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Laos

BUREAU OF DEMOCRACY, HUMAN RIGHTS, AND LABOR

July-December, 2010 International Religious Freedom Report

Report

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The constitution and some laws and policies protect religious freedom; however, other laws and policies restricted this right in practice. The prime minister's Decree on Religious Practice (Decree 92) is the principal legal instrument defining rules for religious practice; it institutionalizes 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, particularly at the provincial and district levels, have sometimes used its many conditions to restrict some aspects of religious practice.

During the reporting period, the overall status of respect for religious freedom continued to be mixed. As during previous reporting periods, officials in urban areas tended to show more acceptance of minority religious practice, with difficulties more frequently encountered in rural areas. 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 constitutionally guaranteed rights of members of most religious groups to worship, albeit within strict constraints imposed by the government. 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.

Local officials reportedly interfered with the right of Protestants to worship in a number of locations, particularly in Luang Namtha, Savannakhet, and Saravan Provinces, and Vientiane City. Arrests and detentions of Protestants reportedly occurred during the reporting period in Luang Namtha and Khammouan Provinces. Local officials reportedly pressured Protestants to renounce their faith on threat of arrest or forceful eviction from their villages in Salavan and Luang Namtha Provinces.

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. Conflicts between ethnic groups and between villagers forced to relocate to new areas were sometimes exacerbated by religious tensions. Proselytizing and rights to village resources were particular points of contention. Frictions also arose over the refusal of some members of minority religious groups, particularly Protestants, to participate in local Buddhist or animist religious ceremonies.

The U.S. government regularly raises 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. Official visitors from the U.S. government reinforced embassy efforts by raising religious freedom issues during their meetings with government officials.

Section I. Religious Demography

The country has an area of 85,000 square miles and a population of 6.3 million. Theravada Buddhism is the faith 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. Roman Catholics and Protestants constitute approximately 2 percent of the population. Groups that together constitute less than 1 percent of the population include the Baha'i Faith, Islam, Mahayana Buddhism, and Confucianism. A very small number of citizens follow no religion.

Theravada Buddhism is by far the most prominent organized religion in the country, with more than 4,000 temples serving as the focus of religious practice and the center of community life in rural areas. In most lowland Lao villages, religious tradition remains strong. Most Buddhist men spend some part of their lives as monks in temples, even if only for a few days. There are approximately 20,000 monks in the country, more than 8,000 of whom have attained the rank of "senior monk," indicating years of study in temples. In addition more than 400 nuns, many of whom are older widows, reside in temples throughout the country. The Lao Buddhist Fellowship Organization (LBFO) is under the direction of a supreme patriarch who resides in Vientiane and supervises the activities of the LBFO's central office, the Ho Thammasapha.

Although officially incorporated into the dominant Mahanikai School of Buddhist Practice after the communist Pathet Lao came to power in 1975, the Thammayudh sect of Buddhism still maintains a following in the country. Abbots and monks of several temples, particularly in Vientiane, reportedly follow the Thammayudh School, which places greater emphasis on meditation and discipline.

There are four Mahayana Buddhist temples in Vientiane, two serving the ethnic Vietnamese community and two serving the ethnic Chinese community. Buddhist monks from Vietnam, China, and India have visited these temples freely to conduct services and minister to worshippers. There are at least four large Mahayana pagodas in other urban centers and smaller Mahayana temples in villages near the borders of Vietnam and China.

Catholic leaders estimate there are approximately 45,000 Catholics, many of whom are ethnic Vietnamese, concentrated in major urban centers and along the Mekong River in the central and southern regions. The Catholic Church has an established presence in five of the most populous central and southern provinces, and Catholics are generally able to worship openly. No ordained Catholic priests ministered in the north, and the church's activities there remain restricted. There are four bishops, two located in Vientiane Municipality and the others in Thakhek city in Khammouan Province and Pakse city in Champasak Province. One of the bishops oversees the Vientiane Diocese and is responsible for the central part of the country. The second bishop resident in Vientiane is the Bishop of Luang Prabang; he is assigned to the

northern part of the country. An informal Catholic training center in Thakhek prepares a small number of priests to serve the Catholic community. Catholic personnel have also been able to travel to Thailand, Australia, and the Philippines for training. Several foreign nuns temporarily serve in the Vientiane Diocese and work with families, the elderly, and youth.

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The Protestant community has grown rapidly over the past decade, and Lao Evangelical Church (LEC) officials estimate that Protestants number as many as 100,000. More than 400 LEC congregations conduct services throughout the country. The LEC maintains properties in the cities of Vientiane, Savannakhet, and Pakse, and LEC officials confirm that the authorities in all three locations recognize LEC ownership. Many Protestants are members of ethnic Mon-Khmer groups. Protestantism also has expanded rapidly in the Hmong and Yao communities. In urban areas Protestantism has attracted many lowland Lao followers. Most Protestants are concentrated in Vientiane Municipality and in the provinces of Vientiane, Sayaboury, Luang Prabang, Xiang Khouang, Bolikhamsai, Savannakhet, Champasak, and Attapeu. Seventh-day Adventists number slightly more than 1,200 countrywide, the majority of whom reside in Vientiane Municipality.

