

UNIVERSAL PERIODIC REVIEW 2009

LAO PEOPLE'S DEMOCRATIC REPUBLIC

NGO: European Centre for Law and Justice
Strasbourg France

RELIGIOUS FREEDOM IN THE LAO PEOPLE'S DEMOCRATIC REPUBLIC

SECTION 1: *Legal Framework*

I. Constitutional Provisions

The Constitution of the Lao People's Democratic Republic (Laos) provides its citizens with the right to religious freedom.¹ Article 30 of chapter III specifically grants this right: "Lao citizens have the right and freedom to believe or not to believe in religions."² Further, chapter I article 9 states: "The state respects and protects all lawful activities of the Buddhists and of other religious followers [and] mobilises and encourages the Buddhist monks and novices as well as the priests of other religions to participate in the activities which are beneficial to the country and people."³ Article 9 also specifically prohibits any acts that create a division of religions.⁴ These constitutional provisions seemingly demonstrate that Laos has respect for the fundamental right to religious freedom. As the remainder of this report explains, Laos' constitutional provisions are not practiced in reality.

While it is explicit that the Laos Constitution provides for religious freedom, local and provincial governments often construe article 9 to permit the government to restrict religious practice.⁵ Local governments reason that if no one is permitted to engage in any acts that "create divisions among religious groups," then restricting religious practice, particularly proselytizing, is necessary to prevent division, "especially" among Protestantism in minority groups.⁶ Some restrictions, however, are also placed on "all religious groups, including the Buddhist majority and animists."⁷ The section that follows will elaborate on the legislation that is used to restrict religious practice and discriminate against certain religions, mainly Christians.

II. Legislation

As a single party, communist, authoritarian state, the Laos Government seeks to regulate, *inter alia*, religion.⁸ The Prime Minister's Decree on Religious Practice, or "Decree 92," was enacted in 2002. It "is the principal legal instrument defining rules for religious practice" and

¹ U.S. Dep't of State, Bureau of Democracy, Human Rights and Labor, *Int'l Religious Freedom Report 2009 Laos* (Oct. 26, 2008) [hereinafter *2009 Religious Freedom Report*], available at <http://www.state.gov/g/drl/rls/irf/2009/127276.htm>.

² CONST. OF THE LAO PEOPLE'S DEMOCRATIC REPUBLIC, chapter III, art 30, available at <http://www.laoembassy.com/news/constitution/body.htm>.

³ CONST. OF THE LAO PEOPLE'S DEMOCRATIC REPUBLIC, chapter I, art. 9.

⁴ *Id.*

⁵ *2009 Religious Freedom Report*, *supra* note 1.

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

“institutionalizes the Government’s role as the final arbiter of permissible religious activities.”⁹ This decree, while contributing to an increase in religious tolerance overall, has also been the primary tool for allowing local and provincial governments to restrict religious practice.¹⁰ A provision of the Decree prohibits any activities that create a “social division” or “chaos,” which appears to intentionally reiterate a provision of the criminal code that officials have used in years past as justification to “arrest and arbitrarily detain ethnic minority Christians.”¹¹

Decree 92 legalized many religious activities, but not without strings attached. Thus, “public religious persuasion; printing religious material; owning and building places of worship; and maintaining contact with overseas religious groups” are technically legal.¹² However, these activities can often only be undertaken with prior governmental approval.¹³ For example, while Decree 92 permits the printing of religious material, the Lao Front for National Construction (LFNC) did not allow the printing of Bibles and “special permission was required for their importation for distribution.”¹⁴ The Laos government, however, “actively promotes” Theravada Buddhism by incorporating its rituals into state functions, exempting Buddhism from restrictions placed on other religions, and supporting the religion financially.¹⁵ Thus, while claiming to support religious freedom for all of Laos’ citizens, the government gives special treatment to one religion while restricting the practice of the rest.

