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Front Cover: KHUSHPUR, Pakistan, March 4, 2011 – Pakistanis carry the coffin of Shahbaz Bhatti, Pakistan's slain minister of minorities, who was assassinated March 2 by the Pakistani Taliban for campaigning against the country's blasphemy laws. Bhatti, 42, a close friend of USCIRF, warned in a Washington visit just one month before his death that he had received numerous death threats. More than 15,000 persons attended his funeral. (Photo by Aamir Qureshi/AFP/Getty Images)

Back Cover: JUBA, Sudan, January 9, 2011 – Southern Sudanese line up at dawn in the first hours of the week-long independence referendum to create the world's newest state. The referendum vote was the final milestone in the implementation of the 2005 Comprehensive Peace Agreement, which ended more than 20 years of north-south civil war in Sudan. (Photo by Roberto Schmidt/AFP/Getty Images)

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The 2011 Annual Report is dedicated to the memory of Shahbaz Bhatti, the Pakistani Federal Minister for Minorities Affairs. Shahbaz was a courageous advocate for the religious freedoms of all Pakistanis, and he was assassinated on March 2 by the Pakistani Taliban for those efforts.

Laos

FINDINGS: The Lao government continues to restrict religious practice through its legal code, and has not curtailed religious freedom abuses in some rural areas. Over the past five years, conditions have incrementally improved for Lao Buddhists and for some religious minority groups in urban areas. Nevertheless, during the reporting period, provincial officials continued to severely violate freedom of religion or belief, particularly of ethnic minority Protestants, through detentions, surveillance, harassment, property confiscation, forced relocations, and forced renunciations of faith. However, Lao officials in charge of religious affairs have reportedly interceded at times with provincial officials to mitigate some of the worst mistreatment of ethnic minority religious groups.

Based on these ongoing concerns, USCIRF maintains Laos on its Watch List in 2011. 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 deeply embedded in 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. Lao Catholics have been allowed to build churches and, in the past year, to ordain a new bishop and priests. Lao Protestants in urban areas have also reported an increased ability to worship without restrictions and to re-open, build, and expand some religious venues in recent years. Lao authorities continue to view the growth of Christianity with suspicion and have linked it with both new calls for ethnic solidarity and a with decades-old and largely moribund resistance movement. Arrests and detentions of ethnic minority Protestants reportedly occurred in Luang Namtha and Khammouan provinces in the past year. Local officials in Salavan and Luang Namtha provinces reportedly pressured Protestants to renounce their faith. Restrictions on worship activities were reported in Savannakhet and Saravan provinces and in Vientiane City.

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. With some success, the U.S. government has sponsored training for Lao officials on international religious freedom and the protection of religious minorities in law and practice. USCIRF recommends that the U.S. government initiate human rights and religious tolerance training for the Lao military and police as part of new bilateral programs to raise military professionalism and provide additional economic assistance to help 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, in fact, be conducted only with government approval. Minority religious leaders have reported that legally permitted religious activities, such as proselytizing and producing religious materials, are restricted in practice. They also complain that the requirement to obtain permission is used to restrict certain groups' ability to import religious materials and construct religious venues. In addition to the cumbersome approval requirements, the decree contains vague prohibitions on activities that create "social division" or "chaos" that reiterate 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 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 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. The government requires all Protestant groups to be part of either the LEC or the Seventh-Day Adventist Church, allegedly to prevent "disharmony," and has not allowed other Protestant denominations to apply for recognition, making their activities illegal.

Conditions for "Recognized" Religions

Theravada Buddhism, the largest religion in Laos, occupies an elevated position in Lao society, a position ensured by government promotion and subsidies. 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. In some provincial areas, social tensions arise when members of minority religious groups, particularly Protestants, refuse to participate in Buddhist ceremonies.

