
IMPLEMENTING POLICIES AND LAW ON BELIEF AND RELIGION UNDER THE 2013 CONSTITUTION OF THE SOCIALIST REPUBLIC OF VIETNAM

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Vietnam is a multi-religious country with 95% of the population having a religious life and more than 26.5 million followers of all religions. Every year, more than 8,500 religious festivals are taken place. Freedom of belief and religion in our country is clearly stated in the Constitution. On November 18, 2016 the National Assembly promulgated the Law on Belief and Religion. For 5 years of practical implementation, compared with the principles in the Constitution, initially the Law on Belief and Religion has achieved some results. The results are remarkable but there are still some limitations and shortcomings that need to be overcome.

Key words: *Freedom of belief and religion; State management; Law.*

1. Introduction

The Constitution of the Socialist Republic of Vietnam in 2013 stipulates: “1) Everyone has the right to freedom of religion... 2) The State respects and protects the right to freedom of belief... 3) No who may infringe on freedom of belief.. or take advantage of their beliefs... to violate the law”. In fact, over the years, our Party and State have always paid attention to the implementation and guarantee of the people's right to freedom of religion. However, there have been some limitations besides many achievements. Therefore, it is necessary to find out the cause of the restriction in order to have a basis for proposing recommendations and solutions to ensure the right to freedom of religion under the 2013 Constitution.

2. Overview of research problem

Some of the works of the following authors refer to the issue discussed in this article: The author's doctoral thesis Vu The Duy on "State management measures for Protestant activities in Vietnam". (National Academy of Public Administration, 2018) clarified the theory, assessed the current situation and proposed state management measures for Protestant activities in Vietnam. Author Nguyen Duc Lu in the book "Religion, viewpoints and policies of the Party and State of Vietnam today" (published by Politics - Administration Publishing House in 2012)

has clarified the theoretical content of the religion and the current views and policies of the Vietnamese Party and State on religion. Nguyen Van Long's article "Policies and laws guaranteeing freedom of belief and religion" [9] clearly stated: Religion is a sensitive issue. Behind the religious dignitaries, there are tens of thousands of followers and the masses believe, so at any time, hostile forces take advantage of all means to oppose and propagate false claims about freedom of religion in Viet Nam. This article's author has clarified the problem properly. The article by Dr. Vu Chien Thang, Deputy Minister of the Interior Ministry "Improving the efficiency of State management of religion and belief in the new situation" [10] assessed the situation of belief and religion in Vietnam in 2020; results of state management of beliefs and religions in 2020; on that basis, the author proposed some solutions to carry out the key tasks in 2021.

However, there has not been any work evaluating the results of state management since the 2013 Constitution and 2016 Law on Beliefs and Religions were taken effect until now in terms of organization and management festival activities and implementation of a number of regulations on property of belief establishments; There have been no works indicating limitations, shortcomings and causes, on that basis, making recommendations and proposing solutions to the National Assembly, Government, related ministries, branches and provinces/cities directly under the government on organization and management of festival activities and implementation of regulations on property of belief establishments.

3. Research Methods

The article mainly uses statistical, analytical, proof and evaluation methods, on the basis of Resolution No. 25 - NQ/TW 03/6/2013 of the Central Committee (XI term) on strengthening and renewing the leadership of the Party for mass mobilization work in the new situation; The 2013 Constitution of the Socialist Republic of Vietnam; Decision No. 1090/QĐ - BNV dated March 29, 2017 on the implementation plan of the Law on Belief and Religion; Decision No. 198/QĐ-BNV dated January 31, 2018 on authorizing the Head of the Government Committee for Religion in performing the task of state management of beliefs and religions; Decision No. 199/QĐ - BNV dated January 31, 2018 of the Ministry of the Interior on the announcement of administrative procedures in the field of belief and religion under the management function of this Ministry; Decision No. 35/QĐ - TGCP dated February 20, 2020 promulgating the curriculum of Vietnamese history and Vietnamese law in religious training institutions; Regulation No. 02/2017 - QCPH - BNV - BVHTTDL dated December 6, 2019 on coordination between the Ministry of Interior, the Ministry of Culture, Sports and Tourism in the state management of beliefs. In particular, the article references Report No. 3101/BC - UBVGDDTTN14 dated October 29, 2020 of the Committee for Culture, Education, Youth, Adolescents and Children on the results of monitoring the implementation of policies and laws on belief and religion in the last 5 years.