The Decree also requires religious groups to register with the LFNC, “a front for the Lao People’s Revolutionary Party,” who is responsible for monitoring religious activity and enforcing government policy.¹⁶ This requirement, in addition to the support of Buddhism, demonstrates the lack of religious freedom that citizens have. For example, the government of Lao officially recognizes only five religions: Buddhism, the Baha’i faith, Catholicism, Islam, and Protestantism.¹⁷ Even while officially recognizing Protestantism, only certain types are permitted: the Lao Evangelical Church (LEC) and the Seventh Day Adventists.¹⁸ The government has refused to recognize the Methodist Church and often requires other Christian Groups to register with the LEC or Seventh day Adventists “to make it easier for the government to exercise management and oversight.”¹⁹ Those groups that refuse to register are hit with government restrictions and are often the focus of “harassment.”²⁰ And because Decree 92 only permits worship in officially sanctioned houses, numerous Christian “house churches were

⁹ *Id.*

¹⁰ *Id.*

¹¹ United States Commission on Int’l Religious Freedom, *USCIRF Annual Report 2009 – The Commission’s Watch List: Laos*, May 1, 2009, available at <http://www.uscirf.gov/images/AR2009/laos.pdf> [hereinafter *Commission’s Watch*].

¹² *Id.*

¹³ *Id.*

¹⁴ *2009 Religious Freedom Report*, *supra* note 1.

¹⁵ *Commission’s Watch*, *supra* note 11.

¹⁶ *Id.*

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.*

raided” in 2008.²¹ Christians, however, are often denied “permission to build new churches,” and therefore the only option is often to worship in homes, which is illegal in many areas.²²

Not only were many house churches raided in the past year, many Christians were arrested without charges being filed in order to force these “ethnic minority protestants” to renounce their faith.²³ For example, 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.”²⁴ This example is not an isolated incident; there were over 500 reports of Christians being forced to renounce their faith around the country in 2008.²⁵ In addition to using forced evictions as a method of attempting to force Christians to renounce their faith, officials in some areas also threatened to withhold government identification cards, household registration documents, and deny educational benefits.²⁶

In 2005, Laos was removed from the United States Commission on Religious Freedom’s (USCIRF) “watch list.”²⁷ In 2009, however, the commission placed Laos back on the watch list citing “arrests, detentions, forced renunciations of faith, forced evictions from villages,” and restrictions that targeted “ethnic minority Protestants,” as reasons for the return.²⁸ While the abuses take place in certain provinces, the commission expressed deep concern because the “central government seems unable or unwilling to hold provincial authorities fully accountable for these abuses.”²⁹ Lao authorities target Christians in fear that the spread of Christianity is an “American import that poses a potential threat to the communist political system,” principally because the ethnic minorities have historically resisted government control.³⁰

III. Judicial System

Chapter 8 of the Constitution governs the judicial system. It establishes the People’s Supreme Court as the highest court, followed by the Provincial, municipal People’s Court, and finally the district people’s Court.³¹ Article 68 mandates that the judges “must be independent and abide solely by the laws.”³² Although the accused have the right to defend themselves, it is up to the discretion of the Board of Attorneys whether to “extend legal assistance.”³³ It is not hard to imagine that in a country where religious freedom is greatly restricted and regulated that those accused of religious offenses have “little protection under the law.”³⁴ Judges, not juries, decide these cases. Application of the law in the religious context is arbitrary, and having cases heard before one judge rather than a multi-member jury further adds to the arbitrariness of the

²¹ *Id.*

²² U.S. Dep’t of State, Bureau of Democracy, Human Rights and Labor, *2008 Country Reports on Human Rights Practices – Laos*, (Feb. 25, 2009) [hereinafter *Human Rights Practices*], available at <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119045.htm>.

²³ *Commission’s Watch*, *supra* note 11.

²⁴ *Id.*

²⁵ *Id.*

²⁶ *Human Rights Practices*, *supra* note 22.

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ *Id.*

³¹ CONST. OF THE LAO PEOPLE’S DEMOCRATIC REPUBLIC, chapter 8, art 65.

³² CONST. OF THE LAO PEOPLE’S DEMOCRATIC REPUBLIC, chapter 8, art. 68.

³³ CONST. OF THE LAO PEOPLE’S DEMOCRATIC REPUBLIC, Chapter 8, art 69.

