

2008 Annual Report of the U.S. Commission on International Religious Freedom

Countries Previously on the Commission's Lists: Georgia, India, and Laos

Laos

The Commission removed Laos from its Watch List in 2005, citing steps taken by the Lao government to address religious freedom concerns. Conditions continued to improve for Laos's Buddhist population and for non-Buddhist groups in the major urban areas. However, ethnic minority Protestants continue to face restrictions and some abuses in provincial areas, including arrests, short detentions, forced renunciation of faith, and forced evictions from villages. Though progress in some areas remains encouraging, the persistent religious freedom abuses and restrictions are troubling, particularly since the government had been moving in a positive direction in previous years. The Commission continues to monitor closely the actions of the Lao government with regard to religious freedom to determine if a return to the Watch List is warranted.

The government continues to incorporate Theravada Buddhist rituals and ceremonies into state functions and ceremonies and Buddhism is largely exempt from the legal restrictions imposed on religious minorities. In major urban areas, non-Buddhist religious leaders continue to report few restrictions on their worship activities, and the government has allowed them to re-open, build, expand new places of worship, and/or carry out charitable work in recent years. Over the past two years, the Catholic Church was permitted to ordain five priests and a deacon, the first such ordinations since 1975. The government also allowed the building of a Catholic church in the northern province of Sayaboury and provided the Bishop of Luang Prabang more freedom to visit Catholics in the northern provinces, areas where both Protestant and Catholic religious practices were once severely restricted. Four new Protestant churches were built in the former Saisomboun Special Zone and Bolikhamsai province and churches formerly closed or destroyed were permitted to re-open in Bolikhamsai, Vientiane, and Bokeo provinces. The small Baha'i community was allowed to reclaim property in two provincial areas.

Theravada Buddhism is closely associated with the dominant "lowland" Lao culture, which makes up approximately 50 percent of Laos's population. However, the rapid growth of Protestantism among Laos's many ethnic minorities is a constant cause of concern for Communist government officials. Authorities continue to view the spread of Christianity among ethnic minorities as an "American import" that poses a potential threat to the Communist political system, particularly as some ethnic minority groups have long resisted government control. Over the past several years, however, the Lao Front for National Construction (LFNC), the agency that oversees religious policy and regulates religious activities, has publicly called for greater religious reconciliation and tolerance, and reportedly intervened with provincial officials arresting and harassing ethnic minority Protestants—though with few measurable results. Nevertheless, troubling reports persist that provincial and village-level officials confiscate the property of religious groups, arrest and detain persons, and otherwise harass individuals for participating in religious activities. Because the Lao government decentralized power to provinces and district leaders, its control over the actions of provincial-level authorities has weakened significantly in recent years. In some provincial areas, Protestant groups have been

denied permission to hold religious services in homes, conduct public ceremonies, build permanent structures, import religious materials, or affiliate outside of the officially-recognized group, despite legal protections found in Decree 92, Laos' law on religion.

In the past year, Lao authorities continued to arrest and detain individuals for their religious activities. Currently, there are at least five individuals imprisoned or detained for activities related to religious belief and practice, including a man abducted by police in Luang Namtha province. Six other individuals remain unaccounted for from a group of 27 ethnic Hmong Protestants detained after being repatriated from Thailand. The government released 21 from the group after almost 15 months in detention; six remain in detention and their whereabouts are unknown. Reports indicate that religious affiliation is at least part of the reason for the group's detention. In addition, over the past two years, 11 individuals were detained for periods between two weeks and six months on charges related to constructing a church building without permission, engaging in public religious expression, or refusing to recant their beliefs. Most of these cases involved ethnic minority Protestants; however, in February 2007, two Buddhist monks were arrested and briefly detained for being ordained without government permission. Recent arrests and detentions occurred most often in Oudomsai, Luang Namtha, Savanakheth, and Salavan provinces.

