



REALIZATION OF PEACEFUL ASSEMBLY IN VIETNAM: POSSIBILITIES AND CHALLENGES

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ABSTRACT

Freedom of Peaceful Assembly is recognized as a basic human right in international human rights law and constitutions of most nations. It is considered an essential element of democracy and has a significant impact on the enjoyment of other human rights. In Vietnam, freedom of peaceful assembly has been enshrined in all constitutions, including the earliest version of Constitution 1946 and the latest version of the Constitution 2013. Freedom of assembly in Vietnam is largely interpreted as the right to protest. However, the law on demonstration has been delayed for over decades and this prevents the citizens to exercise their legitimate right to participate in the peaceful assembly, for example, to demonstrate and organize opinion meetings. Current economic and social pressures related to conflicts in land rights and labor rights placed the government in an urgent need of law reform in this important area. This paper provides an overview of perception and development of freedom of peaceful assembly in the modern history of Vietnam. The author analyses current policy and law related to the implementation and management of freedom of peaceful assembly in the country. Upon review of the applicable provisions of Vietnam's current law system and the draft law on demonstration, in comparison with the international standards on freedom of peaceful assembly, the author points out the incompatibility of the national law and examines possibilities and challenges for enhancement of freedom of peaceful assembly in Vietnam in coming years.

Keywords: freedom of peaceful assembly, human rights, law on demonstration, civil and political rights, Vietnam