic roots in Vietnam and is used extensively – it is confidential, quick, more accessible and affordable than the formal legal system for some people, particularly those living in remote areas of the country, helps preclude lawsuits and associated costs, and aligns with traditional cultural values of maintaining harmony in communities and families. Grassroots mediation is voluntary, and both parties to a dispute must consent to the mediation.

5.18 There are over 100,000 grassroots mediation teams (encompassing over 650,000 mediators) countrywide. Mediators are elected by local residents and receive remuneration from the state. The *Law on Grassroots Mediation* (2013) requires they have good moral qualities and legal knowledge, and be objective, reasonable, sympathetic, act in accordance with Vietnamese laws and traditions, and maintain confidentiality. People of repute in the community who understand the law often serve as grassroots mediators. The *Law on Grassroots Mediation* (2013) stipulates that each mediation team must have a minimum of three mediators, including mediators who are female. In ethnic minority areas, it is mandatory to have mediators from ethnic minority groups, including to ensure the mediators understand the language of the dispute parties. Lawyers are encouraged to act as mediators, although most grassroots mediators do not have formal legal qualifications. Grassroots mediation helps to ease the burden on the formal legal system. In practice, the quality of mediation can vary greatly.

5.19 DFAT assesses Vietnam has a functioning and accessible legal system, and an extensive system of grassroots mediation. Defendants charged with national security offences are sometimes denied access to a fair trial, including the presumption of innocence, timely access to legal representation and adequate time to prepare a defence, and can face lengthy pre-trial detention.

Double Jeopardy

5.20 Double jeopardy would occur when a Vietnamese citizen is acquitted or convicted of a crime in another country and is prosecuted for the same crime after returning (or being returned) to Vietnam. The *Criminal Code* (2015) gives broad extra-territorial jurisdiction for crimes, meaning a crime under Vietnamese law committed outside Vietnam may be punishable under Vietnamese law. In-country sources, speaking in October 2023, were not aware of these provisions being applied in practice, and noted the existence of protections against double jeopardy. The 2013 Constitution stipulates that 'no one shall be tried twice for the same offence'. Under the *Criminal Procedure Code* (2015), a person cannot be charged, investigated, prosecuted or tried for an act they have previously been convicted by a court of law.

5.21 DFAT is not aware of cases of double jeopardy in practice. At the time of publication, DFAT was not aware of examples of Vietnamese citizens who had been arrested, prosecuted or convicted of an offence in another country being subjected to legal sanctions or punitive actions for the same offence on their return to Vietnam. DFAT was also not aware of examples of Vietnamese citizens being prosecuted in Vietnam for an offence committed abroad for which they were not prosecuted or a sentence was not served in the country where the offence took place.

5.22 The *Treaty on Mutual Legal Assistance in Criminal Matters between Australia and the Socialist Republic of Viet Nam* (2015) stipulates that assistance shall be refused where the person to whom the request relates would be exposed to double jeopardy.

National Human Rights Institution

5.23 Vietnam does not have a national human rights institution. In a national report submitted ahead of its Universal Periodic Review at the UN Human Rights Council in April 2024, the Government of Vietnam disclosed it was studying the possibility of establishing a national human rights institution in accordance with Vietnam's national circumstances; no institution had been established at the time of publication.

Detention and prison

5.24 Detainees are legally entitled to have their lives and bodies protected and their honour and dignity respected. The *Law on Temporary Detention and Custody* (2015) grants detainees the right to food; accommodation; clothing; personal items; healthcare; cultural activities; to receive letters, gifts and documents (including books and newspapers); to meet their relatives, defence lawyers and consular officials; to file complaints; and to compensation if unlawfully detained. According to the *World Prison Brief*, Vietnam had a prison population of nearly 134,000 in June 2022, of whom 11.5 per cent were pre-trial detainees.

5.25 Prison conditions vary by prison and province. The US Department of State described prison conditions in 2023 as 'austere...but generally not life threatening'. In-country sources in October 2023 reported overcrowding, inadequate heating during cooler months and excessive heat in summer. Food is basic and meagre ('just enough to survive' according to in-country sources). Supplementary food may be purchased from prison canteens and provided by family members. Prisoners generally have access to clean drinking water. Prisoners have the legal right to use religious books and to manifest their [religion](#) or belief while in detention; however, this is not always respected in practice.