4. Research content

4.1. Results of implementing legal policies on religion

4.1.1. State management results

After 5 years since the Law on Beliefs and Religions took effect, belief activities have been basically stable, strictly complying with legal regulations and guidelines of local authorities. Religious activities in our country are rich and diverse, increasingly promoting positive factors, repelling outdated customs, meeting the community's religious needs, and preserving, maintaining and enhancing cultural values, promoting solidarity and cohesion in the community.

The promulgation of documents guiding the Law on Belief and Religion

After the 2016 Law on Beliefs and Religions was passed by the XIV National Assembly, the Government issued Decree 162/ND - CP dated December 30, 2017 with a number of articles and detailed instructions for implementation. The Prime Minister issued Decision No. 306/QD-TTg dated March 8, 2017 promulgating the law implementation plan. The Ministry of Interior has issued four law implementing documents² and one regulation on coordination in the state management of belief³.

On the basis of the Law on Beliefs and Religions and documents of the Central Government, based on the actual situation, provinces/cities across the country have issued documents such as Plans, Schemes, Directives, Regulations on coordination interdisciplinary cooperation to direct the implementation and guide the organization of religious work. The Law on Belief and Religion in 2016 with many new points⁴, together with the relevant legal system and guiding documents, has created a legal corridor and favorable conditions for belief activities.

Inspection, examination and handling of violations

The work of inspection, examination and handling of violations in belief and belief-related activities has generally been paid attention to by central and local levels, branches. According to a report of the Ministry of Interior, since the Law on Beliefs and Religions took effect until now, the Government Committee for Religion has carried out inspections in 12

² Decision No. 1090/QĐ - BNV dated March 29, 2017 on the Law implementation plan; Decision No.198/QĐ - BNV dated January 31, 2018 on authorizing the Head of the World Government Committee to perform the task of state management of religion and belief; Decision No. 199/QĐ - BNV dated January 31, 2018 of the Ministry of Interior on the publication of administrative procedures in the field of religion and belief under its management function; Decision No. 35/QĐ - TGCP dated February 20, 2020 promulgating the curriculum of Vietnamese history and Vietnamese law in religious training institutions.

³ Regulation No. 02/2017/QCPh - BNV - BVHTTDL dated December 6, 2019 on coordination between the Ministry of Interior, the Ministry of Culture, Sports and Tourism in the state management of beliefs.

⁴ Expanding the exercise of the right to freedom of religion and belief; concentrated religious activities; reducing the time to recognize an organization as a religious organization; regulations on non-commercial legal entities for religious organizations and affiliated religious organizations; separation, appointment, election, appointment of dignitaries and positions; specific regulations on conditions for establishment, organization and operation of religious training institutions; registration of belief activities, notification of lists of religious activities; joining foreign organizations, inter-religious conferences; regulations in the direction of creating favorable conditions for foreigners to legally reside in Vietnam; inspect, examine and handle violations in the field of religion and belief; delineation of responsibilities of competent state agencies in religious activities...

provinces and cities⁵, and in 09 provinces⁶. From 2016 to 2020, the Ministry of Culture, Sports and Tourism established 35 inspection teams on the management and organization of festivals at 212 relics and festivals in the provinces and cities⁷; The Ministry of Construction and localities inspected 272 belief and religious projects/works; Inspectors of the Ministry of Natural Resources and Environment advised the Ministry to settle 32/34 lawsuits related to land, beliefs and religions within its competence⁸.