³⁴ *2009 Religious Freedom Report*, *supra* note 1.

entire process.³⁵ Moreover, the government has refused to acknowledge the wrongdoing of local officials, and has not been willing to take any action against those officials in violation of laws protecting religious freedom.³⁶ Senior government officials have “influenced the courts” in past years but no such reports were made in 2008.³⁷ Furthermore, defendants are supposed to be provided with a “presumption of innocence; however, in practice, judges usually decide guilt or innocence in advance, basing their decisions on the result of police or the prosecutor’s investigation reports.”³⁸

Those accused of religious offenses, however, are often not even offered what little refuge may be found in a trial. The Laos government is decentralized, which gives a large amount of power and discretion to local officials with little or no accountability from a higher authority.³⁹ For example, between July and September 2009, at least 90 Christians were placed in jail without trial or a charge and some victims even remained in jail for several weeks. At least two of these Christians were released only after being forced to deny their faith.⁴⁰

Thus, although the laws protecting religious freedom are “on the books,” local officials exercise independent discretion when deciding to enforce them, often rendering the Christian minority defenseless.

SECTION 2: *Incidents of Religious Persecution and Discrimination*

The following examples describe recent incidents of religious persecution in Laos. A copy of each news story, or a pertinent part thereof (noted as “excerpt”), may be found in the Appendix, according to the incident number given below.

Selected Recent Incidents of Persecution or Discrimination

A. Anti- and Forced Conversions

1. July 2008—Local authorities interfered with a church gathering and arrested a pastor and two members of the church. The victims were sent to jail, held in foot stocks for two days, and then released. In August, the same pastor was arrested along with two other members of the church; they were released in October. During the second time the pastor was in jail, 55 members of the community were expelled without a reported reason.⁴¹
2. July 2008—Local authorities of Katin Village attempted to force a group of 80 Christians to renounce their faith by withholding food, among other things.⁴² This

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Human Rights Practices*, *supra* note 22.

³⁸ *Human Rights Practices*, *supra* note 22.

³⁹ *2009 Religious Freedom Report*, *supra* note 1.

⁴⁰ Amnesty Int’l, *Amnesty International Report 2009—Laos*, May 28, 2009 [hereinafter *Amnesty International Report 2009*], available at <http://report2009.amnesty.org/en/regions/asia-pacific/laos>.

⁴¹ *Human Rights Practices*, *supra* note 22.

⁴² *Human Rights Practices*, *supra* note 22.

action came after residents of the village seized a Christian and “poured rice wine down his throat, killing him by asphyxiation.”⁴³

3. July 2008—After being forced to renounce their faith, some Christians wanted to publicly “redeclare their faith,” but local authorities would not permit such action.⁴⁴
4. July 2008—More than 500 Christians across Laos were pressured to deny their faith. Allegedly, no one was arrested; however, bibles and hymnals were collected and then burned.⁴⁵
5. August 2008—approximately 150 church members were forced to stop worshipping at a house church. According to the government, Christians may only worship in an actual church building. Earlier in the year, however, officials reportedly destroyed the group’s church.⁴⁶
6. November 2008—7 families were pressured to renounce their faith and 6 families that refused were reportedly expelled from the village.⁴⁷
7. September 2009—Local authorities placed a teacher in jail for converting to Christianity; the teacher was sent to a re-educating center and was told he would not be able to leave unless he converted. After a few weeks in detention, a provincial government intervened and the teacher was released; re-arrest was threatened if he continued practicing Christianity.⁴⁸
8. September 2009—A church elder was held at gunpoint by a local official and was then terrorized for five hours in an attempt to force him to denounce his faith. As reported, the man was charged with “bringing destruction to the Lao nation and government due to his embracing of the Christian faith.”⁴⁹ The officer, who was the police chief, stated that he wanted to see all the Christians in the community dead. Moreover, the police chief threatened that if the elder informed the international community of the incident, the elder would be put to death.⁵⁰
9. Between July and September 2009—At least 90 Christians were placed in jail without trial or a charge and some victims even remained in jail for several weeks. At least two of these Christians were released only after being forced to deny their faith.⁵¹
10. July 2009—Officials in Katin village “banned the Christian Faith” and threatened to take their homes and livestock if they did not “revert to worshipping local spirits.” The ban came just a week after officials and residents had seized a pig from each of the nine Christian families living in the village as “punishment for ignoring the order to abandon Christianity.”⁵²

⁴³ *Officials Announce Ban on Christianity in Lao Village*, COMPASS DIRECT NEWS, July 16, 2009 [hereinafter *Ban on Christianity*], available at <http://www.compassdirect.org/english/country/laos/4576/>.

