

LAOS

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 these restrictions. The government demonstrated a slight trend toward improvement in respect for and protection of the right to religious freedom through ongoing outreach to the provinces to educate the population on religious freedom. 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, gave the religion an elevated status. In most areas officials typically 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 communities and occasionally displayed intolerance for minority religious groups, particularly Protestants, whether or not they were 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 as part of its overall policy to promote human rights. 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 of the country. The remainder of the population belongs to at least 48 distinct ethnic minority groups. Most of these ethnic minorities are practitioners of animism and ancestor worship. Animism is predominant among most 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 animistic beliefs have been incorporated into Theravada Buddhist practice, particularly in the rural areas. Roman Catholics,

Protestants, Muslims, Baha'is, 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 laws and policies, particularly those at the district and local levels, violate 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 of the constitution, however, discourages all acts that create divisions among religious groups and persons. The government has interpreted this clause to justify restrictions on religious practice by all religious groups, including the Buddhist majority and animists. Both local and central government officials will refer to Article 9 as a reason for placing constraints on religious practice, 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) 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 it was promulgated in 2002, authorities have used its many conditions to restrict aspects of religious practice, particularly at the district and local level.

In its 20 articles, 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, all of these rights are contingent upon a strict and cumbersome approval process. Decree 92 reserves for 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--the “right and duty to manage and promote” religious practice, requiring that nearly all aspects of

religious practice receive the approval of an LFNC branch office. Some cases require approval from the central-level LFNC.

Both the constitution and Decree 92 assert that religious practice should serve national interests by promoting development and education and instructing believers to be good citizens. The government presumed both a right and a duty to oversee religious practice at all levels to ensure religious practice fills these roles in society. In effect this posture has led the authorities, particularly at the local levels, to intervene in the activities of minority religious groups, particularly Protestants, on the grounds that their practices disrupted the community.

Although the government does not recognize an official state religion, the government's exemption of Buddhism from many of the Decree 92 restrictions, sponsorship of Buddhist facilities, incorporation of Buddhist ritual and ceremony in state functions, and promotion of Buddhism as an element of the country's cultural and spiritual identity give Theravada Buddhism an elevated status. The government promotes Lao culture, which includes the teachings of Buddhist practices.

The government observes the Lao New Year, which has Buddhist overtones, as a national holiday. In most cases, the government allowed registered religious groups to hold major religious festivals without hindrance.

Government Practices

There were reports of abuses of religious freedom in the country, including religious prisoners and detainees. While in practice the central government generally respected religious freedom, including 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 tolerance of religion varied by region and by religion. 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 and, when aware of the laws, sometimes failed to implement them. Authorities occasionally arrested and detained persons for their religious activities, although with less frequency than in previous years. In some cases local officials threatened Protestants with arrest or expulsion from their villages if they did not comply with certain orders.

Khamsone Baccam, an ethnic Thai Dam man described as a Protestant leader who was arrested in Oudomsai Province in 2007 for religious reasons, was still in prison at the end of the year. However, a prime minister's decree signed on December 30 authorized Baccam's release. Protestant pastors Yohan and Vanna, arrested on January 4 for holding Christmas celebrations, remained in detention.

During the year, local officials in some areas attempted to force Protestants to renounce their faith. On December 16 local police in Boukham Village, Palansai District, Savannakhet Province, reportedly arrested eight Protestant leaders for conducting Christmas celebrations. Local authorities reportedly pressured the Protestants to renounce their faith but they refused. On December 18, Laos Evangelical Church (LEC) officials helped negotiate the release of one leader after he paid a fine of one million kip (\$125). The seven other individuals remained in detention at year's end. There were no other known prisoners in custody primarily for religious reasons.

Persons arrested for religion-related offenses, as with all criminal offenses in the country, had little protection under the law. Detained persons may 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. Certain actions interpreted by officials as threatening brought harsh punishment. Religious practice was "free" only if practitioners stayed within tacitly understood guidelines.

In practice the government used the Decree 92 provision requiring that nearly all aspects of religious practice receive approval of the LFNC to restrict the religious activities of certain groups and effectively limit or prevent some religious denominations from importing Bibles and religious materials, as well as constructing houses of worship. Leaders of minority religions complained that the requirement to obtain permission, sometimes from several different offices for a broad range of activities, limited their freedom.