4.1.2. Results of organizing and managing festival activities

The organization and management of the festival has been rectified by all branches and levels; religious festival activities have gradually come into order. In order to strengthen state management over festival organization and management, the Ministry of Culture, Sports and Tourism has issued many guiding documents, proactively established an inspection team to check the preparation and organization of major festivals⁹. Propaganda activities are also interested. Therefore, in general, festivals were taken place in a healthy and economical manner; Some festivals have gradually eliminated the way of practicing rituals with elements of violence and objection¹⁰, contributing to the preservation and promotion of cultural values, meeting the needs of the people's cultural activities and traveler; creating jobs, generating revenue to restore and embellish religious works and contribute to local socio-economic development.

4.1.3. Results of implementation of a number of regulations on property of belief establishments

The new construction, renovation and repair of religious works

In recent years, the more people have participated in religious activities, the more religious works are newly constructed or renovated. In general, the renovation, upgrading and new construction of religious works in recent times have basically been implemented in accordance with the construction law and related laws¹¹.

Financial management and use of belief institutions

⁵ Yen Bai, Hai Phong, Hue, An Giang, Ca Mau, Ba Ria - Vung Tau (2018); Hung Yen, Ha Giang, Soc Trang, Tra Vinh, Ninh Thuan, Can Tho city (2019), City. Ho Chi Minh City, Nghe An (2020).

⁶ Dak Lak, Kon Tum, Tay Ninh, Quang Tri (2018); Long An, Binh Duong, Bac Giang (2019), Quang Ninh, Thanh Hoa (2020).

⁷ Hanoi, Hai Duong, Quang Ninh, Bac Ninh, Thai Binh, Lao Cai, Yen Bai, Phu Tho, Vinh Phuc, Lang Son, Ninh Binh, Ha Nam, Thanh Hoa...

⁸ In which, land dispute (26 cases, accounting for 76.4%), reclaiming old land (04 cases, accounting for 11.8%) and 04 complaints cases (related to land recovery 02 cases), accounting for 5.9% and related to certification 02 cases, accounting for 5.9%). Results: agree with the local settlement results: 20 cases, accounting for 62.5% (14 cases of land dispute, 03 cases of land claim by the World Police, 02 cases of complaints about land acquisition and 01 case of complaints about the issuance of certificates). Mediation: 06 cases, accounting for 18.75% (land dispute). Locally resolved: 06 cases, accounting for 18.75% (including 05 land disputes and 01 land reclaim case).

⁹ Lang Son, Quang Ninh, Hai Duong, Nam Dinh, Hung Yen, Nam Dinh, Thai Binh, Ha Nam, Phu Tho, Hung Yen, Hanoi city, Vinh Phuc, Quang Ninh, Hai Duong, Ho Chi Minh City, Long An...

¹⁰ Like stabbing buffalo, slashing pig, robbing fortune, stealing seals... at the festival of Dong Cuong temple (Yen Bai), Nem Thuong (Bac Ninh), Hien Quan (Phu Tho), Soc Son (Hanoi), temple Tran (Nam Dinh).

According to regulations, the management and use of finance of a belief establishment (merit money, money mobilized from socialization sources, sponsorship to organize festivals) must ensure publicity, transparency, and expenditure targeted for the right purpose and controlled by a religious organization. In fact, some religious organizations set the financial management and use in their Church's Charter; some others comply with the use of revenues from exploiting activities to promote the value of relics¹² issued by the Provincial People's Committee; by the Monument Management Board, the Festival Organizing Committee¹³. In general, revenues from merits, festivals and donations from organizations and individuals are used by faith establishments to invest in renovation and embellishment of belief establishments, living expenses for believers and people look after faith establishments and conduct charity and humanitarian activities.

The use of belief establishments in tourism development

In recent years, the use of religious establishments in tourism development has become popular in our country, attracting a large number of domestic tourists, generating significant revenue, and contributing to the economic development of many localities. .