⁴⁴ *Human Rights Practices*, *supra* note 22.

⁴⁵ *Human Rights Practices*, *supra* note 22.

⁴⁶ *Human Rights Practices*, *supra* note 22.

⁴⁷ *Human Rights Practices*, *supra* note 22.

⁴⁸ *Amnesty International Report 2009*, *supra* note 40.

⁴⁹ Elizabeth Kendal, *Laos: Persecution of ‘Foreign Religion,’* ASSIST NEWS SERVICE, Sept. 16, 2009, available at <http://www.assistnews.net/Stories/2009/s09090092.htm>.

⁵⁰ *Id.*; *Authorities Jail, Threaten to Kill Christians*, COMPASS DIRECT NEWS, Sept. 11, 2009, available at <http://www.compassdirect.org/english/country/laos/9254/>.

⁵¹ *Amnesty International Report 2009*, *supra* note 40.

⁵² *Ban on Christianity*, *supra* note 43.

B. Societal Abuses

1. March 2008—Eight pastors were arrested when they attempted to cross the border into Thailand. The situation was “complicated” when the officials found documents that were critical of religious freedom in Laos. Six of the pastors were released in November and they had to pay roughly \$350 in detention costs.⁵³
2. March 19, 2009—Police destroyed a Church in Nonsomboon village while Christians were attending a meeting called by district officials. Many of the church members had been forced to relocate to Nonsomboon from Ban Mai Village in the previous year. The relocation was “an effort to control the activities of Christians in Ban Mai who were sharing their faith with other people in the district.”⁵⁴
3. August 2009—Members of the Laos People’s Army attacked unarmed civilians who dissented against the government. Senator Webb was coming to Laos and the government decided to wipe out dissenters who might be protesting, some of whom were religious dissidents. A total of 26 people were killed and 8 children were kidnapped.⁵⁵

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APPENDIX

SECTION 2

A. ANTI- AND FORCED CONVERSIONS

1. **U.S. Department of State Country Reports on Human Rights Practices 2008 – Laos**, February 25, 2009, *available at* <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119045.htm> (excerpt from Report below):

In July police authorities of Ad-Sapangthong District of Savannakhet Province reportedly interfered with worship by Christians in the village of Boukham and detained a pastor and four church members for two days; during this period they were reportedly held in foot stocks. The

⁵³ *Human Rights Practices*, *supra* note 22.

⁵⁴ *Police Destroy Church Building in Village*, COMPASS DIRECT NEWS, Mar. 29, 2009, *available at* <http://www.compassdirect.org/english/country/laos/2840/>.

⁵⁵ *Laos: 8 Lao Hmong Children Captured by LPDR, 26 Killed as Senator Jim Webb Arrives*, PR-INSIDE, Aug. 13, 2009, *available at* <http://www.pr-inside.com/laos-8-lao-hmong-children-captured-r1434824.htm>.

pastor was detained again in August along with two other church members; they were released in October. Reportedly 55 Christians were expelled from the village during this period. A senior MoPS official explained that the pastor had moved to Boukham in 2005 but had failed to apply to change his household registration within six months as required; there was no confirmation of or explanation for the reported expulsion of church members by the MoPS official.

2. U.S. Department of State Country Reports on Human Rights Practices 2008 – Laos, February 25, 2009, available at <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119045.htm> (excerpt from Report below):

During July in Katan village, in Ta-Oy District, Salavan Province, a local Christian man reportedly died after local authorities forced him to drink alcohol; his relatives were reportedly fined after conducting a Christian burial service. A few days later local authorities reportedly detained 80 Christians from 17 families and forced them, apparently including by withholding food, to publicly renounce their faith. In September provincial and district authorities reportedly held a meeting in the village at the request of the central government in response to international inquiries about the situation. A senior government official stated that an investigation showed that the death was due to alcoholism and that the burial dispute arose from misunderstanding between Christian and non-Christian factions in the village. The official added that no individuals were forced to renounce their faith, although some may have done so voluntarily. However, according to later reports, some village residents wanted to redeclare their faith, but authorities refused to grant permission for them to do so.