In the larger cities, religious leaders report few restrictions on their worship activities. In recent years, the government has allowed the officially recognized religious groups, including the Baha'is, Lao Protestants, and Catholics, to re-open, build, and expand religious venues. In April 2010, a new Catholic bishop was ordained in Thakhek, Khammouan Province with the approval of the Holy See. The ceremony was held with clergy from other countries, provincial government officials, and several thousand Lao Catholic worshippers. The government continues to permit the Bishop of Luang Prabang to visit the north to conduct services for the Catholic communities in Sayaboury, Bokeo, and Luang Namtha provinces; however, it also continues to monitor his activities and to deny him residence in Luang Prabang. Between 1975 and 2008, the government did not permit the ordination of Catholic clergy in the country; however, five such ordinations were allowed in 2008 and 2009.

According to the State Department, the government monitors the activities of a small Muslim community in Vientiane but has not interfered with its religious activities. There are two mosques in Vientiane that conduct daily prayers and weekly services on Friday. Muslims from Thailand have come to conduct religious training.

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 have used threats of arrest to intimidate local religious communities.

Over the past year, there were continued reports of provincial authorities restricting the activities of ethnic minority Protestants, particularly those who refuse to join the LEC or the Seventh-day Adventists, 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. The Methodists continue to seek legal recognition.

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 past, provincial authorities have refused to grant Protestants permission to build church structures.

The government does not generally interfere with the activities of animist groups, according to the State Department’s 2010 *Annual Report on International Religious Freedom*. There are reports, however, of local authorities actively encouraging groups to adopt Buddhism and to abandon beliefs and practices the authorities considered “backward.”

Detentions

There are several known prisoners remaining in custody for reasons related to religion. Khamson Baccam, an ethnic Thai Dam Protestant religious leader, was arrested in 2007 in Oudomsai province. According to the State Department, the Lao government has consistently refused to acknowledge his detention.

In September 2009, Lao officials arrested a Protestant church elder, Thao Oun, from Liansai village, Savannakhet province. He was reportedly 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. He refused to recant and was expelled from his village. According to one Lao human rights NGO, local officials have barred the children of Liansai village Protestants from attending school.

In January 2011, nine ethnic minority Protestants were detained in Nakoon village, Hinboun district, Khammouan province, and charged with holding “a secret meeting.” According to a Lao human rights NGO, Hinboun district officials have been harassing newly-established Protestant house churches in this area since 2008. In 2009, according to one Lao Human Rights NGO, police detained two religious leaders and pressured 150 Protestants to renounce their faith in both Nakoon and Nahine villages. In

October 2010, Protestants began to meet again in Nakoon village. Prior to their detention, the group had applied to hold Christmas celebrations. They reportedly are being held in Khammouan Provincial Prison.

In the past year, according to a variety of sources, there continue to be individuals detained briefly for reasons related to religion. Many of those detained were forced to sign letters renouncing their faith. For example, in July, 2010 three Protestant church leaders in Boukham village, Savannekhet province were detained for several months before being released. Police sought to get 63 members of the Boukham church to renounce their faith.

In April 2010, the last two of a group of eight Khmu Protestant religious leaders were reportedly released. Members of the group were arrested in 2008 for attempting to cross the border illegally from Bokeo Province into Thailand in March 2008. However, members of the group were reportedly carrying documents critical of the government's treatment of religious minorities.

Forced Renunciations of Faith

Reports of forced renunciations of faith also continued 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 continue 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.

Lao Government Addresses Some Religious Freedom Abuses

While the Lao government does not acknowledge that local officials commit religious freedom violations, it sometimes took steps to respond to reports of abuses in provincial areas. LFNC officials have sought to resolve disputes privately between religious groups and provincial officials, including intervening in some cases of detention or arrest, sometimes resulting in positive outcomes. However, the Lao government has been either unwilling or unable to take action publically against officials who have violated laws and regulations on religious freedom.

