

LAOS 2012 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution and some laws and policies protect religious freedom; however, enforcement of these laws and policies at the district and local levels was mixed. Other laws and policies restricted this right in practice, and the government generally enforced the restrictions. The trend in the government's respect for religious freedom did not change significantly during the year. The law does not recognize a state religion; however, the government's financial support and promotion of Buddhism, along with its willingness to exempt Buddhist groups from a number of restrictions, elevated the status of Buddhism. Officials respected the constitutional rights of members of most religious groups to worship, albeit within strict constraints imposed by the government. District and local authorities in some of the country's 17 provinces continued to be suspicious of non-Buddhist religious groups and occasionally displayed intolerance for minority religious groups, particularly Protestant groups, whether or not officially recognized.

There were reports of isolated cases of societal abuse or discrimination based on religious affiliation, belief, or practice. The refusal of some members of minority religious groups, particularly Protestants, to participate in local Buddhist or animist religious ceremonies sometimes resulted in friction.

The U.S. government regularly raised specific religious freedom cases with the government. In an effort to establish an open dialogue and encourage conflict resolution, the embassy facilitated town hall meetings in three Savannakhet Province villages and one Salavan Province village embroiled in disputes between Protestant groups and the local authorities allied with Buddhist communities. The embassy also maintained frequent contact with a wide range of religious leaders.

Section I. Religious Demography

Theravada Buddhism is the religion of nearly all ethnic or "lowland" Lao, who constitute 40 to 50 percent of the overall population, estimated in July by the U.S. government to be approximately 6.5 million. The remainder of the population belongs to at least 48 distinct ethnic minority groups, most of which practice animism and ancestor worship. Animism is predominant among Sino-Thai groups, such as the Thai Dam and Thai Daeng, as well as among Mon-Khmer and Burmo-Tibetan groups. Even among lowland Lao, many pre-Buddhist animist beliefs are incorporated into Theravada Buddhist practice, particularly in rural areas. Roman

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Catholics, Protestants, Muslims, Bahais, Mahayana Buddhists, and followers of Confucianism constitute less than 3 percent of the population.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

The constitution and some laws and policies protect religious freedom; however, other contradictory laws and policies restrict this right. Article 43 of the constitution provides for freedom of religion, a fact frequently cited by officials in reference to religious tolerance. However, Article 9 discourages all acts that create divisions among religious groups and persons. The government interprets this clause as justifying restrictions on religious practice by members of all religious groups, including the Buddhist majority and animists. Both local and central government officials refer to Article 9 as a reason for restricting religious activity, especially proselytizing and the expansion of Protestantism among minority ethnic groups. The constitution also notes that the state “mobilizes and encourages” Buddhist monks and novices as well as priests of other religions to participate in activities “beneficial to the nation and the people.”

The prime minister’s Decree on Religious Practice (Decree 92) of 2002 is the principal legal instrument defining rules for religious practice. Decree 92 defines the government’s role as the final arbiter of permissible religious activities. Although this decree has contributed to greater religious tolerance since its promulgation, the authorities use its many conditions to restrict religious practice, particularly at the district and local level.

Decree 92 establishes guidelines for religious activities in a broad range of areas. While the decree provides that the government “respects and protects legitimate activities of believers,” it also seeks to ensure that religious practice “conforms to the laws and regulations.” Decree 92 legitimizes proselytizing by Lao citizens (but not by foreigners), printing religious materials, owning and building houses of worship, and maintaining contact with overseas religious groups; however, these rights are contingent upon a strict and cumbersome approval process. According to Decree 92, the Lao Front for National Construction (LFNC), the national agency responsible for religious affairs, ethnic relations, and other issues sensitive to the government and party, has the “right and duty to manage and promote” religious practice. Nearly all aspects of religious practice require approval from an LFNC branch office. Some cases require approval from the central-level LFNC.

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According to Decree 92, the building of Buddhist temples requires the approval of the prime minister and the president of the Central Committee of the LFNC.

