



UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM
Annual Report 2010



**Annual Report of the
United States Commission on International Religious Freedom**

May 2010
(Covering April 1, 2009 – March 31, 2010)

Commissioners

Leonard A. Leo

Chair

(July 2009 – June 2010)

Felice D. Gaer

Chair

(July 2008 – June 2009)

Michael Cromartie

Dr. Elizabeth H. Prodromou

Vice Chairs

(July 2008 – June 2010)

Dr. Don Argue

Imam Talal Y. Eid

Felice D. Gaer

Dr. Richard D. Land

Nina Shea

Ambassador Jackie Wolcott

Executive Director

Professional Staff

Tom Carter, Director of Communications
Walter G. DeSocio, General Counsel
David Dettoni, Director of Operations and Outreach
Judith E. Golub, Director of Government Relations
Carmelita Hines, Director of Administration
Knox Thames, Director of Policy and Research

Dwight Bashir, Deputy Director for Policy and Research
Elizabeth K. Cassidy, Deputy Director for Policy and Research
Catherine Cosman, Senior Policy Analyst
Deborah DuCre, Receptionist
Scott Flipse, Senior Policy Analyst
Yuna Jacobson, Associate Director for Government Relations
Tiffany Lynch, Policy Analyst
Jacqueline A. Mitchell, Executive Assistant
Muthulakshmi Anu Narasimhan, Communications Specialist
Stephen R. Snow, Senior Policy Analyst

Front Cover: URUMQI, China, July 7, 2009 – A Uighur Muslim woman stands courageously before Chinese riot police sent to quell demonstrations by thousands of Uighurs calling for the government to respect their human rights. The Uighurs are a minority Muslim group in the autonomous Xinjiang Uighur region. Chinese government efforts to put down the ethnic and religious protest resulted in more than 150 dead and hundreds of arrests. (Photo by Guang Niu/Getty Images)

Back Cover: JUBA, Southern Sudan, April 10, 2010 – School children participate in a prayer service on the eve of Sudan's first national elections in more than two decades. Those elections are called for under the Comprehensive Peace Agreement between North and South Sudan, the full implementation of which is widely believed to be essential to averting another bloody civil war marked by sectarian strife. Although the elections were deeply flawed, many Southern Sudanese saw them as a necessary milestone on the road to a January 2011 referendum on Southern Sudan's political future--the final major step in the peace agreement. (Photo by Jerome Delay/Associated Press)

U.S. Commission on International Religious Freedom
800 North Capitol Street, NW, Suite 790
Washington, DC 20002
202-523-3240, 202-523-5020 (fax)
www.uscirf.gov

Laos

FINDINGS: USCIRF continues to be concerned about religious freedom conditions in Laos. The Lao government continues to restrict religious practices through its legal code, but has permitted increased freedom of worship in some cases. Conditions have incrementally improved for Lao Buddhists and for some religious minority groups in urban areas. Nonetheless, during the past year, conditions have deteriorated for some religious minorities, particularly ethnic minority Protestants in provincial areas. The Lao government is either unwilling or unable to curtail completely the activities of provincial officials that severely violate the freedom of religion or belief, including detentions, surveillance, harassment, threats of property loss, forced relocations, and forced renunciations of faith. However, Lao officials in charge of religious affairs reportedly intercede occasionally with provincial officials to mitigate some of the worst mistreatment of ethnic minority religious groups.

Based on these concerns, USCIRF maintains Laos on its Watch List in 2010. The Commission had removed Laos from the Watch List in 2005, citing the Lao government's steps to address serious religious freedom concerns in advance of the U.S. decision to grant Laos permanent normal trade relations (PNTR). Given the rising number of religious freedom abuses targeting ethnic and religious minorities, the Commission returned Laos to its Watch List in 2009.

