



LAOS

Key Findings

Although the Lao government, along with other bodies, widely disseminates religious policies, poor implementation and enforcement continue to result in ongoing abuses against religious minority groups, abuses that are most prominent in remote, rural areas. Lao government offices, largely at the village and district level, along with other official bodies, inconsistently interpret and apply religious regulations, contributing to violations of religious freedom, particularly against religious minority groups such as Christians. In many parts of the country, religious freedom conditions are generally free, especially for the majority Buddhist community. However, the restrictions that some groups face in some provinces reflect shortcomings in the current regulations governing religion, as well as some local officials' lack of understanding in implementing these policies. In some instances, local officials' actions are based on suspicion of Christians, whom many in government believe are too closely linked to foreigners, particularly the West and the United States. In fact, due to the government's targeting, some among the Christian community believe the government views them as "enemies of the state." Christians who also are ethnic minorities

tions may influence how USCIRF will report on Laos in future annual reports.

Background

The government recognizes four religions: Buddhism, Christianity, Islam, and the Baha'i faith. In addition to being the most widely practiced religion in Laos, Buddhism is interwoven into many aspects of Lao culture, providing the faith an extra degree of prominence within and protection from the government. Administration of religion falls under the purview of two bodies: the Lao Front for National Construction (LFNC), a mass organization of political and social entities that disseminates and explains the government's religion policies, and the Ministry of Home Affairs, which has authority to grant permissions for activities or establish new houses of worship.

More than 66 percent of the country's nearly seven million population practice Buddhism. Another 1.5 percent practice Christianity (which includes Catholicism), while an estimated 31 percent follow some other religion or belief, such as animism or ancestor worship. Smaller segments of the population practice Islam and the Baha'i faith.

. . . Buddhism is interwoven into many aspects of Lao culture, providing the faith an extra degree of prominence within and protection from the government.

feel especially targeted and often experience greater incidences of discrimination and harassment. Based on these concerns, in 2016 USCIRF again places Laos on Tier 2, where it has been since 2009. Positive developments in religious freedom conditions stemming from the Lao government's efforts to revise religious regula-

In February 2016, USCIRF staff conducted a joint visit to Laos with staff from the State Department's Office of International Religious Freedom, traveling to the capital, Vientiane, and the provinces of Savannakhet, Khammouane, and Xiengkhuang. The delegation raised specific cases of religious freedom violations with the Lao government and the LFNC at both the central

and provincial levels. Although government officials said that the constitution and the 2002 Prime Minister's Decree on the Administration and Protection of Religious Activities, also known as Decree 92, guarantee freedom of religion or belief in Laos, other interlocutors reported that the government does not protect religious freedom in practice.

In conversations with USCIRF, provincial officials accused Christians of being uncooperative for declining to participate in village activities, some of which are part of Buddhist cultural traditions, and of lying to lure new followers to the faith. And despite Decree 92's protections for the practice and sharing of Christianity, some local officials detain Christians in order to provide them "guidance" and "education" about how to follow religious regulations, and some still use forced renunciations of faith and forced evictions as a means to threaten and intimidate Christians.

Religious Freedom Conditions 2015–2016

General Conditions

During its February 2016 trip, USCIRF learned from several religious groups that their relations with the government have improved over the years, allowing them more space in which to practice their faith. Many admitted that misunderstandings – on both the government's and religious groups' sides – sometimes lead to challenges at the local level, though generally any confusion is resolved without incident. Religious groups often invite those of other faiths to attend religious ceremonies and celebrations.

This goodwill gesture often helps relations with local officials, but some local officials remain suspicious of religious activities.

The ambiguous relationship and roles of the Ministry of Home Affairs and the LFNC in administering and implementing religious policy creates confusion and misunderstanding, particularly at the local level. For example, while some religious groups in some areas are able to practice without registration, others face difficulties with local officials. One provincial Ministry official said that registration requirements may not apply to a temple or church if it was built long ago and congregants have longstanding practices, but the same would not hold true for a new temple or church. Some religious groups told USCIRF that they regularly communicate with both bodies, not out of necessity but out of an abundance of caution.

