

Violations of the right to freedom of religion or belief (FoRB) in Laos often go unnoticed by the international community. Ambiguous terms, weak rule of law and, to some extent, social hostility combine to undermine FoRB for Laos' religious minorities, including Catholics and Protestants.

Legal framework

The Lao constitution guarantees citizens the right to 'believe or not to believe in religions' (Article 43). However, state protection is limited to undefined 'lawful activities' by Buddhists and followers of other religions, and 'all acts of creating division between religions and classes of people are prohibited' (Article 9). There is no further clarification of the terms 'creating division' and 'lawful activities.'

Limited advances in freedom of religion or belief

There have been some improvements in the protection of FoRB in Laos as the country sought to develop its participation in international organisations and world affairs. Over the past decade there has been a reduction in the number of long-term Christian prisoners of conscience. Furthermore, some sources speaking to CSW believe that higher authorities have intervened in cases where church leaders had been arrested and detained without sufficient evidence.

However, improvements in the level of religious freedom are most keenly felt in urban areas, and efforts by the government to promote and protect this right are often undermined by social hostility and weak rule of law at local levels. These issues result in restrictions not only on the manifestation and practice of minority religions, but also on the ability of citizens to choose and change their religion.

Violations against Protestant Christians

The conditions for Christians vary significantly. However, in recent years Christians in certain areas – particularly Savannakhet Province - have reported incidents of arbitrary detention, forced eviction, confiscation of land and livestock, destruction of property and harassment and discrimination.

Ethnic and religious minorities can also be arbitrarily prevented from choosing and changing their religion by local authorities. This is especially true for Protestant Christianity, which is still seen by some authorities as a foreign religion at odds with traditional culture. Christians are arrested and sometimes charged for 'spreading the Christian faith'.

In May 2021, UCANews [reported](#) that Sithon Thippavong, a Christian leader from Savannakhet who was freed from jail in April 2021 after a year in prison, was forced to sign a document before his release promising that he will not resume religious activities until March 2022.

Decree 315

In August 2016 the government issued Decree 315 to replace the Prime Minister's Decree on Management and Protection of Religious Activities, No. 92/PM. Like its predecessor, Decree 315 requires adherents to receive approval from the

government for various religious activities, and for various aspects of the internal management of religious groups. The decree includes ambiguous language instructing religious adherents to promote 'the beautiful culture of the nation'. There is a danger that converts to religions which are not considered part of the majority 'culture of the nation', particularly ethnic minorities, may be accused of undermining 'harmony' by converting to a different religion.

Some sources have told CSW that the new Decree is better than the previous version and offers further clarity to groups wishing to conduct religious affairs, but note that certain local authorities still do not observe and implement the Decree, while others describe the text itself as 'cumbersome.'

In 2021, the United States Commission on International Religious Freedom (USCIRF) published its [2020 report](#) on Laos, which noted that the number of people arrested or detained for their religious practices had decreased, but expressed concerns about Decree 315 and the ongoing harassment of and threats to minority faith communities at local levels.

COVID-19

On 3 August 2021 UCA News [reported](#) that minority Christians are among the underprivileged groups at risk of a major health crisis due to COVID-19. The article reported that Christians are "especially at risk as they are routinely denied government services such as health care in retribution for practicing a faith widely seen as an alien and subversive creed, according to rights groups."

Violations against the Hmong ethnic group

A [joint communication](#) by UN mandate holders to the Lao government, dated 27 April 2021 (following an [initial communication](#) in October 2020), states that reports of extrajudicial killings, torture and other serious violations of human rights, including sexual abuse, perpetrated by Lao army soldiers against a Hmong community in the Phou Bia region appear "to be part of an ongoing and escalating pattern of violence by government forces characterised by a disproportionate use of force, against Hmong individuals and communities, including elderly, women and children."

The disappearance of Sombath Somphone

On 15 December 2012, community development worker Sombath Somphone disappeared after being stopped at a police post in Vientiane. More than nine years later, Somphone's whereabouts remain unknown; his disappearance has also had a chilling effect on civil society. In February 2021, four UN Special Rapporteurs sent a [letter](#) to the government expressing concern about Sombath's disappearance and "the alleged inaction" of the government to meet with Sombath's wife, Shui Meng Ng, despite her repeated requests. On the ninth anniversary of Sombath's disappearance 64 organizations and individuals, including CSW, [reiterated](#) calls on the Lao government to determine his fate and whereabouts, and deliver justice to him and his family.

Recommendations

To the government of Laos:

- Ensure that the right to FoRB is fully protected in all relevant laws and regulations in accordance with international standards, and where necessary revise or revoke legislation in consultation with religion or belief community leaders and representatives, legal experts and civil society, and with guidance from the UN Special Rapporteur on freedom of religion or belief.
- Ensure that any form of registration system is optional, not mandatory, and is not used as a tool to control religious activities.
- Improve the rule of law at the local level by training relevant authorities on FoRB issues and by ensuring that both state and non-state perpetrators of violations are brought to justice.
- Develop relationships between religious leaders and officials at local and national levels to enhance understanding and cooperation.
- Immediately and unconditionally release all prisoners of conscience detained in connection with the peaceful practice and observance of their religion or belief.
- Investigate and prosecute cases of wrongful imprisonment, torture and ill-treatment in police custody.
- Investigate the forced disappearance of any individual in connection with their exercise of the right to freedom of expression, and prosecute those responsible.
- Issue a standing invitation to all UN Special Procedures, ensuring they have unhindered access to all areas of the country and ensure that members of civil society can freely meet with them without reprisal.

To the United Nations and Member States:

- Ensure that any concerns regarding the right to freedom of religion or belief in Laos are consistently raised in public and in private, including during high-level visits and other bilateral exchanges as well as during multilateral dialogues such as the regular sessions of the UN Human Rights Council and at the General Assembly.
- Urge all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to include the right to freedom of religion or belief in their reporting on Laos, acknowledging the vulnerabilities and violations faced by religion or belief communities.
- Urge Laos to ensure that regulations and legislation pertaining to religion or belief, including Decree 315, align with international standards as set out in Article 18 of the International Covenant on Civil and Political Rights (ICCPR) to which the state is party.

CSW everyone
free to believe

T +44 (0)20 8329 0010
✉ @CSW_UK
f /CSWUK
csw.org.uk

PO Box 99
New Malden
Surrey, KT3 3YF
United Kingdom

© Copyright CSW 2022. All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, transmitted, in any form or by any means, electronic, photocopying, mechanical, recording and/or otherwise without the prior written permission of CSW.