Since Laos was granted PNTR status in 2005, religious freedom conditions improved somewhat, though the Lao government's toleration of religious practice varies by region and religious group. Buddhism, which is closely associated with Lao culture and is practiced by the vast majority of the population, is now generally free from the restrictions and oversight faced by some other religious groups. In urban areas, leaders of religious minority groups report few restrictions on their worship activities and the government has allowed them to re-open, build, and expand some new venues in recent years. For example, Lao Catholics were allowed to build churches and ordain new priests, the first since 1975. However, serious problems remain on the local level, particularly in the provinces of Bolikhamsai, Houaphan, Salavan, Luan Prabang, Attapeu, Oudamsai, and Luang Namtha. Reports of detentions, threats, and forced renunciations of faith spiked in the past year. Most recent religious freedom abuses center on the small, but fast growing, Lao Evangelical Church and related Protestant denominations.

PRIORITY RECOMMENDATIONS: The United States and Laos have expanded relations in recent years. U.S. assistance focuses on humanitarian programs, economic development, trade expansion, military training, and issues remaining from the Vietnam War. The United States continues to express concern and seek transparent mechanisms to track ethnic Hmong repatriated from Thailand. The U.S. government has sponsored training for Lao officials on international religious freedom and the protection of religious minorities in practice and law. USCIRF recommends that the U.S. government initiate human rights and religious tolerance training for the Lao military as part of new U.S. programs to raise military professionalism and provide additional economic assistance to help to monitor and resettle Lao Hmong repatriated from Thailand. Additional recommendations for U.S. policy toward Laos can be found at the end of this chapter.

Religious Freedom Conditions

Governing and Legal Framework

Laos is a single party, communist, authoritarian state with a poor human rights record overall, including harsh prison conditions, severe restrictions on the freedoms of expression, association, and assembly, and widespread corruption among local police, administrators, and judges.

The Lao Constitution provides for freedom of religion, but the Prime Minister's 2002 Decree on Religious Practice (Decree 92) contains numerous mechanisms for government control of and interference in religious activities. Although Decree 92 authorized religious 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), many of these activities can be conducted only with government approval. Moreover, the decree contains a prohibition on activities that create "social division" or "chaos" that reiterates parts of the Lao criminal code used in the past by government officials to arrest and detain ethnic minority Christians arbitrarily.

The Lao Front for National Construction (LFNC), a front group for the Lao People's Revolutionary Party, is the organization tasked with monitoring religious activity and carrying out the Lao government's policy on religion. Decree 92 requires religious groups to register with the LFNC. The government has not allowed some of the most recently established Protestant denominations to apply for recognition, making their activities illegal. Religious leaders have reported that legally permitted religious activities, such as proselytizing and production of religious materials, are restricted in practice. Anyone caught engaging in these activities risks harassment or arrest. Foreigners who distribute religious material are subject to arrest or deportation.

Conditions for "Recognized" Religions

The government officially recognizes four religions: Buddhism, Christianity, Islam, and the Baha'i Faith. Recognized Christian groups included the Catholic Church, the Lao Evangelical Church (LEC), and the Seventh-day Adventist Church. Theravada Buddhism, the largest religion in Laos, occupies an elevated position in Lao society, a position ensured by government promotion. Despite its communist roots, the Lao government actively promotes Theravada Buddhism by incorporating its rituals and ceremonies into state functions and by exempting Buddhism from most of the legal requirements imposed on other religions. The government supports Buddhist temples administratively and financially. Buddhists in Laos generally do not report religious freedom abuses or restrictions, though in February 2007 two Buddhist monks were arrested and briefly detained for being ordained without government permission.

In most urban areas, religious leaders report few restrictions on their worship activities. The government has allowed the officially recognized religious groups to re-open, build, and expand religious venues in recent years. Baha'is were permitted to reclaim two pieces of property seized by the government in 1975. The government also issued permits to build four new Baha'i centers in Vientiane province. Lao Protestants and Catholics also reclaimed several properties confiscated previously in Vientiane and Bokeo provinces. 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 or be rebuilt in Bolikhamsai, Vientiane, and Bokeo provinces. Two Catholic churches were built in villages where permits were long denied. Travel restrictions on the Roman Catholic Bishop of Luang Prabang were lifted and he was able to visit parish churches in northern Laos. The government permitted the ordination of a Catholic deacon in Champassak province, and the government eventually allowed the ordination of three new Catholic priests in Vientiane, despite initially blocking the ceremony. These were the first ordinations of Catholic clergy permitted in the country since 1975. In January 2008, 3,000 people, including foreign dignitaries and the regional Archbishop from Bangkok, were allowed to attend the