The Department of Ethnic Issues and Religious Affairs (DEIRA) within the newly established Ministry of Home Affairs (MHA) also plays a role in overseeing the implementation of policy, rules, and regulations in relation to religious groups throughout the country. The department is tasked with examining Decree 92 with a view to revising it to reflect the current state of religious affairs. The LFNC and DEIRA work to establish protocols outlining the shared roles and responsibilities of the government related to the governance of religious groups.

Both the constitution and Decree 92 assert that religious practice should serve national interests by promoting development and education, and by instructing believers to be good citizens. The government presumes both a right and a duty to oversee religious practice to ensure that it fills these roles in society. Particularly at the local level, authorities intervene in the activities of minority religious groups, on the grounds that their practices disrupt the community.

Although Decree 92 establishes registration procedures for new religious groups, the government's policy of consolidating religious practice for purposes of control effectively blocks new registrations. The government officially recognizes four religions: Buddhism, Christianity, Islam, and the Bahai Faith. Recognized Christian groups include the Catholic Church, the Laos Evangelical Church (LEC), and the Seventh-day Adventist Church. LFNC Order Number 1 of March 2004 states that no Christian denominations other than those already recognized by the government may register, a measure to prevent "disharmony" in the religious community, and requires all Protestant groups to become a part of the LEC or the Seventh-day Adventist Church.

The government does not recognize an official state religion, but it exempts Buddhism from many of the Decree 92 restrictions. The government sponsors Buddhist facilities, incorporates Buddhist ritual and ceremony in state functions, and promotes Buddhism as an element of the country's cultural and spiritual identity; it also promotes Lao culture, which includes Buddhist practices. These policies elevate the status of Theravada Buddhism.

Identity cards do not specify religion, nor do family "household registers" or passports.

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The government observes the Lao New Year, which has Buddhist overtones, as a national holiday.

Government Practices

There were reports of abuses of religious freedom, including reports of imprisonment and detention. While in practice the central government generally respected both “belief-related” and “manifestation-related” rights, the government structure was relatively decentralized, and central government control over provincial and district governments remained limited. As a result, the government’s respect for religious freedom varied by region and by religious group. Some local officials were unaware of central government policies on topics such as religious tolerance due to the incomplete dissemination and application of existing laws and regulations. Even when they were aware of the laws, local officials sometimes failed to implement them. Authorities occasionally arrested and detained people for their religious activities. In some cases local officials threatened Protestants with arrest or expulsion from their villages if they did not comply with certain orders.

Khamson Baccam, an ethnic Thai Dam Protestant leader who was arrested in Oudomsai Province in 2007 for religious reasons, was released on January 20. Protestant pastors Yohan and Vanna, arrested in January 2011 in Khammouane Province for holding Christmas celebrations, were released on January 5.

During the year, local officials in some areas attempted to force Protestants to renounce their faith. Local police in Boukham Village, Atsaphangthong District, Savannakhet Province, arrested eight Protestant leaders in December 2011 for conducting Christmas celebrations. Local authorities reportedly pressured the Protestants to renounce their faith, but they refused. LEC officials helped negotiate the release of one leader two days after the arrests after he paid a fine of one million kip (\$125). The remaining seven leaders were released on January 12 after paying a total of one and a half million kip (\$187.50) in fines as a result of negotiations by the LEC.

On September 11, the Phin District authorities arrested three Christian pastors, Bounlert, Adang, and Onkaew, as they attempted to meet with a Korean Christian delegation. Bounlert, a resident of Alowmai Village, Phin District, Savannakhet Province, alleged that the village chief and village elders had pressed him and other Christian families to participate in animistic rituals against their will. On October 23, the authorities released Bounlert after his family paid one million kip

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(\$125). Authorities released Pastors Onkaew and Adang on November 5 and 7, respectively, upon accepting an additional one million kip (\$125) per detainee. Officials asserted that the pastors did not pay fines but were charged service fees to cover the time in detention.

Government authorities arrested several other Christian pastors or lay teachers for religious activities or on other charges. Some were required to pay fines and were then released, while others were released without charges.