5.26 Men and women, adults and juveniles, and pre-trial and convicted prisoners are generally held separately. Most convicted prisoners are held in dormitory-style cells with 20 to 40 other inmates, who are grouped according to age, health and the nature of their crime. Cells include a bathroom with toilets and bathing areas, and a television. Prisons include common courtyards. Prisons for convicted criminals are generally better than detention facilities for those on remand. Prisoners may be subjected to solitary confinement for disciplinary reasons. Prisoners in solitary confinement may be prohibited from buying food from the prison canteen and receiving mail, supplies or family visits during the period of their confinement. Female prisoners receive better treatment than male prisoners and are less likely to be shackled.

5.27 According to in-country sources, prisoners could make telephone calls to family members of up to 10 minutes once a month as of October 2023. Family visits are permitted for convicted prisoners, usually once or twice a month for up to 45 minutes per visit. Family members can hand over gifts – including food – during visits. Visits from, and telephone calls to, friends are not permitted. Prisoners in pre-trial detention can only receive visits from their lawyer, investigating officers and, if applicable, consular officers (pre-trial detainees can receive food deliveries from family members, though cannot speak to or see them). All visits are supervised, including visits by lawyers. In-country sources reported that lawyer visits were at the discretion of the investigator and, where permitted, the visit had to be conducted in the presence of the investigator and prison officials (see also [Legal system](#)).

5.28 Prisoners have access to basic healthcare. Prison doctors can perform basic examinations and provide standard medication to prisoners, including antibiotics, antihistamines and painkillers. Most other medication needs to be sourced by the prisoner. Severely ill prisoners may be transferred to outside hospitals for treatment, if needed. Family members of imprisoned activists with health problems have reported inadequate medical treatment resulting in long-term health complications. In-country sources familiar with Vietnam's prison system, speaking in October 2023, described prison healthcare as 'limited'; however, generally speaking, they did not believe medical care was deliberately withheld to punish prisoners.

5.29 Conditions for prisoners of conscience are generally more challenging compared to the general prison population. Prisoners of conscience may be kept separate from other inmates and receive fewer entitlements; some are kept in solitary confinement. In-country sources reported in October 2023 instances of prisoners of conscience having their legs shackled; being threatened and/or beaten by prison guards or other inmates; receiving contaminated food and water; being deliberately exposed to cold conditions and denied blankets in winter; placed in cells with loud outside noise; receiving limited time outside of their cells; subjected to hard labour; held in prisons far from their families and legal representatives (to make visits difficult); and denied medical treatment. According to international media, some prisoners of conscience had to sign letters of confession admitting anti-state activities as a condition for receiving medical treatment. Human rights organisations based outside Vietnam have also reported instances of prisoners of conscience being subjected to forced psychiatric treatment. According to in-country sources, the risk of mistreatment was greater for prisoners of conscience of higher profiles. In-country sources said prisoners of conscience who admitted wrongdoing and ‘played by the rules’ received more favourable treatment. There were several instances in 2023 and 2024 of prisoners of conscience going on hunger strike to protest their conditions. DFAT understands many prisoners of conscience are held in Prison No.6 in Nghe An Province (North Central Vietnam).

5.30 In-country sources, speaking in October 2023, said conditions for prisoners on death row were particularly severe. Death row prisoners were shackled and could not leave their cells except for consular visits (if applicable). They could not receive visits from family.

5.31 Former prisoners, including prisoners classified as national security threats, have reported physical abuse by prison guards and fellow inmates. In-country sources said violence inside prisons was not a major issue in general as of October 2023.

5.32 In-country sources reported in October 2023 that bribery inside prisons likely occurred; however, they did not think it was particularly prevalent or occurred to the same extent as elsewhere in the region. Where it occurred, bribes to prison officials could improve conditions and provisions, including extra food. Those convicted of national security crimes had less scope to bribe prison officials.

INTERNAL RELOCATION

5.33 The 2013 Constitution and the *Law on Residence* (2020) provide for freedom of internal movement. Internal relocation is very common – people can and do migrate internally, and have done so in large numbers, particularly from rural to urban areas in search of economic opportunities. In-country sources said in October 2023 that climate change was also a growing driver of internal migration. The US Department of State reported that migration from rural areas to cities ‘continued unabated’ in 2023.

5.34 Limits to internal freedom of movement apply to some people, including those who are on bail, serving suspended prison sentences, or completing compulsory drug rehabilitation. Limits also apply to people undergoing supervised probation (*quan che*) after completing prison sentences for certain crimes, including crimes related to national security. *Quan che*, which can last up to five years, includes a requirement to live and work in a defined area under the supervision of local authorities during the period of probation. These limitations are time-bound, and internal relocation should theoretically be possible for most people to whom these temporary restrictions apply. There are otherwise no legal barriers to internal relocation.

