

LAOS



USCIRF STATUS:

Tier 2

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

Serious religious freedom abuses continue in Laos. The Lao legal code restricts religious practice, and the government is either unable or unwilling to curtail ongoing religious freedom abuses in some provincial areas. In the past year, provincial officials violated the freedom of religion or belief of ethnic minority Protestants through detentions, surveillance, harassment, property confiscations, forced relocations, and forced renunciations of faith. Nonetheless, over the past five years religious freedom conditions have improved for the majority Buddhist groups and for other religious groups living in urban areas. In addition, the Lao Front for National Construction (LFNC), the agency tasked with monitoring religious activity and carrying out government religious policy, has engaged with religious groups in Laos and with international NGOs, to better understand religious freedom and to occasionally intervene in cases of detention or property confiscation. Based on these ongoing concerns, USCIRF places Laos on Tier 2 in 2013. Laos had been on USCIRF's Watch List since 2009.

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 is practiced by the vast majority of the population, is now generally free from restrictions and oversight. Lao Catholics have been allowed to build churches and, in the past several years, to ordain priests and the first new bishop since 1975. Lao Protestants in urban areas also have reported an increased ability to worship and to re-open, build, and expand some religious venues. The small Baha'i community also reports better working relations with government officials and an expansion of their facilities. Animism is practiced by most rural ethnic minority groups and, while not officially recognized, is often tolerated by provincial officials. Nevertheless, there are reports that the government discourages some animist practice viewed as dangerous or "superstitious" and actively promotes Buddhism as an alternative to traditional beliefs.

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. The government requires all Protestant groups to be part of either the LEC or the Seventh-Day Adventist Church, allegedly to prevent "disharmony." The government has not allowed other Protestant denominations, such as Methodists, to apply for recognition, making their activities illegal and subject to harassment, detention, or other serious abuses. For example, in some provincial areas, Methodist congregations cannot gather for worship, build religious venues, or conduct Christian funeral services. In other areas, provincial authorities have refused to register new churches affiliated with the LEC, in order to slow the spread of Protestantism.

The Lao Constitution provides for freedom of religion, but the Prime Minister's 2002 Decree on Religious Practice (Decree 92) contains language allowing government control of, and interference in, religious activities. Religious leaders have reported that legally permitted religious activities, such as proselytizing and producing religious materials, are restricted in practice. They also complain that the requirement to obtain permission for any new religious activity is used to restrict their ability to import religious materials and construct religious venues. In addition to 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 dissidents. Provincial officials routinely cite the social and familial divisions caused by the spread of Protestantism as justification for serious religious freedom abuses.

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The Lao government has been either unwilling or unable to stop provincial authorities and security officials from committing serious abuses against ethnic minority Protestants. Reports indicate that provincial authorities either are unaware of laws protecting religious practice or fail to implement them.

THE LAO GOVERNMENT HAS BEEN EITHER UNWILLING OR UNABLE TO STOP PROVINCIAL AUTHORITIES AND SECURITY OFFICIALS FROM COMMITTING SERIOUS ABUSES AGAINST ETHNIC MINORITY PROTESTANTS.

Lao authorities continue to view the rapid spread of Christianity among ethnic minorities, particularly those who have long resisted or resented government control, as both an “American import” that potentially threatens Communist political oversight or a cause of social and familial friction in local, mostly animist or Buddhist communities.

There have been reports that LFNC officials at times have sought to resolve disputes privately between religious groups and provincial officials. For example, in the 2011 case of Abee Weng, a Protestant leader from Luang Prabang city, LFNC officials intervened to secure his release. Provincial officials had arrested Weng on charges of “spreading a foreign religion and eradicating Lao traditional religion” after he instructed several new converts to burn their items associated with traditional animist religious practice. Such interventions are a positive step, though the LFNC has not curtailed ongoing and serious religious freedom problems in provincial areas.

RELIGIOUS FREEDOM CONDITIONS

Serious Abuses in Ethnic Minority Areas: Provincial officials reportedly interfered with the right of Protestants to conduct religious activities in a number of locations. The most serious abuses of the past year included detentions, forced evictions, denials of government services, and forced renunciations of faith, and occurred in Savannakhet, Luang Namtha, and Borikhamxai provinces.

In April 2012, Lao officials forcibly closed unregistered Protestant churches in Saybuli district, Savannakhet province, including the Khamnonsung 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 (HRWLRP), at least 20 other churches are operating in Savannakhet without official permission.

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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.

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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.

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, although new security sector reform programs started in 2011. There is a small religious freedom training programs for Lao officials, run through an NGO. 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 further promote freedom of religion or belief in Laos, the U.S. government should integrate concerns about religious freedom into its bilateral agenda by raising issues directly with the central government and provincial Lao officials. In addition, 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, and the lack of due process and an independent judiciary;
- initiate human rights and religious tolerance training as part of U.S.-Laos security sector reform programs, ensure that any officers participating in such programs are thoroughly vetted to confirm that they have not been implicated in any human rights abuses, and deny U.S. training, visas, or assistance to any unit or personnel found to have engaged in violations of human rights, including religious freedom;
- initiate technical assistance and human rights programs that support the goals of protecting and promoting religious freedom, including: rule of law programs and legal exchanges that focus on revising Decree 92; training for provincial officials on international human rights standards and Laotian laws regarding the freedom of religion; training and exchange programs in human rights, the rule of law, and religious freedom for Laotian police, religious leaders, and academics; 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.