According to a report by the Ministry of Culture, Sports and Tourism, the whole country has more than 44,000 historical, cultural and scenic sites and more than 8,500 festivals at religious establishments. In the past years, localities have had many mechanisms, directing organizations to exploit and promote the potential and value of monuments, landscapes and festivals to attract a large number of tourists, develop tourism, services¹⁴, create people's job, and contribute to economic restructuring, socio-economic development, typically: Huong Pagoda (Hanoi), Tran Temple (Nam Dinh), Tay Thien relic and scenic area (Vinh Phuc), Hung Temple relic (Phu Tho); Yen Tu Pagoda, Ba Vang Pagoda (Quang Ninh), Linh Ung Pagoda (Da Nang), Truc Lam Bach Ma Zen Monastery, Thien Mu Pagoda, Hon Chen Temple (Thua Thien Hue), Ba Den Mountain, Cao Dai Temple (Western Province) Ninh), Tran temple, Day

¹² In 2016, Nghe An Provincial People's Committee issued Decision No. 18/2016/UBND on receiving and using merit resources at relics. The People's Committee of Quang Ninh province has issued a regulation on the collection and payment of merit money, requiring the merit box to be sealed with 2 keys (one key of the representative of the state management agency and the other of the host of the beliefs and religions organization). At the same time, quarterly, publicly listing revenues and expenditures at belief and religious establishments. The management and use are mainly self-managed (about 200 billion/year).

¹³ Developing a tentative plan for revenue and expenditure in organizing festival activities; arrange a system of merit boxes, places to place money and collect money in religious establishments, such as Cua Ong Temple (Quang Ninh), Con Son pagoda, Kiep Bac temple (Hai Duong), Tran temple (Southern province of Nam Dinh), Keo Pagoda (Thai Binh), Mother Temple (Hung Yen), Song Son Temple (Thanh Hoa), Con Temple, Hong Son Temple (Nghe An), Ba Bich Chau Temple, Huong Tich Pagoda (Ha Tinh), Temple Ba Chua Xu mountain Sam (An Giang), Ba Thien Hau pagoda (Binh Duong).

¹⁴ Including travel services, transportation services (by tram, cable car, ferry, boat), accommodation services, dining, shopping for souvenirs; serving worship, worship, meditation; taking a photo; Traditional art...

temple (Nam Dinh), Bai Dinh pagoda (Ninh Binh), Dai Nam Van Hien (Binh Duong); Ba Chua Xu Temple (An Giang)...

The development of cultural tourism has been included in the strategy of Vietnam tourism development by the Government early and has brought into full play its effectiveness. Vietnam's tourism development strategy to 2020, vision to 2030 was approved by the Government on December 30, 2011 and the Strategy for Vietnam's tourism development to 2030 was approved by the Government on January 22, 2020 has oriented: to develop Vietnam's tourism into a spearhead economic sector, closely associated with the preservation and promotion of national cultural values, taking cultural works as tourist attractions. Implementing the strategy, the tourism industry has actively developed and implemented the national action program, promoted domestic and foreign tourism, organized tourism stimulus activities, developed tourism in association with exploiting potentials, cultural values, the combination of services and socio-economic characteristics of each regions. Revenue from tourism in many localities has grown very rapidly in recent years^{15, 16}.

4.2. Limitations and causes

4.2.1. Limitations

The promulgation of documents guiding the Law on Belief and Religion

The legal document system has some shortcomings; a number of regulations are not really practical, incomplete and inconsistent between the Law on Belief and Religion and related laws; Propaganda and dissemination have been paid attention, but the effectiveness is not high; The application of the Law into practice in some places has not been consistent.

On handling of administrative violations in the field of belief (Clause 2, Article 64 of the Law on Beliefs and Religions, detailed by the Government), due to the peculiarities of the actual management of belief activities and related to the provisions of a number of other legal documents, up to now this document has not been issued.