5.35 Hanoi and Ho Chi Minh City have previously enacted local legislation to limit relocation because of concerns of overcrowding and associated pressures on infrastructure and services. In-country sources said, to the best of their knowledge, these restrictions were no longer in force or were otherwise not being enforced as of October 2023, pointing to the high rates of population growth in these cities as evidence.

5.36 To monitor internal migration and guard against unlawful activity, the MPS maintains a system of household registration (*ho khai*). The *Law on Residence* (2020) provides for two types of household registration: (1) permanent, that is, where one was born/their place of origin; and (2) temporary, that is, where they currently live. Under this system, people who reside for 30 or more days away from their permanent place of residence – including because of work or study – must register their temporary place of residence with a residence registration authority (usually the police) in their new locality or through online government systems. The *Law on Residence* (2020) mandates that overnight stays away from one's usual place of residence (e.g. in another household, hotel or hospital) be registered in a similar way ('stay notification', which may be provided by the host establishment, member of the host household or directly by the visitor). In-country sources reported in October 2023 that household registration requirements were not enforced strictly and did not present a barrier to relocation. DFAT understands that, where registration in a new location is sought, it is typically granted, including in the case of returnees who have sought and failed to secure asylum abroad.

5.37 Under the *Law on Residence* (2020), Vietnamese citizens can have one permanent and one temporary place of residence. Permanent residence may be transferred in certain circumstances (e.g. through marriage or by purchasing property in another location). In-country sources reported in October 2023 that people migrating from rural to urban areas could not typically transfer their permanent residence, though could obtain temporary registration – and, with it, access to government services – in their new place of residence. To register a temporary residence, one must submit a declaration of change in residence and information proving their new place of residence to a residence registration authority or through online government systems. According to in-country sources, speaking in October 2023, this was generally not a difficult process. The maximum period of temporary residency under the *Law on Residence* (2020) is two years, renewable an unlimited number of times. Household registration details were previously recorded in physical household registration and temporary residence books, although these have been phased out and replaced by a digital national population database linked to chip-based [Citizen Identity Cards](#).

5.38 Household registration may be revoked in certain circumstances, including, but not limited to, death; permanent residence abroad; and continuous absence from one's permanent place of residence for 12 months without registering one's temporary residence at another location or without declaring a temporary absence from one's permanent place of residence (unless one travels abroad temporarily, is serving a prison sentence or is the subject of compulsory drug rehabilitation). Temporary registration residence may be revoked if one is continuously absent from their temporary place of residence for six months without registering a temporary residence in another location. There are no provisions in the *Law on Residence* (2020) preventing a person whose household registration has been revoked – including a returnee from abroad – from re-registering their permanent or temporary residence. In-country sources reported in October 2024 that, like anybody else, a returnee could contact the local police where their residence was registered or, alternatively, search a government mobile application (VNeID) to confirm if their household registration was revoked (revocation should not be assumed). Under *Decree 62*, adopted in June 2021 pursuant to the *Law on Residence* (2020), a person with no registered place of permanent or temporary residence must declare their residence information to the nearest residence registration authority. If the person is verified as a citizen of Vietnam, the residence registration authority facilitates the issuance of a personal identification number (should they not have one) and a written certification of residence information with the person's basic information, and which they can subsequently use to apply to register a permanent or temporary place of residence.

5.39 Household registration is required to access government services, including public education and healthcare, in the permanent or temporary location where one resides. Absent registration, access to government services in that location can be difficult, though not impossible, according to in-country sources, and [bribes](#) can reportedly help. Permanent residence registration is required to obtain an [identity card](#).

5.40 DFAT assesses internal relocation is possible for most people. Security agencies are highly capable and can locate and monitor a person of interest should they relocate internally, including through the household registration system.

TREATMENT OF RETURNEES

Exit and entry procedures

5.41 The 2013 Constitution provides Vietnamese citizens the right to travel freely to, and return from, abroad. The right to exit may be suspended temporarily under certain circumstances, as defined by the *Law on Exit and Entry of Vietnamese Citizens* (2019), including where a person is suspected of committing a crime; serving a suspended prison sentence or supervised probation; is on parole; is the subject of civil court orders; or has outstanding tax liabilities. People whose exit may influence national defence and security may also be prohibited from leaving Vietnam, as determined by the Minister of Defence and the Minister of Public Security. In-country sources reported in October 2023 that police and immigration officers had to obtain permission to travel abroad.

