

United Nations Human Rights Council
Universal Periodic Review of Lao People's Democratic Republic

1. Introduction

1.1. Methodology

1. The information was collected from various sources on the ground amongst others, Boat People SOS and Open Doors.

2. UPR context

2. Lao People's Democratic Republic (PDR) was previously reviewed in 2015. Lao PDR received over 150 recommendations in 2015 of which they supported 119.

3. Freedom of religion or belief

3. Though Lao PDR has confirmed both in their constitution and the review process that they have religious freedom there are practices within the country that go against this.
4. Local officials and fellow community members have threatened Christian families to renounce their faith or face eviction and confiscation of their land if they do not. In November 2018 local officials told local Christians to leave the "foreign religion" or go to jail.
5. According to Open Doors World Watch Report on Lao PDR, there have been over 157 Christians abducted, raped or otherwise sexually harassed, forced into marriage to non-Christians or otherwise physically or mentally abused (including beatings and death-threats) for faith-related reasons. 30 Christians have been reported arrested and 178 Christian owned shops and houses were targeted, during the reporting period of 1 November 2017 - 31 Oct 2018.

3.1 Freedom of Association

6. In 2016 Prime Minister Thongloun Sisoulith issued a new regulation, Decree 315 on the Management and Protection of Religious Activities.
7. In 2017 the government introduced the Decree on Associations No. 238. It was passed to regulate the meeting of religious groups but has in effect made it difficult for minority religions to meet up. The Decree on Associations, dated 11 August 2017, came into force on 15 November 2017.
8. The 2017 Decree on Associations (Decree 238) includes mandatory registration of associations for them to legally exist. It effectively outlaws associations involved in human rights and advocacy programs and requires all associations to operate under the supervision of a government agency, restricting access to foreign funds, and bans "foreign experts and volunteers" from participation in any association.¹ The decree requires the

¹ <https://missionsbox.org/news/freedom-of-religion-endangered-by-new-law-in-laos/>;
<https://www.icj.org/lao-pdr-the-icj-criticizes-new-decree-on-associations/> ;
<https://www.hrw.org/news/2017/12/17/joint-letter-lao-government-re-decree-associations>

government to approve the establishment of the Civil Society Organisations, their projects and donations, review assets and provide advice and assistance to ensure their operations are in line with party policy, the law, and government regulations. The effects of this law on the ground has been the unlawful closure of churches.

9. In August 2018 in the Nakai District, Khamouane Province, local authorities arrested four Christians for holding a service without a permit. One man was arrested for having church meetings in his home. Local authorities charged him for not paying weekly fees for meeting and for not renouncing his faith. These acts are contrary to the Lao PDR constitution which the Lao PDR government reaffirmed in the last UPR review to safeguard the freedom of religion.
10. Christian groups that are not recognized by the government include Methodists, Church of Christ, Assemblies of God, Lutherans and Baptists.²
11. In general, there is more freedom of worship for Christians in urban areas than in rural areas.

3.2 Recommendations:

12. We urge the Lao government to ensure local authorities and officials act in accordance with the constitution.
13. We urge the Lao government to introduce a mechanism to regulate local authorities to ensure they act within the confines of the constitution by the next reporting period.
14. Further we urge the Lao government to introduce a means for individuals to appeal local authority decisions by the next reporting period to ensure they conform with human rights standards and the Lao government constitution.
15. We encourage the Lao government to reword Decree 315 to reduce misinterpretations to ensure that the laws of the country are fully implemented by the next reporting period.
16. We recommend the Lao PDR to annul immediately the 2017 Decree of Association by next reviewing period as it is in breach of the right to association. The Special Rapporteur on rights to freedom of peaceful assembly and of association has highlighted that the right to form an association and join an association is paramount to the freedom of association. Therefore we urge the Lao PDR to take the recommended steps.
17. The Special Rapporteur on the rights to freedom of peaceful assembly and association's highlighted in his recent report, (A/73/279, 7 August 2018) how burdensome legal and administrative requirements are one of the four common challenges to creating an enabling environment. Lao PDR has the opportunity to alleviate these hindrances by removing the Decree 238 or reformulating it.

3.3 Advance questions:

18. Does Lao PDR have any practice or policy in place to ensure local authorities uphold the constitution?

² Laos – WWR Country Dossier – January 2019, p. 9.

19. Do the other member states have examples of best practices to recommend to Lao PDR in order to be effective in seeing a reduction in unlawful arrests of peaceful religious practice by local authorities?

4. Equality and non-discrimination

17. We welcome the Lao People's Democratic Republic step of sponsoring religious freedom education in 2018. One seminar has already taken place in the remote Phongsaly Province.³

4.1 Recommendations

18. We encourage the Lao PDR to continue educating populations on human rights and religious freedom specifically and to aim to reach the whole country by the next reporting cycle.

5. Refugees and asylum seekers

19. We commend Lao PDR for taking over 500 000 refugees. We remain concerned however over reports of Lao police working with Vietnamese police to arrest Vietnamese refugees and also reports of Lao authorities not recognising Hmong Christian refugees, forcing them to live in the jungles. It is well-documented by different NGOs over the persecution of Hmong and Montagnard Christians in Viet Nam and sending them back is a breach of the principle of *non-refoulement*.

5.1 Recommendations

20. We urge that Lao PDR respect the international conventions they are party to by not sending Hmong Christian refugees back to Viet Nam during the next reporting period and by recognising Hmong Christian refugees.

³ <https://www.worldwatchmonitor.org/coe/laos-government-agrees-to-religious-freedom-education/>