

LAOS 2013 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 religious freedom in practice, and the government generally enforced the restrictions. There were reports of attempted forced renunciations, imprisonment, detention, and assaults in detention. The law does not recognize a state religion; however, the government's financial support and promotion of Buddhism as a part of Lao culture, 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 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 or non-animist religious groups and occasionally displayed intolerance for minority religious groups, particularly Protestant groups, whether or not officially recognized.

There were reports of societal abuses 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. embassy 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 and discussions with religious leaders and government officials in five villages in Luang Namtha province. The embassy also maintained frequent contact with a wide range of religious leaders.

Section I. Religious Demography

The U.S. government estimates the total population at 6.7 million (July 2013 estimate). Theravada Buddhism is the religion of nearly all ethnic or "lowland" Lao, who constitute 40 to 50 percent of the overall population. 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

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beliefs are incorporated into Theravada Buddhist practice, particularly in rural areas. Roman 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. Article 9, however, 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.”

A prime ministerial decree on Religious Practice (Decree 92) is the principal legal instrument defining rules for religious practice. The decree defines the government’s role as the final arbiter of permissible religious activities. Although the 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.

The decree 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.” The decree legitimizes proselytizing by Lao citizens (but not by foreigners), printing religious materials with permission from authorities, owning and building houses of worship, and maintaining contact with overseas religious groups; however, these rights are contingent upon a strict, opaque, and cumbersome approval process. According to the decree, 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.

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Some cases require approval from the central-level LFNC. 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 the prime ministerial decree with a view of 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 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, some authorities intervene in the activities of minority religious groups, on the grounds that their practices disrupt the community.

Although the decree establishes registration procedures for new religious groups, the government's policy of consolidating religious practice for purposes of control effectively blocks and precludes 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. The LFNC order 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 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.

Government Practices

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There were reports of attempted forced renunciations, imprisonment, detention, and assaults in detention. While in practice the central government 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 limited 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.

In September local police in Huay and Nonsung Villages, Atsaphangthong District, Savannakhet Province, reportedly pressured Protestants to renounce their faith, but the Protestants refused and the police took no further action.

In July in Sing, Long, and Viengphouka districts in Luang Namtha province, local officials prohibited Christians from building churches or congregating to worship. Officials also arrested one villager in Long district and did not release him until he renounced his faith.

Following the detention of pastors in 2012, on February 5, Phin District authorities arrested two additional pastors, Bounmy and Bounma, for copying Christian DVDs and disseminating Christian media. The pastors were detained for not conducting religious activities according to regulation, and police reportedly beat them. Local officials released the pastors on March 8.

Persons arrested for alleged 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 restricted the religious activities of certain groups and effectively limited or prevented some religious groups from importing Bibles and religious materials, as well as constructing houses of worship. Non-Buddhist religious

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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. In some areas, however, 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 in turn requested the Methodists to join the LEC umbrella.

The government required religious groups 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.

The government typically refused to acknowledge any religious freedom abuses 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.

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

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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 threatened to deny educational benefits to the children of Protestants because of their religious beliefs.

The LFNC and MHA occasionally visited areas where religious persecution had taken place to instruct local officials on government policy and law. More often, however, the LFNC's Religious Affairs Department encouraged local or provincial governments to resolve conflicts on their own in accordance with the prime ministerial decree. The LFNC sometimes negotiated with local officials when worshipers were detained for religious reasons.

As many as 200 of the LEC's more than 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, Protestant 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 district, provincial, and ultimately central level LFNC and MHA permission. They alleged that local officials used the process, requiring multiple layers of permission, to block construction of new churches. As a result, no new LEC churches attempted 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.

There 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.

Officials in Xayaburi District, Savannakhet Province, continued to prohibit worshipers from accessing previously confiscated Christian churches in Dongpaiwan Village, Nadaeng, Kengweng, and Khamnongsung, citing the lack of official registration. No additional churches were confiscated.

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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 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. 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.

Bahai communities in Vientiane, Savannakhet, and Luang Prabang generally practiced without interference, and Bahai groups faced few restrictions from local authorities. Local Bahai communities and the Bahai 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. In October the Bahais organized a 200-person annual meeting in Vientiane, with attendees from throughout the country. The LFNC approved the meeting.

In Savannakhet, Pakse, and Champasak provinces, Catholics complained the government restricted Catholics from entering government jobs and being promoted.

The government strictly enforced the legal prohibition on proselytizing by foreigners, although it permitted foreign NGOs with religious affiliations to work in the country. The LFNC granted permission for some religious leaders to organize educational meetings, but did not grant broad permission to proselytize without restriction.

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 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. On November 8, the LEC received permission from both the LFNC and MHA to import 4,000 Lao-language bibles.

LFNC and MHA officials increased their travel to the provinces to encourage religious groups to practice in accordance with the country's laws and regulations.

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They also provided training to local officials in Bokeo, Oudomxay, Luang Prabang, Vientiane, Savannakhet, and Vientiane capital. During these sessions officials learned about religious law and received education seminars about the basic tenets of Buddhism, Christianity, the Bahai Faith, and Islam from religious leaders.

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 to address specific religious freedom concerns. In conflict situations, the LFNC, joined by the MHA, instructed local officials on religious tolerance and in many situations intervened in cases where members of minority religious groups, particularly Christians, had been harassed or mistreated. In general the MHA positively influenced religious freedom by intervening in cases of conflict and encouraging local authorities to follow the law.

In an effort to promote consultation among all stakeholders concerning revisions to the prime ministerial decree, the LFNC and MHA organized meetings for religious group representatives in January in 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, line ministries, and mass organizations 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 law.

The government also 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 identifying land for the construction of a church building with the support of local authorities. 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.

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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. Inter-religious tensions arose on some occasions within some minority ethnic groups, particularly in response to the growth of Christian congregations or disagreements over access to village resources. The refusal by members of non-Buddhist groups to participate in Buddhist or animist ceremonies continued to be the main source of tensions in rural areas. Christian group leaders, however, encouraged their members to work out a compromise allowing them to support local Buddhist or animist ceremonies without participating in them.

The LEC, Catholic Church, Seventh-day Adventist, Bahai, Buddhist and Muslim communities all contributed to religious harmony through social and developmental charitable works.

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, and the Ethnic and Religious Affairs Department of the MHA. The embassy frequently informed the LFNC and MHA of specific cases of abuse or harassment. The LFNC and MHA in turn sometimes 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 surrounding the right of Christians to congregate in Sing and Long districts in Luang Namtha province. Embassy officials met with both registered and unregistered religious leaders, as well as members of the government, to advocate for religious freedom and the amendment of relevant laws and decrees.