5.42 Vietnam maintains an Exit Control List (ECL). The nature of the ECL and who is on it is confidential, though likely includes criminal defendants and those on probation or parole. According to in-country sources, speaking in October 2023, the ECL may also include state critics, activists, human rights defenders and former prisoners of conscience. In-country sources reported that it would be very difficult to know how a person might be removed from the list (beyond cooperating with the authorities and abiding by the law) and whether removal could be facilitated through bribery (they said the latter would be 'impossible' if national security concerns were involved). People would not generally know they were on the ECL until they tried to pass Vietnamese border control, when they would get 'pinged' and turned back. *Radio Free Asia* reported in June 2024 that a Khmer Krom activist who had applied for a passport was informed by local authorities that they were on the ECL and were banned from leaving the country between 1 August 2023 and 1 August 2026. According to in-country sources, speaking in October 2023, people who were likely on the ECL have departed Vietnam by crossing illegally into neighbouring countries via land routes.

5.43 Activists and state critics may be prevented from leaving for abroad, including through the non-issuance of new passports and confiscation of current passports. In February 2022, Human Rights Watch reported activists being prevented from boarding international flights through a variety of tactics, including deliberately slow bureaucratic procedures at the airport (so they missed their flight), as part of broader efforts to restrict activists' movements. In September 2022, international media reported a prominent human rights lawyer and their family were stopped by police from boarding a flight to the United States (the lawyer had represented defendants in high-profile, politically sensitive cases). The family's exit ban was subsequently lifted, and they eventually departed for the United States (where they had reportedly been granted protection) in October 2023. Where activists and state critics are allowed to travel abroad, they may face questioning on return about the nature of their engagements abroad. People with actual or imputed links to dissident or political groups may be denied entry to Vietnam and/or prevented from departing Vietnam.

5.44 Most people enter and exit Vietnam through official, designated land borders or via approved air and seaports. DFAT understands from in-country sources that land border crossings are easier to pass. Immigration systems at different kinds of borders (land, air, sea) may not necessarily be connected, and officials at land crossings may be more amenable to bribes. Undetected movement across borders is possible using unofficial land crossings. Vietnam's land borders are vast (over 4,500km) and difficult to police in places, including because of mountainous topography; according to in-country sources, speaking in October 2023, large

stretches were unpatrolled, creating opportunities for irregular movement in and out of the country. Such routes are known to be used by [human traffickers](#) (the dominant form of irregular departure from Vietnam). DFAT is aware of reports of people irregularly crossing land borders with Laos and Cambodia because they were wanted for crimes and political or other disapproved activities. According to in-country sources, it may also be possible to exit Vietnam using fraudulently obtained genuine passports (see [Prevalence of fraud](#)).

5.45 Vietnam has a vast [diaspora](#), with large concentrations in the United States (the single largest), Canada, France, Germany and Australia (nearly 335,000 people claimed Vietnamese ancestry at the time of Australia's most recent census in 2021). The *Law on Vietnamese Nationality* (2008) commits the state to adopt policies to encourage and create favourable conditions for people of Vietnamese origin living abroad to maintain close relations with their families and homeland, and contribute to Vietnam's development. Members of the diaspora, including in Australia, travel to Vietnam regularly to visit family, for holiday and business. Members of the diaspora who fought on the side of the south during the [Vietnam War](#) or held high-ranking government positions in the former Republic of Vietnam are free to return, and many do so regularly. Vietnam is sensitive to the activities of foreign-based dissident groups led by members of the diaspora, and there have been instances of people affiliated with such groups being arrested and imprisoned after returning to Vietnam (see [Viet Tan](#)).

5.46 In-country sources, speaking in October 2023, reported a spike in agents and brokers – not all of whom were legal – offering migration services since the COVID-19 pandemic. In-country sources said agents and brokers were advertising their services more aggressively, and that advertisements for these services had increased around the time (March 2022) Australia and Vietnam signed a Memorandum of Understanding regarding Vietnam's participation in the Australian Agriculture Visa Program.

5.47 DFAT assesses it would be extremely difficult, if not impossible, for a wanted person to depart Vietnam by air, as airport exit procedures are robust and scope for corruption is low. DFAT assesses it would be possible for a wanted person to depart Vietnam by land for a neighbouring country, particularly through irregular means, although this may require a long and arduous journey (depending on the person's location), evasion of the authorities (not guaranteed) and knowledge of border terrain. Departure from Vietnam using forged or fraudulent [documents](#) is possible, although departure in such circumstances by air is highly unlikely: Vietnam Immigration requires air passengers to hold a valid [passport](#), valid airline ticket and access to a third country (by visa or visa exemption), and Vietnam's passport control systems should detect forged or fraudulent documents (see also [Prevalence of fraud](#)).