ordination of Father Benedict Bennakhone Inthirath, who now serves the Vientiane vicariate. Catholic ordinations continued into early 2009 with the ordination of Father Matthieu Somdet Kaluan on January 10, 2009 in central Laos, a ceremony that also drew thousands of Laotian Catholics.

Religious Freedom Abuses in Ethnic Minority Areas

Most religious freedom abuses in Laos have affected the small but fast-growing Protestant groups in ethnic minority areas. Lao authorities in some areas 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. Authorities in some provinces used threats of arrest to intimidate local religious communities.

The Lao government recognizes the LEC and the Seventh Day Adventists, but has refused to recognize legally the Methodists and other small independent Protestant congregations. Most new Christian groups are required to join either the LEC or the Adventists to make it easier for the government to exercise management and oversight. Last year, there were more reports of provincial authorities restricting the activities of ethnic minority Protestants, particularly those who have not joined the LEC or who have established connections with other denominations abroad. For example, in some provincial areas, Methodist congregations cannot gather for worship, build religious venues, or conduct Christian funeral services.

Decree 92 restricts worship services to officially sanctioned houses of worship, and both LEC and non-LEC affiliated “house churches” have experienced various levels of harassment, particularly in Luang Namtha, Oudomasai, and Bolikhamsai provinces. In March 2008, a religious leader and several congregates in Savannakhet were briefly detained and charged with holding “illegal worship services.” The religious leader was released and ordered to cease operation of his “house church” until he received permission from provincial authorities. In August 2008, a congregation of 150 adherents in Bolikhamsai province was banned from meeting in a member’s home by local authorities, who asserted that under current law they could only meet in a church. However, these local officials reportedly destroyed the group’s church earlier in the year and sought to get church members to renounce their faith. In the past, provincial authorities have refused to grant Protestants permission to build church structures.

Detentions

In the past year, according to a variety of sources, the number of individuals arrested and detained for reasons related to religion increased among ethnic minority Protestants. Individuals arrested for their religious activities were held for varying lengths of time up to a year without charges being filed. Many were forced to sign a renunciation of faith while imprisoned. Amnesty International estimates that between July and September 2009 at least 90 ethnic minority Protestants were arrested and detained without charge or trial. In September 2009, Lao officials arrested a church elder, Thao Oun, taking him from his home in Lainsai village, Savannakhet province. He was detained, interrogated, mistreated in detention, and finally charged with “bringing destruction to the Lao nation and government due to his Christian faith.” A few days later, authorities arrested another ethnic minority Protestant, Thao Aom, from the same village, and subjected him to interrogation until he renounced his faith.

Forced Renunciations of Faith

Reports of forced renunciations of faith also have increased in the past year, although it remains difficult to verify all emerging reports. Nevertheless, there is enough credible evidence available to report that some Lao officials use detention and mistreatment as a means to force individuals to renounce their faith. In addition, officials have threatened entire villages by denying schooling to children and access to water

projects, land, and medical care. In September 2009, Amnesty International reported that authorities arrested a teacher in Phonthong district, Champassack province for converting to Protestantism. He was detained for “re-education” and told that he would only be released if he renounced his faith. In September 2009, in Jinsangmai village, Luang Namtha province, local officials pressured ethnic minority Protestants to recant their faith or be forcibly relocated. All of the Christians in the village reportedly recanted their faith, including a man previously jailed for refusing to do so.