On August 3, local authorities of Kilometer 15 Village, Khamkeut District, Bolikhamxay Province, called a self-proclaimed religious leader to their office to question his religious activities involving the conversion of hundreds of citizens to Christianity. The authorities also warned him to stop professing the faith of “foreigners and enemies of Laos.” On August 20, the authorities revoked his residency status in Kilometer 15 Village and forced him to return to his former home in Nongphong Village.

Persons arrested for religion-related offenses, as with all criminal offenses, had little protection under the law. Detainees could be held for lengthy periods without trial and then released. There were no reports that any cases involving religion-related charges reached the courts. All religious groups, including Buddhists, practiced their faith in an atmosphere in which application of the law was arbitrary. Actions interpreted by officials as threatening brought harsh punishment. Religious practice was “free” only within tacitly understood guidelines.

The government used Decree 92 to restrict the religious activities of certain groups and effectively limit or prevent some religious groups from importing Bibles and religious materials, as well as constructing houses of worship. Minority religious group leaders complained that the requirement to obtain permission for a broad range of activities, sometimes from several different offices, limited their freedom.

Although groups not registered with the LFNC were not allowed to practice their faith legally, several did so quietly without interference. Protestant groups seeking recognition as separate from the LEC continued to be the targets of restrictions, and authorities in several provinces insisted that independent congregations must join the LEC. However, in some areas unauthorized churches were allowed to conduct services without hindrance by local authorities. Methodists continued to seek registration with the LFNC as a separate denomination. The LFNC made no decision by the end of the year.

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The government required several religious groups, apparently with the exception of Buddhists and Catholics, to report membership information periodically to the Religious Affairs Department of the LFNC.

Muslims were able to practice openly at the two active mosques. Muslim Association leaders met regularly with LFNC officials and maintained an effective working relationship with the government. Daily prayers and the weekly Friday prayer proceeded unobstructed, and all Islamic celebrations were allowed. Muslims were permitted to go on the Hajj. The government permitted groups from Thailand to conduct Tabligh teachings.

While animists generally experienced little governmental interference, the government actively discouraged animist practices it deemed outdated, dangerous, or illegal, such as the practice in some tribes of killing children born with defects or burying the bodies of deceased relatives beneath homes. In some areas where animism predominated, local authorities actively encouraged animists to adopt Buddhism and abandon their beliefs in magic and spirits.

The government typically refused to acknowledge any wrongdoing by its officials. Government authorities often blamed the victims rather than the persecuting officials. Even when the government admitted that local officials were partly at fault, it was unwilling to take action against officials who violated laws and regulations on religious freedom. However, central authorities held some training seminars to teach local officials about Decree 92 and religious freedom laws.

The government promoted the teaching of Buddhist practices as part of Lao culture in public schools. Cultural sessions included lessons taught in Buddhist temples. Several private preschools and English-language schools received support from religious groups abroad. Many boys received instruction in religion and other subjects in Buddhist temples, which traditionally filled the role of schools and continued to play this role in smaller communities where formal education was limited or unavailable. Additionally, two Buddhist colleges and two Buddhist secondary schools provided religious training for children and adults. Christian denominations, particularly the LEC and Seventh-day Adventists, operated Sunday schools for children and youth. Bahai groups conducted religious training for children and adult members. The Catholic Church operated a seminary in Thakhek for students with high school degrees to study philosophy and theology for two to ten years. The Muslim community offered limited educational training for its children. On occasion local officials denied educational benefits to the children of Protestants because of their religious beliefs.

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The LFNC occasionally visited areas where religious persecution had taken place to instruct local officials on government policy as outlined by Decree 92. More often, however, the LFNC's Religious Affairs Department encouraged local or provincial governments to resolve conflicts on their own in accordance with Decree 92. The LFNC also negotiated with local officials when worshipers were detained for religious reasons.