Although Decree 92 establishes procedures for new denominations to register, the government's desire to consolidate religious practice for purposes of control has effectively blocked new registrations. The government officially recognizes four religions: Buddhism, Christianity, Islam, and the Baha'i Faith. Recognized Christian groups include the Catholic Church, the LEC, and the Seventh-day Adventist Church. The LFNC's Order Number 1 of March 2004 required all Protestant groups to become a part of the LEC or the Seventh-day Adventist

Church. The order stated that no other Christian denominations would be permitted to register, a measure to prevent “disharmony” in the religious community. Although denominations not registered with the LFNC legally were not allowed to practice their faith, several did so quietly without interference. Protestant groups that wanted to be recognized as separate from the LEC continued to be the targets of restrictions, and authorities in several provinces have insisted that independent congregations must join the LEC. However, in some areas unauthorized churches generally were allowed to conduct services without hindrance by local authorities. For a number of years, Methodists have consistently sought to register with the LFNC as a separate denomination. The LFNC has considered their application, but has yet to decide on it.

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 their faith openly and attend the two active mosques. Muslim leaders met regularly with LFNC officials and maintained an effective working relationship with the government. Daily prayers and the weekly Jumaat prayer on Fridays proceeded unobstructed, and all Islamic celebrations were allowed. Adherents from the two mosques belong to one Muslim Association. Muslims were permitted to go on the Hajj. Groups have come from Thailand to conduct Tabligh teachings for adherents.

While animists generally experienced little interference from the government in their religious practices, the government actively discouraged animist practices that 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 underneath homes. In some areas where animism predominates among ethnic minority groups, local authorities actively encouraged those groups to adopt Buddhism and abandon their beliefs in magic and spirits.

The government typically refused to acknowledge any wrongdoing on the part of its officials but sometimes took corrective action in response to reports of egregious religious intolerance. Blame was often attributed to the victims rather than the persecuting officials. The government sometimes admitted that local officials were partly at fault, but it has been unwilling to take action against officials who have violated laws and regulations on religious freedom.

The government promotes 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 spend some time in Buddhist temples, where they receive instruction in religion as well as in other subjects. Temples traditionally have filled the role of schools and continued to play this role in smaller communities where formal education was limited or unavailable. Additionally, four Buddhist schools (two colleges and two 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. Baha'i communities conducted religious training for children as well as 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.

There were no reports during the year of the government interfering with citizens wishing to travel abroad for religious training.

The government generally enforced legal and policy restrictions on religious freedom. Throughout the country religious practice was restrained by official rules and policies that allowed religious groups to practice their faith only under circumscribed conditions. However, the LFNC at times visited areas where religious persecution had taken place to instruct local officials on government policy and regulation. More often, however, the LFNC's Religious Affairs Department encouraged local or provincial governments to resolve conflicts on their own and in accordance with Decree 92. The LFNC also has the authority to negotiate with local officials when worshipers are 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 members' homes. Since the 2002 promulgation of Decree 92, officials from the LFNC's Religious Affairs Department have stated that home churches should be replaced with designated church structures whenever possible. However, most Christian communities have been unable to obtain permission to build new churches, although group worship in homes is considered illegal by local authorities in many areas. Religious organization representatives pointed out that the building permit process begins at the local level and then requires provincial and LFNC permission; they claimed the multiple layers of permission necessary were being

used, beginning with local officials, to block the 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. 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.

Baha'i communities in Vientiane, Savannakhet, and Luang Prabang cities generally practiced without hindrance, and Baha'i groups faced fewer restrictions from local authorities than in the past. However, some Baha'i practices required that activities be held inside houses, and occasionally local officials denied authorization to hold these activities. While cooperation from provincial-level authorities in Savannakhet Province was quite good, local police in some areas of the province continued to place restrictions on the religious activities of smaller Baha'i communities.