Christian groups that have some following, but which are not recognized by the government, include Methodists, Jehovah's Witnesses, the Church of Christ, Assemblies of God, Lutherans, The Church of Jesus Christ of Latter-day Saints (Mormons), and Baptists. Official membership numbers are not available.

Three informal churches, one each for English-speakers, Korean-speakers, and Chinese-speakers, serve Vientiane's foreign Protestant community.

There are approximately 400 adherents of Islam, the vast majority of whom are foreign permanent residents of South Asian or Cambodian (ethnic Cham) origin. There are two active mosques in Vientiane, where the majority of Muslims reside. The Vientiane mosques follow the Sunni branch of Islam, but both are open to visits by Shia as well.

Bahai leaders estimated their community has 8,500 adherents. A nine-member Bahai National Spiritual Assembly oversees Bahai activities including its five centers: two in Vientiane Municipality, one in Vientiane Province, one in Savannakhet Province, and one in Paksane District of Bolikhamsai Province.

Small groups of Confucianists and Taoists practice their beliefs in the larger cities.

Section II. Status of Government Respect for Religious Freedom

Legal/Policy Framework

Please refer to Appendix C in the Country Reports on Human Rights Practices for the status of the government's acceptance of international legal standards <http://www.state.gov/g/drl/rls/hrrpt/2010/appendices/index.htm>.

The constitution and some laws and policies protect religious freedom, and the government generally enforced these restrictions; however, other laws and policies, particularly at the local level, sometimes violate this right. Article 30 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." Although official pronouncements acknowledge the positive benefits of religion and the existence of different religious groups, they emphasize religion's potential to divide and destabilize.

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 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. In practice the government used the approval process to restrict the religious activities of certain groups and effectively limited or prevented some religious denominations from importing Bibles and religious materials, as well as constructing houses of worship. Minority religious leaders 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 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.

The government officially recognized four religions: Buddhism, Christianity, Islam, and the Bahai Faith. Recognized Christian groups include the Catholic Church, the LEC, and the Seventh-day Adventist Church.

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. The government also maintained restrictions on the publication of religious materials that applied to most religious groups, except for Buddhists.

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 gave Theravada Buddhism an elevated status.

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.

Since 2001 the government has scrutinized the activities of the small Muslim community in Vientiane more closely but has not interfered with its religious activities. Muslims were able to practice their faith openly and attend the two active mosques. 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.

Persons arrested or convicted 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. Court judges, not juries, decided guilt or innocence, and the defense rights of the accused were limited. All religious groups, including Buddhists, practice their faith in an atmosphere in which application of the law is arbitrary. Certain actions interpreted by officials as threatening brought harsh punishment. Religious practice is "free" only if practitioners stay within tacitly understood guidelines.

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 are part of the problem, but it has been unwilling to take action against officials who have violated laws and regulations on religious freedom.

The government requires and routinely grants permission for formal links with coreligionists in other countries.

There is no religious instruction in public schools. 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. Christian denominations, particularly the LEC and Seventh-day Adventists, operated Sunday schools for children and youth. Bahai Spiritual Assemblies conducted religious training for children as well as adult members. The Muslim community offered limited educational training for its children.

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

The government observes the Lao New Year, which has Buddhist overtones, as a national holiday. The government generally allowed registered religious groups to hold major religious festivals without hindrance, and government officials attended some Buddhist religious festivals in their official capacity.

Restrictions on Religious Freedom

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 government structure is 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. 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.

Minority religious leaders saw a continued need for training of provincial, district, and local officials to help them better understand Decree 92; some called for amending or redrafting the decree to make its language more clear and its enforcement more consistent.

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.

Between 1999 and 2001, local authorities closed approximately 20 of Vientiane Province's 60 LEC churches, as well as some churches in Savannakhet. Beginning in 2002 most of the Vientiane churches were allowed to reopen. However, in Savannakhet Province officials in several districts did not allow local congregations, despite requests, to reopen as many as six of the province's approximately 40 churches, and they remained closed at the end of the reporting period. Despite requests that a church building in Dong Nong Khun Village, which local officials confiscated in 2000, be returned to its congregation, Savannakhet provincial officials stated that the number of Protestants in the village was not sufficient to warrant having a church, although local Protestants claimed more than 120 worshippers.

As many as 200 of the LEC's nearly 400 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 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 reporting period. In a few cases, villages allowed construction of new church buildings without prior official permission from higher-level authorities; however, problems occurred when district or provincial officials became aware of the "illegal" construction.

Bahai spiritual assemblies in Vientiane, Savannakhet, and Champasak cities generally practiced without hindrance, and Bahai groups faced fewer restrictions from local authorities than in the past. However, some Bahai practices required activities inside houses, and these activities were targets of harassment by local officials. 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 Bahai communities.

During the reporting period, there were reports of official interference with or denial of permission to hold normal religious celebrations in churches. 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.

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. There were no ordained Catholic priests in the north during the reporting period, and pastoral visits from Vientiane were intermittent. However, there were signs during the reporting period that the government was continuing to ease its control over the

Catholic community in the north. The Bishop from Vientiane visited Xieng Khoang Province in November to minister to a community that had not seen a priest since 1975.