The number and frequency of reports of coerced renunciation of religion have diminished significantly in the past several years. Nonetheless, there continue to be instances in which ethnic minority Protestants face land confiscation, forced relocation, detention, or disappearances in provincial areas. Most reports occur in Oudomasai, Salavan, Bolikhamsai, and Luang Namtha provinces. In late 2005, authorities in the Muang Phin District of Savannakhet province detained 24 ethnic Brou Protestants for several days in order to force them to renounce their beliefs. All but two of the men recanted, and they remain in prison. In April 2006, officials in Salavan province reportedly arrested a village leader and expelled two families for refusing to renounce their religion. The village leader was held under house arrest until July 2006. In January 2007, police reportedly abducted an ethnic Thai Dam resident of Oudomsay province who had been an active leader in the Muang Houn Christian community. Also in January, Protestant families in Luang Namtha province were threatened with expulsion if they did not renounce their beliefs. In March 2007, there were similar reports in Bolikhamsai and Huaphanh provinces.

Another ongoing concern of the Commission is the potential for restrictions and other abuses through Decree 92, the government's 2002 decree on religious activities. Decree 92 legitimized activities previously regarded as illegal, such as public religious persuasion, printing religious material, owning and building places of worship, and maintaining contact with overseas religious groups. There also continue to be credible reports that the LFNC uses Decree 92 to facilitate religious practice in some areas and to promote cooperation among religious communities. However, through Decree 92, the Lao government continues to provide officials with a potential legal basis for control of, and interference in, religious activities. For example, the government requires most religious groups, with the exception of the Buddhists, to report their activities to the LFNC. Religious leaders in Laos also claim that there continue to be restrictions on the publication of religious materials or public religious expression and persuasion, despite provisions in Decree 92. In addition, many religious activities can be conducted only with government approval, and the decree contains vague national security

provisions that prohibit activities that create “social division” or “chaos,” reiterating Article 9 of the Lao Constitution and Article 66 of the criminal code, used in the past by government officials to arrest and detain arbitrarily ethnic minority Christians.

In the past year, the Commission and its staff have met with Lao government officials and religious leaders, domestic and international human rights activists, academics and other experts on Laos. The Commission traveled to Laos and issued a report on its findings in February 2003.

With regard to Laos, the Commission has recommended that the U.S. government should:

- make clear to the government of Laos that continued improvements in the protection of freedom of thought, conscience, and religion or belief, including legal reforms, political accountability for government officials who perpetrate religious freedom abuses, and the release of any prisoner of concern detained because of religious affiliation or activity, is essential to further improvements in, and expansion of, U.S.-Laos relations;
- establish measurable goals and benchmarks, in consultation with the Commission, for further human rights progress in Laos as a guide for diplomatic engagement between Laos and the United States or for initiating a formal human rights dialogue with the government of Laos, addressing such human rights issues as ethnic and religious discrimination, torture and other forms of ill-treatment in prisons, unlawful arrest and detention, the absence of due process, and practical steps to ensure the right to freedom of expression, association, and assembly;
- expand Lao language broadcasts on Voice of America (VOA) and Radio Free Asia (RFA) while ensuring that the content of the Lao language broadcasts on VOA and RFA includes adequate information about the importance of human rights, including religious freedom, within Laos; and
- initiate and expand technical assistance and human rights programs that support the goals of protecting and promoting religious freedom, including:
 - rule of law programs that provide assistance in amending, drafting, and implementing laws and regulations;
 - human rights and religious freedom training programs for specific sectors of Lao society, including government officials, religious leaders, academics, lawyers, police, and representatives of international non-governmental organizations;
 - training, networking, and capacity-building for Lao groups that carry out charitable, medical, and development activities;
 - educational initiatives to combat intolerance of religious and ethnic minorities and to promote human rights education; and

--the expansion of the number and funding of educational, academic, government, and private exchange programs with Laos that will bring a wide cross-section of Lao society to the United States.