During the year, there were reports of official interference with or denial of permission to hold normal religious celebrations in churches. On September 14 in Savannakhet Province, Xayaburi district police and government officials confiscated the Dongpaiwan Village Protestant church building and prohibited worshipers from gathering on the premises. The authorities cited a lack of official registration of the building as a church as the reason behind the closure. 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 was particularly problematic for Protestants who had not been given approval to build church structures in their villages. On July 10 in Sounya Village, Namtha District, Luang Namtha Province, authorities detained Pastor Seng Aroun and three other worshipers for holding services in a private home. Authorities notified villagers that worshiping in private homes was banned.

The government continued to restrict the operations of the Catholic Church in the northern part of the country where there are only a handful of small congregations. Catholics in these areas sporadically held services in homes. In Xayaburi, Houaphanh, and Xieng Khouang provinces, the LFNC denied the request by church members to organize an Easter celebration.

The government strictly prohibited foreigners from proselytizing, although it permitted foreign nongovernmental organizations with religious affiliations to work in the country. Although Decree 92 permits proselytizing by citizen religious practitioners provided they obtain permission from the LFNC, the LFNC did not

grant such permission; persons found evangelizing risked harassment or arrest. There were no reports during the year of citizens being arrested or detained for evangelizing or distributing religious pamphlets.

The government permitted the printing, import, and distribution of Buddhist religious material, but maintained restrictions on the publication of religious materials that applied to most religious groups, except for Buddhists.

Although Decree 92 authorizes the printing and importation of non-Buddhist religious texts from abroad, it also required permission for such activities from the LFNC. While in practice some groups were able to print their own religious materials, Baha'i and Christian groups faced challenges. The government did not allow the printing of Bibles, and special permission was required for their importation for distribution in limited quantities. The LEC continues 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.

Identity cards do not specify religion, nor do family "household registers" or passports, two other important forms of identification.

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.

In its official pronouncements in recent years, the government called for conciliation and equality among religious groups. The LFNC continued to instruct local officials on religious tolerance and often sought to intervene in cases where minority religious practitioners, particularly Christians, had been harassed or mistreated.

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.

During the year, the LFNC traveled to the provinces 46 times to encourage religious groups to practice in accordance with the country's laws and regulations and to provide training to local officials on Decree 92 and other regulations related to religious affairs.

There were signs during the year that the government was easing its control over the Catholic community in the north. A Catholic bishop in Luang Prabang is in the process of establishing residency and identifying land for the construction of a church building with the support of local authorities. Also, a Vientiane church delegation, accompanied by LFNC officials, traveled to Bokeo province to visit Catholic communities in Houayxay and Tonpheung. The church was able to expand charitable activities and provided assistance to a school for the deaf in Luang Prabang. Students from the Catholic seminary in Thakhek provided agricultural training and volunteered at area farms during the harvest season.

Local Baha'i communities and the National Spiritual Assembly routinely held Baha'i Nineteen Day Feasts and celebrated all holy days without interference. The Baha'i National Spiritual Assembly in Vientiane met regularly and sent delegations to the Universal House of Justice in Mount Carmel, in Haifa, Israel. LFNC officials also visited the Baha'i center in Haifa.

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, the various religious communities generally coexisted amicably. 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. However, 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. On December 21 in Nattoo Village, Palansai District of Savannakhet Province, village elders reportedly threatened to evict 47 Protestant church members if they did not renounce their faith. The church leaders sought intervention by district authorities and the conflict was eventually resolved. Non-Buddhist groups' refusal to participate in Buddhist or animist ceremonies continued to cause tensions in rural areas. However, Christian leaders encouraged their members to work out a compromise allowing them to support local Buddhist or animist ceremonies without actually participating in them.

The LEC continued to conduct 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 its program to provide educational materials to provincial schools. The LEC also provided emergency supplies to flood victims in the country's 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.

The Baha'i continued training activities in Pakse city in Champasak Province, and in Thakhek, Khammouan Province.

Section IV. U.S. Government Policy

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

The embassy maintained a regular dialogue with the Religious Affairs Department of the LFNC. The embassy frequently informed the LFNC of reports of specific cases of abuse or harassment. The LFNC in turn often used this information to intercede with local officials. Despite an environment restricted by government-owned and controlled media, the embassy actively encouraged religious freedom by posting material relevant to religious freedom on its official website.