2. Compass Direct News: Officials Announce Ban on Christianity in Lao Village, July 16, 2009, available at <http://www.compassdirect.org/english/country/laos/4576/>

Following the confiscation of livestock from Christian families earlier this month, officials in a village in Laos on Saturday (July 11) called a special meeting for all residents and announced that they had “banned the Christian faith in our village.” The chief of Katin village, along with village security, social and religious affairs officials, warned all 53 Christian residents that they should revert to worshiping local spirits in accordance with Lao tradition or risk losing all village rights and privileges – including their livestock and homes, according to advocacy group Human Rights Watch for Lao Religious Freedom (HRWLRF).

The Katin village leader also declared that spirit worship was the only acceptable form of worship in the community, HRWLRF reported. Katin village is in Ta Oih district, Saravan Province.

The previous Sunday (July 5), officials and residents confiscated one pig each from nine Christian families and slaughtered the animals in an effort to force them to renounce their faith. Officials said the seizure of the pigs – each worth the equivalent of six weeks’ salary for an average laborer in the area – was punishment for ignoring the order to abandon Christianity. (See Compass Direct News, “Officials Seize, Slaughter Christians’ Livestock,” July 10.)

According to HRWLRF, the chief’s order clearly contravened Article 6 and Article 30 of the Lao Constitution, which guarantees the right of Christians and other religious minorities to practice the religion of their choice without discrimination or penalty.

In addition, HRW LRF stated that Katin officials had violated Article 53 of the 2003 Law on Local Administration, which requires them to abide by the constitution and other laws and to provide for the safety and well-being of all people living under their care. Officials in Katin have a history of ignoring constitutional religious freedoms. On July 21, 2008, officials detained 80 Christians in the village after residents seized a Christian identified only as Pew and poured rice wine down his throat, killing him by asphyxiation. When family members buried Pew and placed a wooden cross on his grave, officials accused them of “practicing the rituals of the enemy of the state” and seized a buffalo and pig from them as a fine.

On July 25, 2008, officials rounded up 17 of the 20 Christian families then living in the village – a total of 80 men, women and children – and detained them in a school compound, denying them food in an effort to force the adults to sign documents renouncing their faith. The other three Christian families in the village at that time had already signed the documents under duress. As their children grew weaker, 10 families signed the documents and were permitted to return home. The remaining seven families were evicted from the village and settled in an open field nearby, surviving on whatever food sources they could find in the jungle. Suffering from the loss of their property and livelihoods, however, the seven families eventually recanted their faith and moved back into the village. But over time, some of the Christians began gathering again for prayer and worship.

On Sept. 8, 2008, provincial and district authorities called a meeting in Katin village and asked local officials and residents to respect the religious laws of the nation. Four days later, however, village officials seized a buffalo worth approximately US\$350 from a Christian resident identified only as Bouchu, telling him the animal would be returned only if he renounced his faith. When he refused, they slaughtered the animal in the village square and distributed the meat to non-Christian residents.

3. U.S. Department of State Country Reports on Human Rights Practices 2008 – Laos, February 25, 2009, *available at* <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119045.htm> (excerpt from Report below):

During July in Katan village, in Ta-Oy District, Salavan Province, a local Christian man reportedly died after local authorities forced him to drink alcohol; his relatives were reportedly fined after conducting a Christian burial service. A few days later local authorities reportedly detained 80 Christians from 17 families and forced them, apparently including by withholding food, to publicly renounce their faith. In September provincial and district authorities reportedly held a meeting in the village at the request of the central government in response to international inquiries about the situation. A senior government official stated that an investigation showed that the death was due to alcoholism and that the burial dispute arose from misunderstanding between Christian and non-Christian factions in the village. The official added that no individuals were forced to renounce their faith, although some may have done so voluntarily. However, according to later reports, some village residents wanted to redeclare their faith, but authorities refused to grant permission for them to do so.

4. U.S. Department of State Country Reports on Human Rights Practices 2008 – Laos, February 25, 2009, *available at* <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119045.htm> (excerpt from Report below):

Also in July more than 500 Christians in villages in several villages, including Huay An in Jomphet District of Luang Prabang Province, reportedly came under pressure to deny their faith. They were said to have been forced to turn in Bibles and hymnals that were then burned. However, according to one nongovernment source, no one was arrested and none had renounced their religion.

