



Pha That Luang Buddhist temple in Vientiane, Laos

## LAOS

The Commission removed Laos from its Watch List in 2005. In taking this action, the Commission cited the positive steps taken by the Lao government to address the religious freedom concerns expressed by the Commission and the international community. Most of these steps were taken in advance of Laos being granted Permanent Normal Trade Relations (PNTR) with the United States in October 2005. Religious freedom conditions are improved relative to the past and some positive developments continue, particularly in urban areas and among the majority Buddhist population. However, Laos' respect for religious freedom continues to be marred by problems at the provincial level, especially for ethnic and religious minorities. The Commission remains concerned that the Lao government appears unable or unwilling to curtail the actions of provincial authorities. In view of the Lao government's continued poor overall human rights record, past religious freedom abuses could re-emerge, so 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.

Since the end of 2002, religious groups, particularly in the largest cities and districts of Laos, have reported steadily improving religious freedom conditions, including a better relationship with the Lao government. The government continues to monitor the activities of some religious groups, including Protestants, Baha'is, Catholics, and some Muslims; however, in major urban areas, religious leaders report few restrictions on their worship activities. In addition, the government has allowed them to re-open, build, and/or expand new places of worship and carry out charitable work in recent years. During the past year, the government has allowed the ordination of two new Catholic priests, the first such ordinations in 30 years. 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. Vientiane Province authorities also permitted the Lao Evangelical Church to rebuild a destroyed church in Phone Ngam Village.

The government remains wary, however, of religious traditions other than Theravada Buddhism, particularly of various forms of Protestantism popular among ethnic minority groups. Theravada Buddhism, which is closely associated with Lao culture, is generally exempt from the restrictions and oversight experienced by other religious groups. Increasingly, Buddhist rituals and ceremony are being incorporated into state functions and Buddhism is sometimes promoted by government officials. The rapid growth of Protestantism in the last decade and contacts between its adherents and co-religionists abroad have made many Communist government officials suspicious. However, there continue to be reports that 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. The LFNC continued to train local officials on religious tolerance and has met with provincial and village-level officials to promote better understanding of Protestantism.

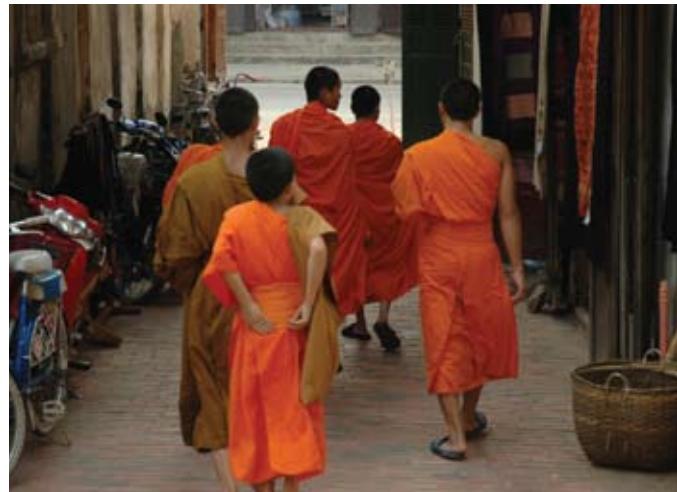
Nevertheless, troubling reports persist that provincial and village-level officials harass individuals, confiscate property, and detain and arrest persons for participating in religious activities. In the past year, at least five Lao Christians were detained for several days after attempting to bring Bibles into the country at the Lao-Thai Friendship Bridge. A Protestant in Salavan Province has been under house arrest since April 2006 for refusing to renounce his religious belief. 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 religion. All but two of the men recanted their faith. These two men were imprisoned for approximately one year, but were reportedly released in early 2006. In December 2005, a group of 27 ethnic Hmong

Protestants were detained in Bolikhamsai Province. The group was detained after being repatriated from Thailand. Reports indicate that the 27 were detained in part because of their religious affiliation. In the period 2003–2004 Lao authorities released all but two of the religious prisoners known to be incarcerated at the time, but the State Department estimates that there are currently 30 prisoners held for reasons related to their religious belief or practice, a figure that includes the 27 ethnic Hmong mentioned above.

