

LAOS

U.S. Commission on International Religious Freedom: 2013 Annual Report

Bottom Line: Over the past five years religious freedom conditions have improved for the majority Buddhist groups and for other religious groups in urban areas, but provincial officials continue to violate religious freedoms of ethnic minority Protestants through detentions, surveillance, harassment, property confiscations, and forced renunciations of faith.

Laos restricts religious practice using its legal code and tolerates religious freedom abuses in some rural areas. Provincial officials violate the religious freedom of ethnic minority Protestants through detentions, surveillance, harassment, property confiscations, forced relocations, and forced renunciations of faith. However, over the past five years, religious freedom conditions have improved for the majority Buddhist community and for Christians, Muslims, and Baha'i living in urban areas. Based on these concerns, USCIRF places Laos on Tier 2.

Background

The Lao government's toleration of religious activity varies by region, ethnicity, and religious group. Buddhism, which is deeply embedded in Lao culture and practiced by the vast majority of the population, generally now is free from restrictions and oversight. Lao Catholics are allowed to build churches and, recently, to ordain priests and the first new bishop since 1975. Lao Protestants in urban areas report an increased ability to worship and re-open and build facilities. The small Baha'i community reports improved relations with government officials and has been allowed to expand its facility. Officials with the Lao Front for National Construction (LFNC), the government agency that monitors religious activity and implements religion policy, visited the Baha'i world headquarters in Israel last year.

The government officially recognizes four religions: Buddhism, Christianity, Islam, and the Baha'i faith. Recognized Christian groups include the Catholic Church, the Lao Evangelical Church (LEC), and the Seventh-Day Adventist Church. Laos requires all Protestant groups to be part of either the LEC or the Seventh-Day Adventist Church, allegedly to prevent "disharmony." Officials deny recognition to other Protestant denominations, making their activities illegal and subject to harassment, detention, or other serious abuses.

The Lao Constitution provides for freedom of religion, but the 2002 Decree on Religious Practice (Decree 92) allows government control of, and interference in, religious activities. In practice, legally permitted religious activities, such as proselytizing and producing religious materials, are restricted. The requirement to obtain permission for most new religious activities is used to restrict religious communities' ability to import religious materials and construct religious venues. In addition to the cumbersome approval requirements, the decree contains vague prohibitions on activities that create "social division" or "chaos" and reiterates parts of the Lao criminal code arbitrarily used in the past to arrest and detain ethnic minority Christians.

Laos authorities continue to view the spread of Christianity among ethnic minorities, particularly those who have long resisted or resented government control, as an "American import" that potentially threatens the communist political system. The Lao government either is unwilling or unable to take action publicly against provincial authorities or security officials who commit serious abuses against ethnic minority Protestants. However, LFNC officials have sought at times to resolve disputes privately between religious groups and provincial officials and have intervened to release those detained for religious practice or religious freedom advocacy.

Religious Freedom Conditions

Abuses in Ethnic Minority Areas: Local officials in various provinces interfere with the right of Protestants to conduct religious activities in many locations, such as Saravan, Vientiane, Bokeo, Savannakhet, Khammouan,

Luang Namtha, and Luang Prabang provinces. The most serious abuses during the past year included detentions, forced evictions, arrests, denials of government services, and forced renunciations of faith.

In April 2012, Lao officials forcibly closed unregistered Protestant churches in Saybuli district, Savannakhet province, including the Khamnongsung church, established in 1963. Officials in Savannakhet closed unregistered churches in Saybuli district in 2011 as well, including confiscating the land of Protestants in Dongpaiwan village. Church leaders claimed that they did not want to affiliate with the LEC and did not believe they were required to, under Decree 92. According to the non-governmental organization Human Rights Watch for Lao Religious Freedom (HRWLRF), at least 20 other churches are operating in Savannakhet without official permission.

Also in April, 2012, police arrested two Protestant pastors and closed down a church in Paksong village, Songkorn district, Savannakhet province. Several weeks later, police arrested four more members of the church for ignoring the prohibition on their religious activities. Church members were forced to sign documents stating that they will not meet again and were released.

Lao authorities detained a Lao student and six Thai Christians for participating in unauthorized worship in Phonesawang village, Luang Namtha province during May 2012. The Thai Christians were charged with “illegal proselytizing” and remain in detention awaiting further charges or deportation.

In May 2012, provincial officials temporarily detained three Lao church leaders in Alowmai village, Kengsainoi village and Kapang village, Phin district, Savannakhet province. Authorities stated that the growth of the church’s membership was destabilizing to local traditions. In August, 2012, a similar charge was leveled at a Lao Protestant leader who was evicted from his home and later arrested for refusing to leave the village congregation, in Nongpong village, Khamkerd district, Borikhamxai province.

In June 2012 police detained a Lao Protestant pastor for proselytizing in Preeyeur village, Sing district, Luang Namtha province. He was later released and forced to sign an affidavit that he would no longer proselytize.

In January 2011, at least nine ethnic minority Protestants were detained in the Khammouan province and charged with holding “a secret meeting” for celebrating Christmas without prior approval. Most were freed after paying heavy fines, but two pastors remain in jail. The pastors refuse to renounce their faith to gain their release.

Local officials and police in Phin district, Savannakhet province, have used force, intimidation, and arrest to stop the spread of Protestantism. In September 2012, authorities temporarily detained three Protestant pastors after they refused to obey a local government order to close down their unregistered churches. In October 2012, authorities evicted Protestant church members who refused to renounce their faith in Vongseekaew village of Phin district. And in February 2013, three Protestant leaders were temporarily detained for “illegally disseminating” religious literature, after they were discovered making a copy of a religious DVD at a local shop. Phin district police have closed several unregistered house churches in the past year.

Recommendations for U.S. Policy

Most U.S. assistance programs in Laos invest in public health, economic development, and counter-narcotics programs, and recently, new security sector reform programs. There is a small religious freedom training program for Lao officials. However, human rights, rule of law, and good governance programs for Laos are very small and are not funded at the level of other assistance programs. In order to promote freedom of religion or belief further in Laos, the U.S. government should:

- Initiate a formal human rights mechanism to address regularly such issues as ethnic and religious discrimination, torture and other forms of ill-treatment in prisons, unlawful arrest and detention, lack of due process and an independent judiciary, and refugee resettlement;

- Initiate human rights and religious tolerance training as part of any new U.S.-Laos security sector reform programs, ensure that participants in such programs are vetted to confirm that they have not been implicated in any human rights abuses, and deny U.S. training, visas, or assistance to those who engaged in violations of human rights, including religious freedom;
- Provide technical assistance and human rights programs that support the protection of religious freedom, including programs focused on: revising Decree 92; provincial official training; Laotian police, religious leaders, and academics training and exchange programs; and capacity-building for Lao civil society groups carrying out charitable, medical, and development activities in accordance with the Lao government's new law on non-governmental organizations; and
- Continue to provide adequate funding for the Voice of America and Radio Free Asia Lao language broadcasts and increase efforts to provide uncensored Internet and other information into Laos.

Please see USCIRF's 2013 Annual Report for a more extensive review and recommendations on Laos.