The financial management and use of belief establishments have been mentioned in principle in Articles 15 and 21 of the Law on Beliefs and Religions¹⁷ and Article 7 of Joint Circular No. 04/2014/BVHTTDL - BNV of The Ministry of Culture, Sports and Tourism and

¹⁵ Every year, Huong Pagoda (Hanoi) collects about 22 billion VND of merit. Yen Tu has the highest revenue of 31 billion dong. Ba Chua Xu Temple (An Giang) annually collects over 90 billion VND in merit. Tran temple relic site (Nam Dinh) annually earns over 40 billion VND. Bai Dinh Pagoda in 2005 had a turnover of 60 billion VND. In 2018, Ninh Binh province's tourism industry revenue reached over 3,200 billion VND, in 2019 reached 3,600 billion VND, an increase of 12.5% compared to 2018. Revenue from tourism of Thua Thien Hue in 2019 is estimated at 4,945 billion VND, up 10.54%.

¹⁶ Committee for Culture, Education, Youth, Adolescents and Children (2020), *Report No. 3101/BC-UBVHGDTT14 dated October 29, 2020 of the Committee for Culture, Education, Youth, Adolescents and Children Children about the results of monitoring the implementation of policies and laws on beliefs and religions.*

¹⁷ Article 15 stipulates the management and use of revenues from the organization of religious festivals; Article 21 stipulates the conditions for recognition that a religious organization requires to have financial and property content.

the Ministry of Interior have not been specific and so far, the Ministry of Finance¹⁸ is developing a draft document guiding this content.

On the land planning for worship establishments, regulations are still incomplete and inadequate, but have not been amended and supplemented.

The assignment and coordination of implementation; propagating and disseminating the Law on Belief and Religion

The assignment and coordination in the state management of beliefs has been promptly implemented at the central level, but it is still slow at the local level. Up to now, many localities have not had a document specifically assigning responsibility for state management of beliefs according to the provisions of Decree 162/2018/ND - CP. For the Culture sector to assume the prime responsibility for managing the entire festival, the Interior Department only coordinates the management¹⁹. Therefore, the coordination between relevant agencies in the state management of beliefs is not really regular and close in practice.

The implementation of the Law in many localities is still confused. Coordinating relations between ministries and branches at the central level, between departments and branches in the locality; between the state management agency in charge of belief and religious organizations is not really close and regular.

In fact, the effectiveness of the implementation and dissemination of the law on religion in some localities, especially remote and isolated areas, is still limited. There are even cases where grassroots religious officials still apply the provisions of the Ordinance on Belief and Religion²⁰ or documents from 1996²¹ to the management of beliefs. The contents that many establishments are still unclear about, such as: religious activities and religious festivals; legal place; the process of granting certificates of land use rights for belief establishments, representatives, management boards of belief establishments...

Organizational apparatus and staff of religious workers

After the Law on Belief and Religion was promulgated, the organization and staff of belief work in the localities were reviewed and rearranged but still inadequate. The number of civil servants directly working as a consultant for the state management of beliefs (and religion) at the provincial level currently has 650 people, each Department of Religion under the Department of Home Affairs has about 10 people. Civil servants doing religious work at the district level mostly work part-time²². The commune level does not have a full-time staff

The organizational model of the state management of beliefs in the whole country is not

¹⁸ According to the provisions of Clause 6, Article 19 of Decree No. 110/2018/ND - CP on management and organization of festivals.

¹⁹ Hai Duong.

²⁰ Ho Chi Minh City.

²¹ In the case that the Department of Culture and Information of Phu Binh and Thai Nguyen districts requested the People's Committee of Bao Ly commune, Phu Binh district to move the statue of Bodhisattva Avalokitesvara out of the grounds of Quyen pagoda relic (Dispatch No. Culture and Information dated 07/7/2020), based on document No. 2995 - BT/BT dated 15/10/1996 of the Ministry of Culture - Information on the rectification of restoration and embellishment of monuments in the current situation.

synchronized. In 63 provinces and cities under the government, there are 56 localities with the Department of Religion under the Department of Interior; 05 localities have the Religious Affairs Division under the Department of Interior²³, 02 localities merged the Religious Affairs Committee with the Ethnic Minority Board into the Ethnic - Religion Committee²⁴.