As many as 200 of the LEC's over 480 congregations throughout the country did not have permanent church structures and conducted worship services in homes. The LFNC's Religious Affairs Department continued to urge that home churches be replaced with designated church structures whenever possible, and local authorities in many areas considered group worship in homes illegal. Nevertheless, most Christian groups could not obtain permission to build new churches. Religious group representatives pointed out that the building permit process began at the local level and then required provincial and LFNC permission. They alleged that local officials used the process, requiring multiple layers of permission, to block construction of new churches. No new LEC churches were permitted to register officially during the year. In a few cases, villages allowed construction of new church buildings without prior official permission from higher-level authorities.

Bahai communities in Vientiane, Savannakhet, and Luang Prabang generally practiced without hindrance, and Bahai groups faced fewer restrictions from local authorities than in the past. However, some Bahai practices required that activities be held inside houses, and occasionally local officials denied authorization to conduct these activities. While cooperation from provincial-level authorities in Savannakhet Province was quite good, local police in some areas of the province continued to restrict the religious activities of smaller Bahai communities. Local Bahai communities and the National Spiritual Assembly routinely held Bahai Nineteen Day Feasts and celebrated all holy days without interference. The Bahai National Spiritual Assembly in Vientiane met regularly and sent delegations to the Universal House of Justice in Israel.

There were reports of official interference with or denial of permission to hold religious celebrations in churches. Members of the Protestant church of Dongpaiwan Village, Savannakhet Province, Xayaburi District continued to be unable to use their church building. District police and government officials confiscated it in September 2011 and prohibited worshipers from gathering on the premises, citing a lack of official registration of the building as a church. There

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were reports that Protestants in some villages were not allowed to hold Christian celebrations in their homes, thus restricting Protestant activities to church buildings only. This restriction particularly affected Protestants who had not been given approval to build church structures in their villages. Xayaburi District officials also confiscated Christian churches in Nadaeng (December 2011), Kengweng (February 22), and Khamnongsung (April 5), citing the lack of official registration.

Provincial, district, and local officials, as well as LFNC representatives, participated in town hall meetings with local Protestant leaders and community leaders to discuss the issues involved in the confiscations and seek resolution of the conflict in the three Xayaburi District villages. Local Protestant leaders expressed frustration over the arduous registration process that led to the conflict, while local community leaders expressed their desire to use the buildings as a school for all children in the community, regardless of their faith. In March government officials agreed to examine the option of registering the buildings as both schools and churches. However, in a follow-up town hall meeting in December, they indicated this would not be an option. Authorities did not allow Christian groups to hold holiday services in the churches, and the groups had not received official registration for their church facilities by year's end. Provincial and district officials in Phin District, Savannakhet Province, and Ta-Oy District, Saravan Province, also held town hall meetings with local Protestant leaders to discuss religious conflicts.

On June 14 in Savannakhet Province, the Phin District military command discharged two men from active duty in the village security forces after learning that they had converted to Christianity.

The government continued to restrict the activities of the Catholic Church in the northern part of the country where there were a handful of small congregations. Catholics in these areas sporadically held services in homes.

The government strictly enforced the legal prohibition on proselytizing by foreigners, although it permitted foreign nongovernmental organizations with religious affiliations to work in the country. Although Decree 92 permits proselytizing by citizens, provided they obtain permission, the LFNC did not grant such permission; persons found proselytizing risked harassment or arrest.

The government permitted the printing, import, and distribution of Buddhist religious material, but restricted the publication of religious materials by most other religious groups. The printing and importation of non-Buddhist religious

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texts from abroad required LFNC permission. While some groups were able to print their own religious materials, the government did not allow the printing of Bibles, and special permission was required for their importation for distribution in limited quantities. The LEC continued to wait for permission to import additional Bibles and other religious materials. Several non-Christian groups indicated that they were not restricted in bringing religious materials into the country.

During the year, LFNC and MHA officials began travel to the provinces to encourage religious groups to practice in accordance with the country's laws and regulations. They also provided training to local officials on Decree 92 provisions on protecting religious freedom and other regulations related to religious affairs, in collaboration with government religious and peace-building experts from Vietnam.

