



# LAOS

## Key Findings

The government of the ruling Lao People's Revolutionary Party (LPRP) continued to allow ongoing abuses against religious minority groups, abuses that are most prominent in remote, rural areas. Moreover, the government's suspicion of Protestant Christianity as a "Western" or "American" construct continued to result in discrimination, harassment, and arrests of Christians throughout the country, particularly in Savannakhet Province, where there were several reports of local officials ordering Christians to renounce their faith. The majority Buddhist community experiences religious freedom conditions that are generally free, as do some minority religious communities, such as animists, Baha'is, and Catholics. However, ethnic minorities tend to experience greater incidences of discrimination and harassment on many levels, including religious freedom. Based on these concerns, in 2015 USCIRF again places Laos on Tier 2, where it has been since 2009.

## Background

Although the Lao constitution protects freedom of religion or belief, conflicting government decrees and policies routinely result in religious freedoms limitations. More than two-thirds of the population are Buddhists, while Christians are believed to comprise less than two percent. Animism, ancestor worship, and other traditional beliefs are common among ethnic minorities, and there are several other religious minority groups in the country.

A complicated web of government approvals is required for most religious practices and for the construction of houses of worship. The space to practice religion in the country has improved in some ways in recent years, but inconsistently so. Observers have noted reduced numbers of prisoners of conscience. However, some minority religious groups continue to face abuses

for not following the majority Buddhist faith. Overall, the varying and unpredictable application of the law in practice provides little meaningful protection to most religious groups.

Moreover, limitations on freedom of religion or belief take place in a climate where political space is largely limited. Civil society operates in a highly limited environment, and civil society and independent media face continued harassment and arbitrary arrest for exercising their rights to freedom of expression, association, or assembly. The suspicious disappearance of civil society leader Sombath Somphone is emblematic. Sombath, a well-known human rights defender, has not been seen since he disappeared in December 2012 after being stopped and detained by police, and the government has produced no meaningful information about his whereabouts. The government also tightly controls the print and broadcast media and recently increased restrictions on expression on the Internet, with new legislation that criminalizes criticizing the government or ruling party or circulating false information online.

## Religious Freedom Conditions 2014–2015 Legal Restrictions on Religious Activities

The protections for freedom of religion or belief found in the Lao constitution are contradicted by the 2002 Decree on Religious Practice, otherwise known as Decree 92. Rather than strengthening and improving protections, particularly for minority religious communities, the Decree permits the government to control and interfere in all religious activities. This includes, for example, registration requirements for all religious groups, limits on proselytizing, and controls on the printing of religious materials. Approval requirements under Decree 92 are burdensome, and some religious groups have been unable to legally register, resulting in numerous challenges.

## Abuses against Minorities

Discrimination against religious minority communities, particularly Christians, remains an ongoing problem in many parts of the country. Some of these communities attempt to operate discreetly to avoid harassment and threats from local authorities for not being formally recognized by the government. While suspicion is highest against Christianity, government officials in parts of the country hold a degree of similar mistrust of all non-Buddhist faiths. Detailed information about specific abuses against religious minority communities is often difficult to obtain, but given the Lao government's restrictive controls of information into and out of the country, there is no reason to believe that religious freedom abuses are not occurring.

In 2014, one of the most high-profile acts of discrimination against Lao Christians occurred in the remote village of Saisomboon in Savannakhet Province, where officials are known to be intolerant of minority religious faiths. A recent convert to Christianity was ill, and when she died in June 2014, her family obtained approval from the village chief to hold a Christian funeral. This approval was later revoked, and the family was forced to hold a Buddhist memorial and burial ceremony. Moreover, police arrested the family's pastor and four other Christians for allegedly contributing to the woman's death. In August 2014, the five Christians were found not guilty of murder. Despite their acquittal, all five remained in custody and faced new charges in February 2015, when a provincial court convicted them of practicing medicine without a license in connection with her death. Contrary to the charges, the five Christians deny administering medicine to the woman, stating instead that they prayed by her side. All five subsequently have been imprisoned and fined.

Additionally, in late September 2014, also in Savannakhet Province, a Christian pastor and six parishioners were arrested following a worship service in the pastor's home. Reportedly, local officials in Boukham Village had banned Christian worship gatherings and used the ban to justify arresting the seven Christians. The Christians spent a week in custody before being released.

Also in 2014, the central government banned all celebrations and observances of the Christmas holiday. The move was considered by some to be pointedly directed

at ethnic minority Hmong Christians, who have been the target of government harassment for decades.

There also were reports throughout 2014 of Christian families being forced from their homes for refusing to renounce Christianity. Six Christian families left their homes in Savannakhet Province following pressure in their village to convert to Buddhism, and another six Hmong Christian families in Bolikhamxay Province were forcibly evicted for refusing to renounce Christianity and convert to animism.