Conditions for returnees

5.48 The *Criminal Code* (2015) prohibits 'organising, coercing [or] instigating illegal emigration for the purpose of opposing the people's government' and provides prison terms of between three and 20 years for organisers and participants. At the time of publication, DFAT was not aware of these provisions being used against failed asylum seekers who had returned from Australia.

5.49 Returnees from Australia who were part of a people smuggling venture may be interviewed by authorities on their return to Vietnam. DFAT understands this process generally takes between one and two hours, with a focus on obtaining information about the circumstances of their departure and the organisers of the venture. DFAT was not aware of returnees from Australia being held overnight for this purpose or being mistreated as part of this process. Authorities seek to distinguish between organisers and passengers of people smuggling ventures, and generally consider the latter victims. DFAT understands that returnees who were passengers in a people smuggling venture typically do not face criminal sanction on return, including in cases of multiple illegal departures. At worst, they will receive a fine (*Decree 144*, promulgated in December 2021, prescribes financial penalties of between VND3 million and VND5 million, or AUD190-315, for crossing national

borders without following immigration procedures), although in-country sources reported in October 2024 that this may be waived.

5.50 Returnees, including failed asylum seekers, who departed Vietnam through legal means are not subjected to special treatment or questioning by authorities on their return unless wanted for an outstanding criminal matter in Vietnam; the fact they sought and failed to obtain asylum might not be known and, in any case, seeking asylum abroad is not a criminal offence. According to in-country sources, speaking in October 2023, people of this profile were processed by immigration authorities like anybody else. DFAT is not aware of failed asylum applicants in Australia being mistreated, subjected to special questioning or arrested on their return to Vietnam because they were critical of the party or government while in Australia. Returnees of this profile who continue to criticise the party or government after returning to Vietnam would likely experience official harassment, including monitoring and questioning, and potential arrest and prosecution, including under national security provisions of the *Criminal Code* (2015). This risk applies to all citizens of Vietnam, not just returnees.

5.51 As a proscribed entity, returnees with known affiliations to the Viet Tan, including through activity on social media and involvement in Viet Tan meetings and demonstrations, would be of interest to the authorities, and may encounter questioning and surveillance on return. If returnees of this profile continued these activities inside Vietnam, they would face a high risk of harassment, arrest, prosecution and imprisonment on national security grounds, like anybody else. Known Viet Tan members would face a high risk of questioning and arrest on return. DFAT is not aware of any failed asylum seekers in Australia being imprisoned on return in such circumstances.

5.52 Returnees – including failed asylum seekers, labour migrants and trafficking victims – may experience reintegration difficulties, although these are not state-imposed. Difficulties may include unemployment or underemployment, challenges accessing government services and, in the case of trafficking victims, social stigma. Some returnees may have accumulated large debts, including to loan sharks, to fund their travel from Vietnam, which they may have difficulty repaying. The experiences described in this paragraph are not uniform: some returnees, including failed asylum applicants, report making smooth transitions. In-country sources reported in October 2024 that, should they need it, returnees could seek support from Migrant Resource Centres managed by the Department of Labour, Invalids and Social Affairs, although the scope of these services was opaque.

5.53 In-country sources reported in October 2023 that failing to secure asylum abroad did not carry stigma. Remittances allowed families to build new homes and stimulated local economies. Emigration was very common, culturally accepted and encouraged, including by the Government of Vietnam (on account of the remittances that would flow back to Vietnam). According to in-country sources, failed asylum applicants would not typically encounter official discrimination for failing to secure asylum abroad. DFAT understands from in-country sources that, like anybody else, returnees – including failed asylum seekers – who have spent an extended period of time abroad and may have had their household registration revoked can apply to register their residence at a local residence registration authority (usually the police) or through online government systems to receive government services in that location (Government of Vietnam *Circular 56/2021/TT-BCA*, adopted in May 2021 pursuant to the *Law on Residence* (2020), includes a specific application form for Vietnamese nationals returning to Vietnam after residing abroad). Revocation of household registration should not be assumed.

5.54 Returnees, as Vietnamese citizens, are eligible for health insurance, and may receive free or subsidised coverage (as well as other forms of social assistance) depending on their financial particulars. Returnees are also eligible to participate in the public social insurance scheme, which is typically contingent on finding employment in the formal sector. To access these and other government services, returnees, like anybody

else, require a valid [identity card](#) and [household registration](#). DFAT is not aware of returnees having citizenship revoked or being denied access to rights available to other Vietnamese citizens.