In July 2009, in response to an apparent conflict among villagers in Katin, Saravan province, local officials banned the practice of Christianity. Police and local officials threatened Christian residents with confiscation of livestock and land unless they renounced their faith and began worshipping local spirits in accordance with their ethnic tradition. In February 2010, 48 Protestants in Katin were forcibly removed from their property and had their personal belongings confiscated. Police and local officials threatened to destroy even temporary shelters built by evicted Katin villagers.

Lao Government Addresses Some of the Worst Abuses

In March 2010, the provincial governor of Saravan province met with local Protestants in Katin village and reportedly assured them that they could worship freely and return to their property, apparently contravening the actions of local government officials. In recent years, officials associated with the LFNC have regularly sought to resolve disputes between religious groups and provincial officials, including intervening in some cases of detention or arrest, sometimes resulting in positive outcomes. However, the growing numbers of religious freedom abuses in provincial areas in the past year may indicate that local officials can act with impunity, particularly against ethnic minority Protestants. The Lao government has not been able to halt abuses or hold officials accountable.

Repatriation of Lao Hmong Refugees

In recent years, the Lao military has stepped up efforts to eradicate a moribund Hmong rebel group that has survived since the end of the Vietnam War. Indiscriminate military activity has targeted Hmong villages, killing civilians and destroying Protestant churches. Repression of ethnic minority Hmong has created an acute refugee problem, as Lao Hmong have sought asylum in Thailand only to be forcibly repatriated. In December 2009, the Thai government forcibly returned 4,000 Lao Hmong from Huay Nam Khao camp, as well as 158 Lao Hmong detained in the Nong Khai Immigration Detention Center since 2006. Despite repeated efforts by the United Nations High Commissioner for Refugees (UNHCR) and the United States, the Thai government continues to repatriate the Lao Hmong. There are reports that repatriated Lao Hmong are subject to imprisonment, re-education, mistreatment, and discrimination.

U.S. Policy

U.S.-Lao relations have expanded over the past few years as the United States has taken an active interest in both economic engagement and promoting human rights and religious freedom in Laos. Laos historically has had close ties with Vietnam and China. Major areas of U.S. assistance include counter-narcotics programs, trade capacity and legal reform projects, HIV/AIDS prevention and treatment, and the recovery of Americans missing in action since the Vietnam War. In 2008, the U.S. and Laos exchanged defense attaches for the first time in over thirty years and started military training and education programs. The Obama administration has expressed concerns over the plight of the Lao Hmong population, and 31 members of Congress signed a letter to Secretary of State Clinton urging her to appeal to the Thai government not to repatriate Lao Hmong asylum-seekers forcibly. The United States has also urged the Lao government to accept independent, international monitoring of the resettlement of repatriated Lao Hmong.

The U.S. Embassy in Laos has supported an ongoing program of training for Lao officials in international religious freedom, religion and law, and the protection of religious minorities.

Recommendations

The U.S. government should:

- establish measurable goals and benchmarks, in consultation with USCIRF, for further human rights progress in Laos as a guide for diplomatic engagement between Laos and the United States and make clear to the government of Laos that 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 prisoners detained because of religious affiliation or activity, are essential to further improvements in, and expansion of, U.S.-Laos relations;
- initiate human rights and religious tolerance training for the Lao military as part of new military programs to raise professionalism; deny U.S. training, visas, or assistance to any military unit or security agency personnel found to have engaged in violations of human rights, including religious freedom;
- urge the Lao government to allow international monitoring of the resettlement of Lao Hmong forcibly repatriated from Thailand and accept economic support and technical assistance to help with resettlement;
- 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:
 - new programs and exchanges to produce civic education initiatives to combat intolerance and discrimination of religious and ethnic minorities;
 - rule of law programs that provide assistance in amending, drafting, and implementing laws and regulations, including Laos' law on religion (Decree 92);
 - 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 in accordance with the Lao government's new law on non-governmental organizations; and
 - initiating a formal human rights dialogue with the government of Laos, addressing such issues as ethnic and religious discrimination, torture and other forms of ill-treatment in prisons, unlawful arrest and detention, lack of due process, and refugee resettlement, and taking practical steps to ensure the rights to freedom of expression, association, and assembly.