## U.S. Policy

Laos is among the few remaining communist countries in the world and takes many of its cues from neighboring Vietnam, a fellow communist country and close ally. There are multiple channels of cooperation between the two countries, religion among them. Cooperation on religious issues began in 2002 with the signing of a cooperative agreement on religious affairs, and in 2014, Laos and Vietnam re-committed to this arrangement through the year 2020.

Unlike Vietnam and Cambodia, Lao relations with the United States were never completely severed during the Vietnam War, though relations were downgraded and notably strained during this period, particularly after the communist takeover in 1975. The relationship has since improved, but the Lao government's ongoing mistreatment of ethnic Hmong is a source of enduring tensions. Both the Administration and Congress regularly have raised concerns. The Lao government's lasting wariness of the Hmong stems, in part, from their connection to the United States: thousands of ethnic Hmong were trained and armed by the United States and fought to prevent a communist takeover during the Vietnam War. Many since have fled to Thailand where they live in camps and/or face forced repatriation back to Laos. The United States has resettled approximately 250,000 Hmong refugees and continues to encourage Laos to improve transparency about the conditions of those forcibly returned from Thailand and to implement policies and practices to ensure the Hmong community no longer fears mistreatment.

Since restoring full diplomatic relations with Laos in 1992, the United States gradually has expanded its engagement with the country. Bilateral relations are conducted through several mechanisms, including the

U.S.-Laos Comprehensive Bilateral Dialogue and others focusing on specific sectors, such as trade or investment. This engagement has broadened further in recent years through U.S. support of the Lower Mekong Initiative (LMI), a partnership agreement between the United States, Cambodia, Laos, Thailand, Vietnam, and Burma to cooperate in areas such as environment, health, education, and infrastructure development, as well as women's and gender issues.

The United States provides foreign assistance to Laos in a number of key sectors: public health, the environment and climate change, economic growth and trade, and peace and security, including the removal of unexploded ordnance (from the Vietnam War period). For fiscal year 2016, the Department of State, the U.S. Agency for International Development, and related agencies are requesting funds through the following accounts: Development Assistance (\$11.1 million); International Narcotics Control and Law Enforcement (\$1 million); International Military Education and Training (\$450,000); and Foreign Military Financing (\$200,000). The requests also include funds for environment-related capacity-building in the LMI countries.

In 2014, the United States officially opened its new Embassy in the capital of Vientiane. The previous Embassy site is being outfitted to house a new American Center.

In 2016, Laos is scheduled to chair the Association of Southeast Asian Nations (ASEAN); the United States is a participant of the ASEAN Regional Forum and the East Asia Summit. Leading up to and during this period of amplified regional and international attention on Laos, the United States is in a position to leverage its influential position to encourage Laos to improve conditions for religious freedom and related human rights.

## Recommendations

USCIRF recommends that, in addition to integrating concerns about religious freedom into its bilateral agenda when engaging with central government and provincial Lao authorities, the U.S. government should:

- Initiate a formal human rights mechanism, similar to existing U.S. human rights dialogues with Burma and Vietnam and the European Union's Working Group on Human Rights and Governance with Laos, to address regularly and consistently with the

Lao government issues such as ethnic and religious discrimination, torture and other forms of ill-treatment in prisons, unlawful arrests and detentions, and the lack of due process and an independent judiciary;

- Continue to engage the Lao government on specific cases of religious freedom violations, including but not limited to forced evictions and/or forced renunciations relating to the practice of one's faith, and emphasizing the importance of consistent implementation, enforcement, and interpretation of the rule of law by both central government and local officials;
- Support technical assistance programs that reinforce the goals of protecting religious freedom, human rights defenders, and ethnic minorities, including: rule of law programs and legal exchanges that focus on revising Decree 92; training in human rights, the rule of law, and religious freedom and tolerance for Lao police and security forces, religious leaders, local officials, and lawyers and judges; and capacity-building for Lao civil society groups carrying out charitable, medical, and developmental activities;
- Continue to inquire consistently into the whereabouts of Sombath Somphone given that the Lao government's inability to provide any information from its investigation into his disappearance is emblematic of its overall approach to civil society and individual rights;
- Ensure that Lao police and security officials participating in training or technical assistance programs are thoroughly vetted, pursuant to the Leahy Amendment, to confirm that they are not implicated in human rights abuses, and deny U.S. training, visas, or assistance to any unit or personnel found to have engaged in a consistent pattern of violations of human rights, including religious freedom; and
- Encourage the Broadcasting Board of Governors 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.