

LAOS

Laos restricts religious practice through its legal code and continues to tolerate religious freedom abuses in some rural areas. Since the U.S. granted permanent normal trade relations (PNTR) with Laos in 2005, religious freedom conditions improved somewhat, though the level of free religious practice varies by region and religious group. Laos continues to view the growth of Christianity with suspicion. USCIRF removed Laos from the Watch List in 2005, then placed it again on the Watch List in 2009 and 2010. Laos remains on the USCIRF Watch List in 2011.

BACKGROUND

Laos is a single-party, authoritarian communist state with a poor human rights record, including harsh prison conditions, severe restrictions on the freedoms of expression and association, and widespread corruption among local officials. The Lao Constitution provides for freedom of religion, but the Prime Minister's 2002 decree on Religious Practice, Decree 92, contains many mechanisms for government control of, and interference in, religious activities. Decree 92 authorized previously illegal religious activities, such as public religious persuasion, printing religious material, owning and building places of worship, and maintaining contact with overseas religious groups; however, the government must give its approval for individuals or groups to conduct these activities. In addition to cumbersome approval requirements, the decree's vague prohibitions on activities that create "social division" or "chaos" reflect provisions in the Lao criminal code that government officials have used to arbitrarily arrest and detain ethnic minority Christians.

The Lao Front for National Construction (LFNC) monitors religious activity and carries out the Lao government's policy on religion. Decree 92 requires religious groups to register with the LFNC. 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," and prohibits other Protestant denominations from applying for recognition, thereby making their activities illegal.

RELIGIOUS FREEDOM CONDITIONS

Over the past five years, conditions have incrementally improved for Lao Buddhists and for some religious minority groups in urban areas. Nevertheless, provincial officials continue to severely violate freedom of religion or belief, particularly of ethnic minority Protestants, through detentions, surveillance, harassment, property confiscation, forced relocations, and forced renunciations of faith.

Government Promotion of Buddhism: Theravada Buddhism, the largest religion in Laos, occupies an elevated position within Lao society, a position ensured by government promotion and subsidies. The Lao government incorporates Buddhist rituals and ceremonies into state functions, exempts Buddhism from most legal requirements imposed on other religions, and supports Buddhist temples administratively and financially. In some provincial areas, social tensions arise when members of minority religious groups, particularly Protestants, refuse to participate in Buddhist ceremonies.

Religious Freedom Abuses in Ethnic Minority Areas: Many of the religious freedom abuses occur in ethnic minority areas and affect the small, but fast-growing, Protestant groups. In some areas, Lao authorities continue to view the spread of Christianity as an "American import" that poses a potential threat to communism, and local officials have used threats of arrest to intimidate religious communities. There were continued reports of provincial authorities restricting the activities of ethnic minority Protestants, particularly those who refuse to join the LEC or the Seventh-day Adventists, or who have established connections with other denominations abroad. Decree 92 restricts worship services to officially sanctioned houses of worship, and both LEC and non-LEC-affiliated house-churches have experienced various levels of harassment. Although the government does not generally interfere with animist group activities, there are reports that local authorities actively encourage groups to adopt Buddhism and abandon beliefs and practices the authorities consider "backward."

Detentions: There are several known prisoners remaining in detention for reasons related to religion. Local authorities arrested Khamstone Baccam, an ethnic Thai Dam Protestant religious leader in 2007; the Lao government however,

consistently refuses to acknowledge this arrest. In September 2009, Lao officials reportedly detained, interrogated, mistreated in detention, and finally charged a Protestant church elder, Thao Oun, with “bringing destruction to the Lao nation and government due to his Christian faith.” A few days later, local authorities from the same town arrested another ethnic minority Protestant, Thao Aom, and subjected him to interrogation until he renounced his faith. He refused to recant and was expelled from his village. In January 2011, authorities detained nine ethnic minority Protestants in Nakoon Village, Hinboun district, Khammouan province, and charged them with holding “a secret meeting.”

Forced Renunciations of Faith: Reports of forced renunciations of faith continued in the past year, with credible evidence that some Lao officials use detention and mistreatment to force individuals to renounce their faith. Officials also have threatened entire villages by denying schooling to children and access to water projects, land, and medical care.

Lao Government Addresses Some Religious Freedom Abuses: While the Lao government does not acknowledge that local officials commit religious freedom violations, it sometimes has taken steps to respond to reports of abuses in provincial areas, seeking, for example, to resolve disputes privately between religious groups and provincial officials: The Lao government has been either unwilling or unable to take action publicly.

Repatriation of Lao Hmong Refugees: Indiscriminate military activity targets Lao Hmong villages, killing civilians and destroying Protestant churches in Hmong areas. Repression of ethnic minority Hmong has created an acute refugee problem, as Lao Hmong have sought asylum in Thailand only to be forcibly repatriated. There are reports that repatriated Lao Hmong are subject to imprisonment, re-education, mistreatment, and discrimination.

RECOMMENDATIONS FOR U.S. POLICY

U.S.-Lao relations expanded over the past few years as the U.S. demonstrated a greater interest in economic engagement, military-to-military relations, and promoting human rights and religious freedom in Laos. Major areas of U.S. assistance include security sector reform, counter-narcotics programs, trade capacity and legal reform projects, and HIV/AIDS prevention and treatment. The U.S. Embassy in Laos supports an ongoing training program for Lao officials in international religious freedom, religion and law, and the protection of religious minorities. The Obama Administration expressed concerns over the plight of the Lao Hmong population, and 31 members of Congress signed a letter to Secretary Clinton urging her to appeal to the Thai government to stop forcibly repatriating Lao Hmong asylum-seekers. There are no U.S.-funded human rights, rule of law, and governance programs, except a small religious freedom training program. In light of the noted concerns, the U.S. government should:

- Establish measurable goals and benchmarks, in consultation with USCIRF, for further human rights progress in Laos as a guide for diplomatic engagement between Laos and the U.S. and make it clear to Laos that improvements in the protection of freedom of thought, conscience, and religion or belief, including legal reforms, accountability, and release of prisoners detained for religious reasons, are essential to expand relations;
- Initiate a formal human rights mechanism, such as a regular dialogue, that addresses 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 refugee resettlement;
- Initiate human rights and religious tolerance training as part of any new U.S.-Laos military programs to raise professionalism and reform in the security sector, make sure 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 military unit and/or individuals found to have engaged in violations of human rights, including religious freedom;
- Urge the Lao government to allow international monitoring of the resettlement of Lao Hmong forcibly repatriated from Thailand and accept economic support and technical assistance to help with resettlement; and
- Initiate technical assistance and human rights programs that support the goals of protecting and promoting religious freedom.

Please see USCIRF’s 2011 Annual Report for a more extensive review and recommendations on Laos.