5.55 Children born abroad to parents seeking asylum whose births are registered and are Vietnamese nationals can access government services like any other citizen of Vietnam (see also [Passports](#)). Like their parents, they would generally not encounter official or societal discrimination, including with respect to their ability to obtain household registration (which would be linked to their parents) and access government services.

5.56 Returnees who have been convicted of a crime abroad and served jail time abroad for that crime face a low risk of prosecution for the same crime in Vietnam (see also [Double jeopardy](#)). This includes returnees with criminal records associated with drug importation into another country. The *Law on Judicial Records* (2009) stipulates that a returnee who has been convicted of a crime abroad will have their conviction recorded in Vietnam; however, this only occurs when the authorities in the country where the offence was committed provide the conviction details to Vietnam under a mutual legal assistance agreement. In such cases, a person with a criminal record in Vietnam may face difficulty in finding employment where police checks are required. DFAT is not aware of returnees with criminal records associated with drug importation into Australia, and who have served jail time in Australia for that crime, being separately prosecuted by Vietnamese courts for the same offence/s. As of October 2023, in-country sources were not aware of returnees who had served prison time for breaking the law in Australia, including for cannabis cultivation, being mistreated or subjected to special questioning on their return to Vietnam, insofar as their crime was not committed in Vietnam.

5.57 DFAT assesses returnees who failed to secure asylum in Australia, including returnees who departed Vietnam for Australia through irregular means, generally face a low risk of harm, a low risk of official discrimination and a low risk of societal discrimination on return. Those who use their time abroad to publicly oppose the government or party and continue to do so on return would face a high risk of official harassment, including arrest and prosecution on national security grounds, in accordance with the *Criminal Code* (2015) – a risk that applies to all Vietnamese citizens. Returnees who criticised the government or party while abroad would not necessarily be of interest to the authorities (or be known to them), and, should they cease their criticism on return to Vietnam, would face a low risk of official discrimination or harassment (see also [Political Opinion](#)). Returnees who committed criminal offences while in Australia, and completed their sentences in Australia, would generally face a low risk of official discrimination or harassment on their return to Vietnam. Unless they had an organising role for a people smuggling venture, were the subject of an outstanding arrest warrant or were sentenced in absentia, a returnee would face a low risk of arrest.

DOCUMENTATION

Birth, death and marriage certificates

5.58 Births, deaths and marriages must be registered in accordance with the *Law on Civil Status* (2014). Registration requests can be submitted directly to a civil status registration agency, by post or via an online civil status registration system (the latter can be accessed through national or provincial public service portals). Communes maintain civil and vital events registers of births, deaths and marriages of commune residents, which are reported to district, provincial and national levels. Vietnam's Ministry of Justice maintains a consolidated digital national civil status database.

5.59 Under the *Law on Civil Status* (2014), births must be registered within 60 days of the birth. At the time of the 2019 census (Vietnam's most recent), 98.8 per cent of births were registered (99.3 per cent in urban areas, 98.5 per cent in rural ones). The 2019 census recorded the lowest rates of birth registration in Ha Giang

and Lai Chau provinces (93.1 and 93.2 per cent, respectively), remote, mountainous areas populated primarily by [ethnic minorities](#). Birth certificates are required to access government services for children, including healthcare and education. A [household registration](#) is required to obtain a birth certificate.

5.60 Applications for birth registrations of Vietnamese children born abroad, or the reissuance of original birth certificates for Vietnam-born citizens based abroad, can be processed through a Vietnamese diplomatic or consular mission in the relevant country.

Identity cards

5.61 Vietnamese citizens are required to have an identity card from the age of 14 years. Since July 2024, children under the age of six can obtain an identity card at their parents' or guardians' discretion, including at the point of birth registration (children under the age of six receiving cards would not be required to provide biometric information). An identity card is otherwise obtained by submitting an application with supporting documentation (e.g. [birth certificate](#), [household registration](#) details) and providing biometric information to the local police where the applicant's household is registered (processing can take up to 20 business days). Identity cards are the primary form of identification for Vietnamese people and are required to perform administrative procedures and access government services, including to obtain a [passport](#) and access public healthcare and state welfare. Identity cards may also be used instead of a passport to enter and exit countries with which Vietnam has agreements for passport-free travel.