The organization of the apparatus for the state management of beliefs has not been commensurate with the requirements and tasks; the state management capacity of the contingent of cadres and civil servants in some localities is still uneven; The assignment and arrangement of cadres to do religious work at district and commune levels is not reasonable.

At the district and commune levels, there is no independent agency to advise and manage the state management of religion, this task belongs to the Department of Home Affairs and the People's Committees of the communes.

Religious officials in some localities have limited capacity, lack of work experience, and often change. The planning, training, use, appointment, and regimes and policies for this contingent of cadres have not been paid due attention

Inspection, examination and handling of violations

Violations in religious activities and related to belief in the past time have manifested in a number of contents, however, the handling of violations is still limited. In fact, violations related to belief manifest in such acts as: (1) Violation of regulations on belief²⁵; (2) Violation of regulations on construction²⁶; (3) Violation of regulations on restoration and embellishment of religious works²⁷. There is even a phenomenon of taking advantage of beliefs to profit and commercialize religious activities²⁸. However, the handling of violations related to beliefs and beliefs is still limited: the authorities in some localities are slow to detect it, are still confused in handling it, and let the violation happen for a long time, leading to a number of cases where the statute of limitations for handling administrative violations has expired. Some religious establishments do not comply with the decision on administrative sanctions in the construction sector; overcoming the consequences or implementing the coercive process still faces many difficulties.

The use of belief establishments in tourism development

The use of belief bases in tourism development still has many shortcomings, not commensurate with its potential. In some faith establishments, the overcrowding during the peak season affects the cultural environment, making it difficult to ensure security and order, environmental sanitation, and food quality, price management, quality management of products and services, and at the same time, the work of maintaining religious monuments faces difficulties. In general, the planning and management of support services at some tourist destinations is not good, messy, unsightly, not suitable for the worshiping environment. The

investment and research on souvenir products with specific characteristics and local cultural identities at tourist destinations as a religious basis have not been focused. The coordination in managing the use of belief establishments for tourism development is not tight, there is a phenomenon of collecting money for "services" when people visit or go to worship at a religious establishment. The quality of tourism human resources at religious establishments is not high. The licensing, calculation of land rent, and tax calculation in tourism projects associated with religious establishments are still inadequate; The inspection and supervision of tourism development investment projects with religious works in some localities has not been effective²⁹.

4.2.2. Causes

- Objective causes

Belief is a spiritual activity, in the cultural field, in the trend of deep international integration, the negative impact of the market economy, along with the abuse of religion, makes it difficult for management beliefs.

Our country has many rich religious activities. In addition, in practice, many new religious phenomena appear and operate with complexity. Meanwhile, the Law on Belief and Religion only provides general and general provisions for all religions, and at the same time is affected by other relevant Laws, so it is necessary to supervise and perfect it.

- Subjective causes

Slowly promulgating a number of documents to implementation guide of the Law, such as: regulations on sanctioning of administrative violations in the field of belief; regulations on management and use of assets and finance of belief establishments; Many localities have not yet issued documents on assignment of state management of religious establishments in the area.

Awareness of all levels, branches, people doing religious work and religious people about policies and laws on religion is sometimes limited. The Law on Belief and Religion has just been promulgated, so the work of propaganda, dissemination, education and law on belief has not been extensive.

The training and building of cadres engaged in state management of beliefs have not been properly invested.

Inspection and supervision of the implementation of policies and laws on construction and renovation of belief establishments; The management of assets and finance of belief establishments of concerned agencies has not been strict, regular and timely in some places and times.