Government officials attended some Buddhist religious festivals and Christmas celebrations in their official capacity.

Improvements and Positive Developments in Respect for Religious Freedom

Some positive steps were taken during the year to address specific religious freedom concerns. The LFNC, joined during the year by the Ministry of Home Affairs, instructed local officials on religious tolerance and in some situations intervened in cases where members of minority religious groups, particularly Christians, had been harassed or mistreated.

In an effort to promote consultation among all stakeholders concerning revisions to Decree 92, the LFNC and Ministry of Home Affairs organized meetings for religious group representatives in Vientiane, Champasak, Bokeo, and Bolikhamxay Provinces, and the city of Vientiane. The meetings allowed for open discussion about the government's plan to amend the decree, and provided an opportunity for religious groups to offer suggestions for its improvement.

In collaboration with the LFNC, the Institute for Global Engagement, a U.S.-based religious freedom organization, conducted training for provincial and district officials and local religious leaders to help both sides better understand each other and the scope of Decree 92.

The government eased its control over the Catholic community in the north. At year's end, a Catholic bishop in Luang Prabang was in the process of establishing residency and identifying land for the construction of a church building with the support of local authorities. A Vientiane church delegation, accompanied by

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LFNC officials, traveled to Bokeo Province to visit Catholic communities in Houayxay, Meuang, and Tonpheung. The church was able to expand charitable activities and provided assistance to a school for the deaf in Luang Prabang.

Section III. Status of Societal Respect for Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. However, citizens placed great importance on social harmony and the dominant Buddhist community generally was tolerant of other religious practices. Local cultural mores instilled respect for longstanding, well-known differences in belief. Interreligious tensions arose on some occasions within some minority ethnic groups, particularly in response to the growth of Christian congregations or disagreements over rights to village resources. The refusal by members of non-Buddhist groups to participate in Buddhist or animist ceremonies continued to cause tensions in rural areas. However, Christian group leaders encouraged their members to work out a compromise allowing them to support local Buddhist or animist ceremonies without participating in them.

The LEC continued an active program of public service during the year, providing developmental assistance and organizing social welfare projects in several areas that had previously experienced religious intolerance. The LEC continued to provide educational materials to provincial schools. The LEC also provided emergency supplies to flood victims in the southern provinces. In conjunction with the LFNC, the LEC continued to conduct meetings with officials and Protestants in some villages where there had been religious tensions.

Catholic churches also participated in public service. Students from the Catholic seminary in Thakhek visited elderly citizens in rural areas, provided agricultural training, and volunteered at area farms during the harvest season. In addition, members of the Catholic Church in Vientiane helped citizens in Navai Village, Hinheub District, Vientiane Province who lost their homes to fire, and cooperated with Hinheub District doctors to provide free medical care and basic medicine to Navai villagers.

Buddhist associations donated clothes to the poor throughout the country and contributed to school building and local infrastructure projects in southern Laos. Some monks organized donation drives to assist natural disaster victims of all religions. Many poor children who were unable to afford school expenses received education in Buddhist temple schools.

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Bahai groups also donated to victims of natural disasters, regardless of their religious beliefs.

Section IV. U.S. Government Policy

Religious freedom was a key priority of the U.S. embassy. Embassy officers regularly discussed religious freedom with a range of government officials and religious groups.

The embassy maintained a dialogue with the Religious Affairs Department of the LFNC. The embassy frequently informed the LFNC of specific cases of abuse or harassment. The LFNC in turn often used this information to intercede with local officials. The embassy actively encouraged religious freedom by posting relevant material on its official website.

Embassy officials conducted town hall meetings to bring villagers and Christian leaders together with provincial, district, and local government officials to try to resolve conflicts on the use of buildings in Nadeng, Dongpaiwan, and Kengweng in Xayaburi District. Embassy officials proposed compromises to allow buildings to be used by both sides and followed up with the meeting participants. The conflict remained unresolved at year's end. Embassy officials also conducted town hall meetings in Phin District, Savannakhet Province to bring together Christian and animist villagers to discuss longstanding disputes.