5.62 In January 2021, the Government of Vietnam introduced new chip-based identity cards, also known as Citizen Identity Cards. At the time of publication, most people had transferred over to the new cards. The card contains Vietnam's coat of arms, a unique 12-digit personal identification number, QR code, chip icon, date of expiry and the cardholder's image, full name, date of birth, sex, nationality, place of origin (that is, place of birth registration) and [place of residence](#) on the front (in Vietnamese and English). The back of the card contains details of the issuing authority, the cardholder's fingerprints (left and right index fingers), and an electronic chip. The chip integrates information from other government documents issued to the cardholder, including [birth certificate](#), [marriage certificate](#), [household registration](#) (places of permanent and temporary residence), [health insurance](#) card, [social insurance](#) book and driver's license. Information stored in identity cards is linked to a digital national population database managed by the MPS. The database also includes information in relation to, inter alia, a person's ethnicity, religion, marital status and blood type, and information about their parents, spouse and children.

5.63 Old-version identity cards do not have a chip or QR code and may contain nine- or 12-digit personal identification numbers. Identity cards issued between January 2016 and December 2020 are made of polycarbonate and contain a 12-digit personal identification number and barcode with the cardholder's biometric information; these cards remain valid until their expiration date. Paper identity cards with nine-digit personal identification numbers issued before 2016 and which remain in circulation lost validity on 1 January 2025 (these do not have a barcode).

5.64 Under the law, identity cards must be renewed at ages 25, 40 and 60. They are not issued by Vietnamese diplomatic or consular missions abroad. Given the long periods between renewals, frequent trips back to Vietnam to obtain a new identity card are not necessary.

5.65 The *Law on Identification* (passed in November 2023 and effective from July 2024) includes provisions for residents of Vietnam who are of undetermined nationality and lack legal identification documents – that is, [stateless](#) people – to be issued identity certificates, and to use these certificates to undertake transactions and exercise their legal rights and interests (they must be of Vietnamese origin and have continuously resided in Vietnam for a minimum of six months to be eligible). Identity certificates issued to people of this profile include the cardholder's image, personal identification number, full name, date of birth, place of origin, sex,

marital status, religion and current place of residence. At the time of publication, the uptake and practical effect of this measure were unclear.

5.66 As part of the Government of Vietnam's digital transformation agenda, citizens can create a digital identification account, which consolidates the information from their identity cards and other government-issued documents into a single identification application on their smartphones (VNeID). Digital identification accounts can be used to pay utility bills, social and health insurance premiums, and perform other financial transactions.

5.67 At the time of publication, transgender people, including those who have undergone gender-affirming surgery, could not obtain a new identity card to capture their new gender. A proposed Law on Gender Affirmation, if adopted, would help to address this. See also [Sexual orientation and gender identity](#).

Household registration (*ho khau*)

5.68 *Ho khau* is household registration (see also [Internal relocation](#)). Physical household registration books (red colour, look like passports) and temporary residence books (sky blue) are no longer issued. Household registration and temporary residence details are integrated into chip-based identity cards (also known as [Citizen Identity Cards](#)) and a digital national population database managed by the MPS. At the time of publication, most people had chip-based identity cards. Under the *Law on Residence* (2020), the validity of physical household registration and temporary residence books expired on 31 December 2022, and in-country sources reported in October 2024 that they were no longer in use. Permanent residence registration is required to obtain an [identity card](#).

Passports

5.69 Regular passports are obtained by application to the Immigration Department of the MPS or local-level Immigration Offices. Applications may be submitted in person, by post or online. Those who are abroad must apply in person through a Vietnamese diplomatic or consular mission. As part of the application process, applicants need to provide a government-issued personal identification document (e.g. an [identity card](#)), most recent passport (should they have one), [birth certificate](#) (for applicants under 14 years of age) and two recent passport photos. The process officially takes five to eight working days (longer for those who are abroad). Regular passports are valid for 10 years for persons aged 14 years or older, and five years for persons under 14 years of age.

5.70 Regular Vietnamese passports issued since July 2022 have a purple-blue cover (previously green). Electronic chips, which contain the bearer's biometric information, were introduced in March 2023. Passports issued since July 2022 display the bearer's family name and given names on separate lines of the passport's data page, in accordance with international standards (previously, the bearer's family name, middle name and first name – in that order – appeared on the same line).

5.71 Vietnamese citizenship can be acquired by birth, descent and naturalisation. Citizenship by naturalisation requires the applicant to have lived in Vietnam for at least five years, be fluent in the Vietnamese language, and respect the traditions, customs and practices of the Vietnamese people. Typically, renunciation of foreign nationality is required (one must also take up a Vietnamese name). Naturalisation can be denied if judged detrimental to Vietnam's national interests. Citizenship by descent is possible where a person has at least one parent who is a citizen of Vietnam.