In addition to the general strategy, the State has not yet had plans, programs or guidelines

²⁹ Committee for Culture, Education, Youth, Adolescents and Children (2020), Report No. 3101/BC-UBVHGDTTN14 dated October 29, 2020 of the Committee for Culture, Education, Youth, Adolescents and Children Children about the results of monitoring the implementation of policies and laws on beliefs and religions.

in tourism development using belief establishments³⁰.

4.3. Suggestions and solutions

4.3.1. For Congress

Completing the system of legal documents on beliefs, in which priority is given to amending and supplementing the Law on Land, the Law on Cultural Heritage, creating a synchronous legal corridor in the legal system, in order to overcome any irregularities. access in practice.

Strengthen supervision of the implementation of the Law on Belief and Religion and related legal documents.

4.3.2. For the Government

Directing the overall review, comprehensive assessment of legal provisions related to religion; promulgate or submit to the National Assembly for consideration and promulgation of legal documents in order to overcome limitations.

Pursuant to the provisions of law, carefully considering the specificity of religious organizations, promulgate a Decree on sanctioning and remedial measures for administrative violations.

Directing the inspection and evaluation of the financial and asset management mechanism for religious works, and have an appropriate mechanism for the management, conservation and exploitation of religious works.

Directing the consolidation of organization and staff, raising the effectiveness of the state management of religion at central and local state agencies. Promulgating mechanisms and policies on recruitment, appointment, training and capacity building of religious staff at grassroots level; ensuring religious activities in remote, isolated and ethnic minority areas.

Directing and summarizing the implementation of Directive 1940/CT - TTg dated December 31, 2008 of the Prime Minister on houses and land related to religion. Researching and giving specific regulations on religious land planning nationwide and in each locality; promoting coordination between ministries, departments, functional branches at central and local levels, the role of the Fatherland Front and socio-political organizations in the land mass mobilization work related to religion.

Strengthening the research and proposing solutions to harmonize the goal of preserving and promoting culture with economic development.

4.3.3. For relevant ministries and branches

Enhancing the inspection and examination of the implementation of the Law on Belief and Religion and related laws; strictly implement the issued inspection and examination conclusions to detect, resolutely and decisively handle violations; regularly monitoring and

³⁰ Committee for Culture, Education, Youth, Adolescents and Children (2020), Report No. 3101/BC-UBVHGDTTN14 dated October 29, 2020 of the Committee for Culture, Education, Youth, and Adolescents and Children Children about the results of monitoring the implementation of policies and laws on beliefs and religions.

evaluating the observance of laws by localities, religious establishments; effectively implementing the receipt, handling, and thorough and timely settlement of reflections, complaints and denunciations about violations of the Law on Belief and Religion and related laws.

The Ministry of Interior advises, organizes preliminary review and evaluation of 3 years of implementation of the Law on Belief and Religion, Decree No. 162/2017/ND - CP; continuously consolidating and perfecting the organizational apparatus, consolidating the contingent of cadres doing religious work; coordinating with the Ministry of Information and Communications and localities to promote propaganda, dissemination and education of the law on belief, management and use of religious land, and construction of religious establishments in order to create changes on awareness and observance of policies and laws on religion at all levels and sectors, officials in charge of belief work and religious people.

The Ministry of Natural Resources and Environment studies and advises the Government to amend the Law on Land, which regulates land tenure for religious land, specifies land types, and clearly distinguishes tourist and commercial land from credit land threshold.

The Ministry of Culture, Sports and Tourism continues to study and advise the Government to build and perfect the system of legal documents on tourism and cultural heritage; building an effective coordination mechanism with relevant ministries, branches and agencies, creating unity in the management and organization of the festival. Strengthening inspection before, during and after the festival to promptly prevent and strictly handle violations, especially acts of taking advantage of relics and festivals for personal gain. activities showing signs of superstition, manifestations of variation in the festival.