Central government officials have acknowledged that religious groups generally act in the interest of the people, promoting values such as harmony, unity, fairness, and justice. However, religious groups largely are required to operate within the government's parameters. In practice, local government officials have additional latitude to determine whether a particular group's or individual's practice is consistent with rules and regulations. For example, local authorities reportedly confiscated Bibles in two villages in Nakai District, Khammouane Province; the Bibles belonged to members of the government-recognized Laos Evangelical Church.

. . . while some religious groups in some areas are able to practice without registration, others face difficulties with local officials.

The government generally permits religious organizations to conduct charitable work, but usually requires coordination with officials to ensure that the activities align with local development plans and benefit all community members. Religious leaders sometimes willingly submit notice of religious activities, such as schedules of services, to government authorities for their information, but not to seek approval.

Legal Restrictions on Religious Practice and Activities

Decree 92 is the set of regulations currently in place to manage religious practice in the country. The Decree requires LFNC approval for religious organizations' registration. The provincial-level LFNC bodies, along with local and provincial government officials, must approve a number of religious activities, such as building houses of

worship and appointing religious personnel. Critics note several underlying weaknesses in Decree 92, such as: 1) outright denials or non-responses to registration applications from certain groups, particularly Protestant groups not willing to join the government-recognized Laos Evangelical Church or Seventh-day Adventist Church; 2) cumbersome approval processes involving long waits and unanswered requests; and 3) confusion about the requirements to qualify for registration. Misinterpretation and poor implementation at the local, district, and provincial levels amplify these challenges.

Over the last several years, the Lao government initiated revisions to Decree 92. In a positive step, the government solicited input on revisions from a number of key interlocutors across the country, including some religious organizations. One religious group informed USCIRF that they urged the government to allow more people to openly practice from home. Lao government officials also indicated they have consulted with Vietnam on the Decree 92 revisions and have plans to consult other countries.

location, government officials monitor Christians and their activities, often ban them from government jobs or limit their ability to be promoted, question churches about their membership, and reportedly prevent some Christians from applying for passports. The government only recognizes three Christian groups – the Laos Evangelical Church, the Catholic Church, and the Seventh-day Adventist Church. Some Christians practice underground as families; typically the government does not restrict this practice but has been known to pressure these groups to join a recognized church. Some Christians believe that most arrests of Christians directly relate to their religion, whereas in their view Buddhists rarely get arrested in connection with their faith.

Christians of various denominations also experience pressure to renounce their faith, either from local officials or from members of the community, including threats of expulsion from villages. For refusing to renounce their faith, Christians also experience restricted access to hospitals and schools. The

Christians of various denominations also experience pressure to renounce their faith, either from local officials or from members of the community, including threats of expulsion from villages.

Those familiar with the proposed changes report that the revised Decree 92 will transfer more responsibilities from the LFNC to the Ministry of Home Affairs, though details are limited about how this shift may unfold in practice. Unless the division of labor is made clear to religious groups and local Ministry and LFNC branches, the current confusion hampering religious policy likely will continue. One religious leader noted that revisions to Decree 92 will be most effective if the central government implements the new policies at the local level, but that in practice much will depend on specific local officials.

Abuses against Minorities

Christians continue to experience the most government restrictions and discrimination. Depending on

government at times discriminates against certain groups, including ethnic Hmong, particularly if they are Christian.

Christians in Savannakhet Province face particular challenges from local officials who either improperly interpret the central government's regulations or discriminate against Christians out of fear, prejudice, or ignorance. Three churches in Xayaburi District closed by local officials in 2011 and 2012 remained off-limits to parishioners, except for some Christmas services. The churches reportedly have tried to obtain registration approval to re-open, but local officials told USCIRF the closures instead had to do with land usage and other administrative issues unrelated to the practice of their faith, meaning that registration would not solve the dispute. In another example, in February

2015, a provincial court in Savannakhet convicted and sentenced to nine months in prison five Christians charged with practicing medicine without a license in connection with the 2014 death of a Christian woman. The five Christians denied the charges, stating that they prayed at the woman's side. They were released in March 2015, but still had to pay fines. One of the Christians, Mr. Tiang Kwentianthong, died in September 2015 from diabetes-related complications; his supporters claim that the denial of necessary medical care while he was in prison contributed to his death. The remaining four filed appeals with the court, which remained pending at the end of the reporting period.