Between 1999 and 2002, the State Department reported that campaigns of coerced renunciation of faith occurred in nearly every Lao province. These reports have diminished significantly over the past several years. However, reports persist that local officials in Oudomasaï, Salavan, and Bolikhamsai provinces pressured minority Protestants to renounce their religion on threat of arrest or forceful eviction from their villages. In April 2006, officials in Salavan Province reportedly arrested a village leader and expelled two families for refusing to renounce their religion. In early 2006, a village chief reportedly confiscated land belonging to Protestant families in Oudomsai Province after they refused to give up their beliefs. In this case, however, there are reports from Lao Protestant leaders that the land confiscation issue was resolved. In addition, in February 2005, local authorities expelled ethnic Khmu Protestants from the Ban Kok Pho village in Bolikhamsai Province.

Another ongoing concern of the Commission is the potential for restrictions and other abuses through Decree 92, the Lao government's 2002 decree on religious activities. During its visit to Laos in February 2002, the Commission was assured that passage of the decree would improve religious freedom in Laos by legalizing religious activities, protecting the religious practices of ethnic minorities, and providing guidelines to local and provincial officials to ensure that abuses by those officials would cease. 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. Lao religious leaders report that these provisions have proved to be positive elements of the law. 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.

Nevertheless, through Decree 92, the Lao government continues to provide government officials with a potential legal basis for control of, and interference in, religious



Buddhist monks in Luang Prabang, Laos

activities. For example, the government remains able to impose restrictions on religious activities through an approval process that has become increasingly burdensome on religious groups. The government requires most religious groups, with the exception of the Buddhists, to report their activities to the LFNC. According to some religious leaders, the government now requires that these reports be submitted every quarter, with detailed lists of the group's present and future activities. Religious leaders in Laos also claim that there continue to be restrictions on the publication of religious materials, 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. Thus, Decree 92 can be used to restrict and suppress religious activities, rather than protect and promote the freedom of religion or belief. In practice, the government continues to oversee religious practice and asserts its right to direct religious practice toward serving the national interest. This has led local and provincial leaders to intervene in the activities of ethnic minority Protestants whom they perceive as disloyal and potentially dangerous. The Commission will continue to monitor how the decree is implemented and whether the central government has made progress in controlling the alleged abusive acts of local officials.

# LAOS COMMISSION RECOMMENDATIONS

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 is essential to further improvements in and expansion of U.S.-Laos relations, and urge Lao officials to:
  - ratify the International Covenant on Civil and Political Rights and invite the UN Special Rapporteur on Freedom of Religion or Belief and other relevant UN mechanisms to visit the country;
  - release all individuals arrested and detained in part because of their religious belief and practice, including at least 30 ethnic minority Protestants;
  - halt any harassment and detention of persons on account of their religion by local government officials and hold any such officials responsible for violations of the religious freedom of Lao citizens, particularly in such provinces as Oudomasai, Salavan, and Bolikhamsai, and Savannakhet;
  - criminalize forced renunciations of faith by passing a law in the National Assembly providing for specific penalties for those who carry out such practices;
- repeal or amend Article 66 of the Lao Criminal Code so that it cannot be used to arrest or detain individuals for engaging in religious activities that are protected by the Lao Constitution and under international law;
- amend those elements of Decree 92 on religious activities that are inconsistent with international human rights law;
- respect and fully implement the freedom of individuals and organizations to engage in social, humanitarian, and charitable activities, free from undue government interference; and
- provide access to all parts of Laos by foreign diplomats, humanitarian organizations, and international human rights and religious organizations, in particular, to Savannakhet, Oudomasai, Salavan, Bolikhamsai, and Saisomboune Special Zone;
- establish measurable goals and benchmarks, in addition to those listed above, 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.