

2006 ANNUAL REPORT OF THE UNITED STATES COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM

Removed from the Commission's Watch List

Laos

The Commission removed Laos from its Watch List in 2005. In taking this action, the Commission cited the fact that positive steps had been taken by the Lao government to address the religious freedom concerns expressed by the Commission and the international community. For example, over the past two years, the government of Laos has released all but two of its religious prisoners, re-opened most of its closed churches, and issued a public condemnation of forced renunciation of faith. In addition, there were reports that government authorities had taken active steps to address the concerns of Lao religious minorities, intercede with provincial officials when religious leaders were detained, and promote interfaith cooperation.

In view of the Lao government's continued poor overall human rights record, there remains a possibility that past religious freedom abuses could reemerge. The Commission therefore maintains its scrutiny of the actions of the Lao government with regard to religious freedom to determine whether developments continue to move in a positive direction or if a return to the Watch List is warranted. Although religious freedom conditions are better now than in the past, the Commission is concerned that progress has stalled over the past year. In addition, the Lao government appears unable or unwilling to curtail the actions of some provincial authorities who continue to restrict the religious practices of ethnic and religious minorities.

Since the end of 2002, religious groups, particularly in the largest cities and districts of Laos, report steadily improving religious freedom conditions, including a more constructive relationship with the Lao government. The government remains wary of religious traditions other than Theravada Buddhism, particularly the various forms of Protestantism found among some ethnic minority groups. However, there are encouraging reports that the Lao Front for National Construction (LFNC), the agency that oversees religious policy and regulates religious activities, has sought to promote reconciliation and tolerance among religious groups and has intervened with provincial officials in cases where minority religious practitioners have been harassed, threatened, or detained. In the past, the LFNC was reluctant to intervene in local disputes, due to the significant measure of power given provincial governors in the Lao system of government. The LFNC continues to cooperate with the U.S. Embassy in Laos in organizing, participating in, and conducting seminars on human rights, including religious freedom.

In most parts of the country, adherents from all religious communities are allowed to practice their religion with few restrictions. There continue to be reports, however, that provincial and local officials harass individuals, confiscate property, and, on occasion, detain persons for participating in religious activities. In the past year, these problems were concentrated in parts of Savannakhet, Luang Prabang, and Bokeo

provinces, where 35 Christians were briefly detained, a pattern similar to that of the previous year. Persons were reportedly arrested in order to halt the importation of Bibles, worship activities, and the building of churches.

The small Catholic communities in Luang Prabang, Sayaboury, and Bokeo provinces were allowed to meet in homes, though no priests were available in these areas. The Lao government did grant permission for a Catholic community in Sayaboury province to construct a new church. In addition, the bishop of Vientiane announced the ordination of the country's first new priest in 30 years. The ordination, however, has been postponed by the Lao government. Followers of the Baha'i faith continued to face restrictions from local authorities in Savannakhet province, though they were able to meet in urban areas.

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 in the past several years. Moreover, there have been no recent reports of incidents where security forces required the ritualistic drinking of animal blood mixed with alcohol, which was the primary method used in past renunciation campaigns. However, in the past year, authorities in Savannakhet Province, detained 24 ethnic Brou Christians and held them for several weeks until most members of the group agreed to cease their religious activities. There are also reports that provincial officials threaten to withhold government identification cards and household registers and deny government services or benefits to those who do not give up their religious beliefs.

According to the State Department, between 1999 and 2001 local authorities closed approximately 20 of Vientiane province's 60 Protestant churches, primarily those in Hin Hoep, Feuang, and Vang Vieng districts, and approximately 65 Protestant churches in Savannakhet and Luang Prabang provinces. Many of these churches were allowed to reopen in the past eighteen months, especially in Vientiane and Luang Prabang provinces. Six of Savannakhet's 40 churches remain closed, though recently, officials in Kengkok returned property seized in 1999 to a small Protestant congregation. In the past year, disputes in Bokeo province between officials and ethnic Protestants led to the burning of a local church.

Another ongoing concern is the potential for abuses through the implementation of 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. Nevertheless, the decree provides government officials with a potential legal basis for control of, and interference in, religious activities. Many religious activities can be conducted only with government approval, and the decree contains a prohibition on activities that create "social division," or "chaos," reiterating parts of the Lao's criminal code, including Article 66, used in the past by government officials to arrest and detain arbitrarily ethnic minority Christians. Thus, Decree 92 and several provisions of the criminal code could be used to restrict and suppress religious activities, rather than protect and promote the freedom of religion

or belief. However, there are credible reports that the government is using the Decree to facilitate religious practice in some areas and to promote cooperation among religious communities. At the same time, in the past year, religious groups report that the government has not given them permission to import, print, and distribute non-Buddhist religious materials. 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.

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 has traveled to Laos and issued a report on its findings in February 2003.

In 2003, Resolution 402 was introduced in the House, stating the sense of Congress that the U.S. government should work to implement the Commission's recommendations on Laos. Commission findings and accompanying recommendations were also cited in several letters from Members of Congress to the Administration regarding human rights in Laos in 2004.

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 and in 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;
 - 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 Savannakhet, Attapeu, Luang Prabang, and Bokeo;
 - 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, Attapeu, 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 adequately includes 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, police, and representatives of international non-governmental organizations;

--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.