5.72 The *Law on Vietnamese Nationality* (2008) considers a child born inside or outside Vietnam whose parents were Vietnamese citizens at the time of the child's birth to be a national of Vietnam. Likewise, a child

born inside or outside Vietnam to one parent who was a Vietnamese citizen and one parent who was stateless at the time of the child's birth is considered a national of Vietnam. Children of this profile born abroad who take up Vietnamese citizenship and return to Vietnam would have equal rights to other Vietnamese citizens, including with respect to government services. Vietnam generally does not recognise dual citizenship.

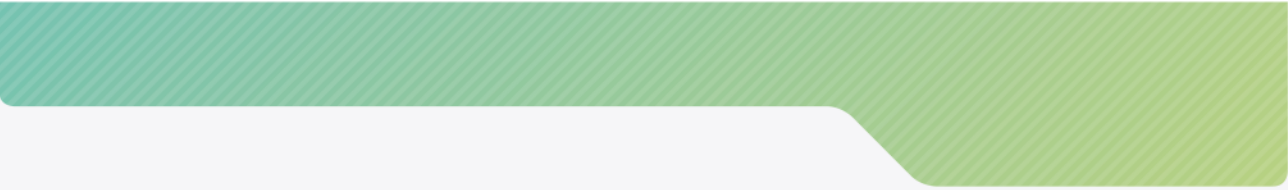
5.73 At the time of publication, transgender people, including those who have undergone gender-affirming surgery, could not obtain a new passport to capture their new gender. A proposed Law on Gender Affirmation, if adopted, would help to address this. See also Sexual orientation and gender identity.

PREVALENCE OF FRAUD

5.74 Criminal syndicates are known to produce counterfeit documents, including identity and civil documents used as part of visa applications. Local media reported in May 2024 that counterfeit documents – including, but not limited to, driver's licences; vehicle ownership and registration papers; certificates of title; secondary school, tertiary and vocational degrees and diplomas; academic transcripts; and English-language test certificates (IELTS, TOEIC, TOEFL) – were openly advertised on, and could be purchased through, social networking platforms like Facebook, TikTok and Zalo (they can reportedly be accompanied by counterfeit notarial certificates). In-country sources said in October 2023 that it was also possible to obtain counterfeit bank and employment records and police check certificates (e.g. Criminal Record Certificate No.2, which records all criminal convictions). Separately, in-country sources reported in October 2023 that genuine government-issued documents, including passports, could be obtained through fraudulent means, by paying bribes to officials at issuing authorities.

5.75 In-country sources said in October 2023 that it would be difficult to exit Vietnam using a counterfeit passport (see also Entry and exit procedures). A reportedly common practice is to exit Vietnam on a genuine document, then use non-genuine documents once airside or upon arrival at a port in another country. The inverse can also occur: people exit via a land border crossing, which may be subject to less stringent checks, then use their genuine passport once outside Vietnam. According to in-country sources, Vietnamese immigration officials would likely detect impostors (that is, people using the genuine passport of somebody else).

5.76 The Government of Vietnam has sought to clamp down on document fraud; according to local media reporting, in 2024, the MPS disrupted multiple criminal syndicates in the north and south involved in the production of counterfeit documents (the 2015 *Criminal Code* prescribes penalties of up to VND100 million, or AUD6,300, and seven years' imprisonment for fabricating an organisation's seal or documents for the purpose of committing an illegal act). Vietnam has made significant progress in shifting from paper-based to digital document management as part of government efforts to digitise and streamline administrative processes. Chip-based identity cards (also known as Citizen Identity Cards), which are linked to a digital national population database and include consolidated information about the cardholder, were introduced in 2021 (most people have them). These cards integrate and replace many government documents and have sophisticated security features – obtaining a counterfeit card would be extremely difficult according to in-country sources. Polycarbonate identity cards issued between 2016 and 2020, which include a barcode with the cardholder's biometric information, are also difficult to forge (paper identity cards issued before 2016, in contrast, are more vulnerable to forgery, although those that remain in circulation lost validity on 1 January 2025). Citizens are encouraged to integrate their identity cards and other government-issued documents in a single mobile application, VNeID (the Government of Vietnam mandated citizens use VNeID to access online public services, including applications for criminal record certificates, welfare benefits and health insurance cards, from 1 July 2024). These initiatives have reduced reliance on paper-based documents and, with it, the risk of fraud.



5.77 A common form of attempted fraud is to doctor documents using applications like Photoshop, which are then uploaded onto online systems. Fraudulent documents of this type are easily detected, particularly when the original is presented and it does not match the doctored copy uploaded to the system.

5.78 DFAT assesses document fraud is possible and may take the form of forged documents or fraudulently obtained genuine documents. Given their security features, [passports](#) and [identity cards](#) are significantly less vulnerable to forgery.