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United States Commission on International Religious Freedom

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ON THE COVER: Members of Pakistan's Women Action Forum in Lahore, Pakistan rally against the presence of Taliban and militants in the northwest of Pakistan on Thursday, February 12, 2009. The banners condemn religious extremism, domestic violence, and the burning down of girls' schools in Swat. (AP Photo/K.M. Chaudary)

Laos

The Commission 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). At the time, the government's actions brought about some positive changes for religious groups in Laos, particularly in urban areas and for the majority Buddhist community. However, for several years the Commission has been concerned about the rising number of religious freedom abuses occurring in provincial areas. Over the last year, there have been arrests, detentions, forced renunciations of faith, and forced evictions from villages, particularly in Luang Prabang, Xiang Khoung, Bolikhamsai, Phongsali, Oudomsai, and Bokeo provinces, and the central government seems unable or unwilling to hold provincial authorities fully accountable for these abuses. Because of an increase in religious freedom abuses and restrictions targeting ethnic minority Protestants in provincial areas in the past year, the Commission is returning Laos to the Watch List. These developments are particularly troubling given the positive direction the central government has taken in some other areas and the willingness of some elements of the Lao government to engage on religious freedom concerns. The Commission will continue to monitor closely the actions of the Lao government with regard to religious freedom.

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 legitimized 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 arbitrarily detain ethnic minority Christians. 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 of Laos officially recognizes five religions, Buddhism, the Baha'i faith, Catholicism, Islam, and, Protestantism. 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.

Non-Buddhist religious leaders report few restrictions on their worship activities in urban areas. 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 Vientianne province. Lao Protestants and Catholics also reclaimed several properties confiscated previously in Vientianne 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 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 Vientianne, 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.

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.

The Lao government recognizes the Lao Evangelical Church (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 the last year, 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.

In the past year, according to a variety of sources, the number of individuals arrested and detained for reasons related to religion increased. 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 they were imprisoned. Ethnic minority Protestants were detained in Phongsali province during 2008 for the purpose of forcing them to renounce their faith. In February 2008, 58 Hmong Christians were arrested in Bokeo province. The Lao government denies their imprisonment and claims they were in the country illegally and were deported to Vietnam. However, other reports indicate that these arrests are related to village and family level religious conflict stoked by provincial officials. In July, 80 Christians in Saravan province were detained to force a renunciation of their faith following the murder of a local Christian by non-Christian residents. Recent arrests and detentions occurred most often in Oudomsai, Luang Namtha, and Salavan provinces. The Lao government released some prisoners this past year: in November 2008, 8 Khmu pastors were released, but each was charged $350 for detention fees. According to the State Department these pastors may not have been held solely on religious grounds. Some reports indicate that they were arrested for trying to cross the border into Thailand without authorization, while others suggest that they may have been carrying

documentation about religious discrimination in Laos.

In addition to forced renunciations concerning prisoners, there are reports that over 500 Christians around the country were pressured to renounce their faith in July 2008. It is difficult to verify exactly the numbers of Christians harassed in this way, but Protestant families in Attapeu Province were pressured to give up their Christian faith. Reports also indicate that an LFNC official was able to resolve this dispute with provincial officials. In November 2008, seven families from Nam Reng Village in Oudomsai Province were forced to sign a statement renouncing their faith or face expulsion from the village. Other methods of forced renunciation included threats to deny government identification cards and household registration documents, denying education opportunities, and withholding food from prisoners. Some Christians have also been forced to leave their villages as a result of the discrimination perpetrated by local officials. In August 2008, 55 Christian villagers from Boukham village in Savannakhet were expelled from their village. The local security officers were unable to provide any explanation for this action.

In recent years, the LFNC reportedly has sought to resolve disputes between religious groups and provincial officials, including intervening in some cases of detention or arrest, and 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.

Recommendations for U.S. Policy

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

- 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, lack of due process, and practical steps to ensure the rights to freedom of expression, association, and assembly;

- 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 prisoners detained because of religious affiliation or activity, is essential to further improvements in, and expansion of, U.S.-Laos relations;

- 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, including Laos' law on religion;

  --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.