In September 2015, local authorities in Khammouane Province "held" two Christians for spreading their faith during their visit to a Christian family. (Officials from the Ministry of Home Affairs provincial office disputed media reports the two men had been arrested or even detained, arguing instead they had been held and then released.) Earlier in the year, police detained four Christians in Nakai District, also in Khammouane Province, and threatened them with jail time if they refused to renounce their faith; police

U.S. Policy

August 2015 marked the 60th anniversary of diplomatic relations between the United States and Laos. Although the bilateral relationship continues to strengthen, the scars from the United States' heavy bombing campaign in Laos between 1964 and 1973 run deep. Another remnant from that period is the Lao government's mistreatment of ethnic Hmong, many of whom the United States trained and armed during the Vietnam War in an effort to prevent a communist takeover.

Despite this legacy, U.S.-Laos direct engagement is increasing. Moreover, Laos' 2016 Association of Southeast Asian Nations (ASEAN) chairmanship means more frequent U.S. high-level visits to the country. In January 2016, Secretary Kerry visited Laos, meeting with Prime Minister Thongsing Thammavong. Secretary Kerry will travel to Laos again in July 2016 for the ASEAN Foreign Ministers Meeting, while President Barack Obama is scheduled to visit in September 2016 for the ASEAN Summit. A gathering of civil society organizations that usually meets on the sidelines of the annual summit, known as the ASEAN People's Forum, will not be held in Laos, but in Timor-Leste, which is not an ASEAN

To date, 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.

reportedly banned Christian activities in the district. Other reports from Khammouane Province suggest local authorities regularly threaten Christians, pressuring them to renounce their faith and confiscating religious materials.

Also in September 2015, Pastor Singkeaw Wongkongpheng from Na-ang Village in Luang Prabang Province died of stab wounds after being attacked in his home. Over the years, local officials reportedly pressured Pastor Singkeaw to stop preaching and spreading Christianity. According to some reports, one of the attackers belonged to the Luang Prabang provincial police.

member. Both the Lao government and the involved civil society organizations prevented the gathering from being held in Laos.

The United States supports a number of initiatives in Laos: health, nutrition, the environment, education, wildlife and human trafficking, energy, disposal of unexploded ordnance, and several projects relating to the Mekong, including the Lower Mekong Initiative, among others. The year 2015 marked the 40th anniversary of Hmong refugee displacement and resettlement in the United States. In 1975, the United States began transporting Hmong out of Laos and Thailand where many Hmong had already fled. To date, 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.

In December 2015, on the third anniversary of civil society leader Sombath Somphone's disappearance, the Department of State issued a press statement expressing concern for his well-being and calling on the Lao government "to conduct a thorough and transparent investigation." Concern for his whereabouts contributed to civil society's decision to hold the ASEAN People's Forum outside of Laos.

Recommendations

From 2000 to 2003, USCIRF recommended Laos be designated as a "country of particular concern," or CPC based on its egregious, ongoing, and systematic violations of religious freedom. That the country improved conditions meriting progress to USCIRF's Tier 2 (Watch List) demonstrates that such progress on religious freedom can have significant impact. At this critical juncture in the bilateral relationship, the United States should engage Laos on religious freedom and related human rights and encourage additional improvements, particularly with respect to the proposed revisions to Decree 92 to ensure its policies align with international human rights standards. Accordingly, USCIRF recommends that 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 regularly and consistently address with the Lao government issues such as ethnic and religious discrimination, torture and other forms of ill-treatment in prisons, unlawful arrests and detentions, the lack of due process and an independent judiciary, and revising Decree 92 in accordance with international standards;
- Continue to engage the Lao government on specific cases of religious freedom violations, including but not limited to forced evictions and/or forced renunciations of faith, and emphasize the importance of consistent implementation, enforcement, and interpretation of the rule of law by officials at all levels of government and law enforcement authorities;

- 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 for Lao police and security forces, provincial and local officials, and lawyers and judges in human rights, the rule of law, and religious freedom and tolerance; and capacity-building for Lao civil society groups carrying out charitable, medical, and developmental activities;
- 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;
- 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 human rights, civil society, and individual rights; 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 access to uncensored Internet, and other information, into Laos.