One example of positive LFNC intervention involves the situation of Protestants in Katin village, Saravan province. In February 2010, police and local officials forcibly removed 48 Protestants in Katin from their property, confiscated their personal belongings, and threatened to destroy the temporary shelters they had built. In 2009, in response to an apparent conflict among villagers in Katin, local officials banned the practice of Christianity and 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 March 2010, the Saravan provincial governor intervened in the dispute, reportedly meeting with the Protestants and assuring them that they could worship freely and return to their property. However, in the last year, the Protestants moved to another village.

In addition, according to the State Department, conditions in Luang Namtha province have stabilized in recent years after LFNC officials apparently helped to ameliorate harassment by issuing a document supporting the right of Protestants in Xunya village. Despite these occasional interventions, the number of reports of abuses coming from provincial areas are troubling, and it seems that local officials can act with impunity towards ethnic minority Protestants.

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 in Hmong areas. Repression of ethnic minority Hmong has created an acute refugee problem, as Lao Hmong have sought asylum in Thailand only to be forcibly repatriated. 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.

The U.S. continues to urge Lao officials to consider several measures to address the issue of Lao Hmong refugees, including: 1) establishing an office that could receive and respond to inquiries about the status and well-being of individuals who were returned; 2) regular access by international humanitarian organizations; and 3) allowing those individuals who were deemed by UNHCR to be Persons of Concern to take advantage of offers of resettlement that have been made by several governments, including the U.S.

U.S. Policy

U.S.-Laos relations have expanded over the past few years as the United States has demonstrated greater interest in economic engagement, military-to-military relations, and promoting human rights and religious freedom in Laos. Laos historically has had close ties with Vietnam, but China's influence has expanded dramatically with new economic investment in recent years. Major areas of U.S. assistance include security sector reform, counter-narcotics programs, trade capacity and legal reform projects, HIV/AIDS prevention and treatment, the clearance of unexploded munitions, and the recovery of Americans missing in action since the Vietnam War. The United States has also engaged in new programs to raise the professionalism of the Lao military and reform the security sector. Human rights groups have criticized the Lao military for engaging in abuses during operations against ethnic minority militia groups. As part of any new bilateral military programs, the United States should thoroughly vet those who participate in such programs to confirm that they have not been implicated in any human rights abuses.

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. The State Department's 2010 religious freedom report described conditions as "mixed," noting that "Protestant, Catholic, and Baha'i communities in some areas enjoyed greater tolerance," while minority religions experienced difficulties in rural areas.

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 forcibly Lao Hmong asylum-seekers. The United States has also urged the Lao government to accept independent, international monitoring of the resettlement of repatriated Lao Hmong.

Nevertheless, in a press statement marking the fifty-fifth year anniversary of U.S.-Laos relations, Secretary Clinton and Deputy Prime Minister Dr. Thongloun Sisoulith did not list refugee resettlement, human rights, or religious freedom as issues of "mutual concern." However, they did cite the need for more "exchanges and cooperation" between the United States and Laos in order to contribute to "peace, stability and cooperation."

Recommendations

Most U.S. assistance programs in Laos invest in security sector reform and counter-narcotics programs. New programs in trade and economic development have been proposed for FY 2011. There are no U.S.-funded human rights, rule of law, and governance programs for Laos, except a small religious freedom training program. In order to further promote the freedom of religion and belief in Laos, 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, such as on Decree 92, 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 a formal human rights mechanism, perhaps including a regular dialogue with the government of Laos, that addresses 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 religion, expression, association, and assembly.
- initiate human rights and religious tolerance training as part of any new U.S.-Laos military programs to raise professionalism and reform the security sector, make sure that any officers participating in such programs are thoroughly vetted to confirm that they have not been implicated in any human rights abuses, and 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 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 related to human rights, including Laos' law on religion (Decree 92);
 - training of provincial, district, and local officials to help them better understand both international human rights standards and Laos's own laws regarding the freedom of religion;
 - training and exchange programs in human rights and religious freedom targeting specific sectors of Lao society, including police, religious leaders, academics, lawyers, and representatives of international non-governmental organizations; and
 - 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.