Several Catholic Church properties, including a school in Vientiane Municipality, were seized by the government after 1975 and have not been returned, nor has the government provided restitution.

The government strictly prohibited foreigners from proselytizing, although it permitted foreign NGOs with religious affiliations to work in the country. Although Decree 92 permits proselytizing by Lao citizen religious practitioners provided they obtain permission from the LFNC, the LFNC did not grant such permission; persons found evangelizing risked harassment or arrest. In September a group of Lao Christians was detained in Vientiane Province when they were distributing pamphlets with religious messages to villagers.

The government permitted the printing, import, and distribution of Buddhist religious material.

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, Bahai and Christian groups faced challenges. The government did not allow the printing of Bibles, and special permission was required for their importation for distribution. Authorities occasionally seized religious tracts and teaching materials from Protestants entering the country from abroad, including at the Lao-Thai Friendship Bridge, and fined those carrying the materials. However, there were no reports of arrests associated with these confiscations. Several non-Christian groups indicated that they were not restricted in bringing religious materials into the country.

Identity cards did not specify religion, nor did family "household registers" or passports, two other important forms of identification. On occasion local officials denied educational benefits to the children of Protestants because of their religious beliefs.

Abuses of Religious Freedom

There were reports of abuses of religious freedom in the country, including religious prisoners and detainees. Authorities occasionally arrested and detained persons for their religious activities, although with less frequency than in previous reporting periods. In some cases local officials threatened Protestants with arrest or expulsion from their villages if they did not comply with certain orders.

At the end of the reporting period, one known prisoner remained in custody primarily for religious reasons. In January 2007 Khamson Baccam, an ethnic Thai Dam man described as a Protestant leader, was arrested in Oudomsai Province. The government refused to acknowledge that he was being held, and multiple requests to authorities for information about his status remained unanswered at the end of the reporting period.

In October local officials in Katin Village, Ta-Oy District, Saravan Province, reportedly threatened seven families with expulsion for converting to Christianity. Authorities had previously forced out a group of families from Katin Village in January 2010. The earlier group established a new village near Katin Village, though the recent converts remained in Katin Village at the end of the reporting period.

In September a group of Christians traveled to Vientiane Province to plant trees for recently relocated villagers. Some of the group also distributed religious tracts. Local authorities detained five of the group on charges of acting without permission, causing social division, and distributing material calling for a new kingdom. The authorities released the five people one month later, after the group paid a substantial fine.

In September 2009 a Christian man traveling with two children from Luang Namtha to Luang Prabang, reportedly for a Christian retreat, was arrested and charged with trafficking because, according to government authorities, he did not have the parents' permission to travel with the children. He remained jailed at the end of the reporting period.

During the reporting period, local officials in some areas attempted to force Protestants to renounce their faith. In May local authorities in Vientiane Province reportedly threatened two Christian families to renounce their faith or face ostracism from the village. The families did not recant. In Bokeo Province in August, three Christian families reportedly renounced their faith in response to threats of expulsion from the village.

Improvements and Positive Developments in Respect for Religious Freedom

The government's record of respect for religious freedom, particularly in regard to Protestant minorities, continued to be marred by generalized restrictions and occasional persecution at the local level. However, some positive steps were taken during the reporting period 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.

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 Bishop of Vientiane traveled to a village in Xieng Khoang Province to visit a village that had not been served by a priest since 1975. The government also permitted the Bishop of Luang Prabang, who served from Vientiane, to continue visits to the north to conduct services for the scattered Catholic communities in Luang Prabang, Sayaboury, Bokeo, and Luang Namtha; the government monitored his travel, however, and denied him residence in Luang Prabang.

The LEC continued to conduct an active program of public service during this reporting period, providing developmental assistance and organizing social welfare projects in several areas that had previously experienced religious intolerance. 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 Bahai continued training activities in Pakse city in Champasak Province, and in Thakhek, Khammouan Province.

Local Bahai spiritual assemblies 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 meets regularly and has sent delegations to the Universal House of Justice in Mount Carmel, in Haifa, Israel. LFNC officials also visited the Bahai center in Haifa

In December, a state-controlled newspaper printed a lengthy defense of freedom of religion as an op-ed article.

Section III. Status of Societal Actions Affecting Enjoyment of Religious Freedom

There were reports of societal abuses or discrimination based on religious affiliation, belief, or practice. However, the various religious communities generally coexist amicably. The Lao place great importance on social harmony, and the dominant Buddhist community generally is 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. Efforts of some congregations to establish churches independent of the LEC or associated with

denominations based abroad led to some tensions within the Protestant community. Frictions also arose over the refusal of some members of minority religious groups, particularly Protestants, to participate in Buddhist or animist religious ceremonies.

Section IV. U.S. Government Policy

The U.S. government discusses religious freedom with the government as part of its overall policy to promote human rights. Religious freedom is a key priority of the U.S. embassy in Vientiane. Embassy officers regularly discussed religious freedom with a range of government officials and religious communities.

The embassy maintained an ongoing 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 Web site.

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