The Ministry of Finance advises the Government on promulgating and well implementing the mechanism of property ownership and financial management and use of belief establishments to ensure publicity and transparency; researching and proposing a model of financial management of belief establishments by private enterprises for tourism in accordance with reality, avoiding abusing religious activities for business, profiteering.

The Ministry of Health and the Ministry of Education and Training are interested in guiding and strengthening the inspection, examination, handling of violations, and overcoming inadequacies in state management of health and education activities of the religious institutions.

The Ministry of Planning and Investment advises the Government on the assessment and support for development investment in the field of religion in accordance with socio-economic development plans.

4.3.4. For provinces/cities directly under the Central Government

Continuing to focus on implementing the Law on Belief and Religion; Strengthening the role and capacity of state management agencies in charge of religion, ensuring respect for the right to freedom of belief, and improving the effectiveness and efficiency of the implementation of policies and laws on belief.

Strengthening coordination between relevant agencies in the state management of religion. Issuing documents which assign responsibility for advising responsibility and managing religious activities in the locality. Improving the operation management mechanism of belief establishments in the direction of establishing relationships, and clear rights of organizations, individuals in the management of belief establishments to avoid arising conflicts between parties.

Strengthening legal propaganda and education, inspection and examination of the implementation of the Law on Belief and Religion and related laws, promptly detecting, strictly and decisively handling violations, do not let the backlog or violations last; especially acts of taking advantage of beliefs to do business and gain illicit profits.

Taking measures to settle the backlog of religious land, long-standing disputes and complaints; organizing the implementation and guide religious establishments to review and clearly defining land use boundaries in order to thoroughly handle the registration and grant of certificates of land use rights for beliefs according to regulations.

Having sustainable tourism development, linking tourism development with heritage conservation, environmental protection and response to climate change. Investment in tourism development must focus on controlling the impact of the infrastructure construction process on forest resources, the impact of tourism activities on the environment; encourage environmentally friendly tourism activities³¹.

5. Discussion

Vietnam is a multi-religious country with 95% of the population having a religious life and more than 26.5 million followers of all religions. Every year, more than 8,500 belief and religious festivals are held. On November 18, 2016 the National Assembly promulgated the Law on Belief and Religion, after 5 years of practical implementation, compared with the principles in the Constitution, initially the Law on Belief and Religion has achieved some results. The results are remarkable, but besides that, there are still some limitations and weaknesses that need to be overcome. Therefore, finding out the causes of limitations and weaknesses as mentioned in Section 4.2 will have a basis for proposing recommendations and providing solutions in Section 4.3 to ensure the right to freedom of religion according to the 2013 Constitution is essential.

6. Conclusion

Over the years, the competent authorities have well implemented the legal policy on religion. State management has achieved remarkable results, especially in the promulgation of documents guiding the Law on Belief and Religion and in the work of inspection, examination and handling of violations. In addition to many achieved results, the implementation of policies

³¹ Committee for Culture, Education, Youth, Adolescents and Children (2020), Report No. 3101/BC - UBVHGDTT14 October 29, 2020 of the Committee for Culture, Education, Youth, and Adolescents and Children Children about the results of monitoring the implementation of policies and laws on beliefs and religions.

and laws on religion also has some limitations, especially in assignment, coordination and implementation; propagating and disseminating the Law on Belief and Religion; organizational structure and contingent of cadres doing religious work; inspection, examination and handling of violations; using the basis of belief in tourism development. The author gives 04 groups of recommendations and proposed solutions to the National Assembly, Government, relevant ministries, branches and provinces/cities directly under the Central Government. These recommendations if implemented, will promote the achieved results, overcome limitations and weaknesses, and contribute to ensuring the right to freedom of religion under the 2013 Constitution.

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- [8]. Regulation No. 02/2017/QCPh - BNV - BVHTTDL dated December 6, 2019 on coordination between the Ministry of Interior, the Ministry of Culture, Sports and Tourism in the state management of beliefs.
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