5. **U.S. Department of State Country Reports on Human Rights Practices 2008 – Laos**, February 25, 2009, *available at* <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119045.htm> (excerpt from Report below):

In August officials of Burikan District in Borikhamxay Province reportedly banned approximately 150 members from gathering at a home in the village for worship services, declaring that services could be held only in a church building. Earlier in the year, officials reportedly destroyed the group's church in Toongpankham village. The church had apparently been built with local permission, although it may not have received provincial approval.

6. **U.S. Department of State Country Reports on Human Rights Practices 2008 – Laos**, February 25, 2009, *available at* <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119045.htm> (bold emphasis added) (excerpt from Report below):

There were also reports of incidents in four other provinces in July. These included two Christian leaders arrested in Khongnoy village in Vieng Phukha District and another person arrested in Sing District, all in Luang Namtha Province. In addition there was a report that local officials pressed families in Attapeu Province to give up Christianity, although a visit by a provincial LFNC official was described as having resolved that situation. Officials reportedly put two renounce their faith. Other Christians were said to have been pressured to renounce their beliefs in Houaphan Province's Muang Aet District. In **November** seven families in Nam Reng village in Oudomsai Province were also pressured to renounce their faith; the six families refusing to sign a renunciation document were reportedly ordered out of the village. At year's end no further information was available.

7. **Amnesty International Report 2009 – Laos**, May 28, 2009, *available at* <http://report2009.amnesty.org/en/regions/asia-pacific/laos> (excerpt):

On 8 September, police and district authorities arrested a teacher in Phonthong District, Champassak Province, for converting to Christianity. He was detained in a "re-education centre" in deplorable conditions and told he would only be released if he recanted his faith. He was released about a week later following intervention by provincial authorities. Although he was able to return to teaching, he was threatened with re-arrest if he continued to practise his religion.

8. **Assist News Service, Laos: Persecution of Foreign Religion**, 19 September 2009, *available at* <http://www.assistnews.net/Stories/2009/s09090092.htm> (excerpt):

The Boukham Church has endured sustained persecution over the past year. Human Rights Watch for Lao Religious Freedom (HRWLRF) reports that on 3 September 2009 Lao officials arrested church elder Thao Oun, taking him from his home in Lainsai village at gunpoint. He was then detained, interrogated and terrorised for over five hours. HRWLRF writes: 'Thao Oun was charged with bringing destruction to the Lao nation and government due to his embracing of the Christian faith.' The police chief demanded that Thao Oun denounce Christianity or face eviction from his village. He also threatened Thao Oun that if word of his arrest and interrogation got out to the international community he would be put to death, adding that he wished for the death of all believers in Boukham Church. HRWLRF has gone public with the report believing that shining a global spotlight on Thao Oun's case is actually the only way now to guarantee his safety. Furthermore, the authorities are pressuring the church by denying schooling to ten of its children and denying believing families access to water, medical care and the protection of the law. Then on 5 September, the authorities arrested Thao Aom, 'a new believer of 10 months'. After three hours of police 'interrogation' Thao Aom was still refusing to renounce his faith and so was evicted from his village. On Sunday 6 September, authorities surrounded the Boukham Church and stopped believers entering for worship. (See <http://www.hrwlrf.org/files/Download/Advocacy%20No.%209.pdf> HRWLRF Advocacy Alert No. 04/2009. 9 September 2009.)

8. Compass Direct, Authorities Jail, Threaten to Kill Christians, Sept. 11, 2009, available at <http://www.compassdirect.org/english/country/laos/9254/>

Authorities in Laos last week jailed a church leader in Savannakhet Province for embracing Christianity and threatened to expel him unless he renounces his faith – and kill him if his arrest is made public, according to a human rights organization.

Officials from Liansai village, from Saybouthong sub-district and from Ad-Sapangthong district on Sept. 3 arrested Thao Oun, an elder at Boukham Church, at his home and forced him at gunpoint to the Saybouthong sub-district office, according to Human Rights Watch for Lao Religious Freedom (HRWLRF). The organization said the officials turned him over to the chief of police of Saybouthong sub-district, Thao Somphet, who detained, interrogated, and terrorized the Christian for nearly six hours.

Oun was charged with bringing destruction to the Lao nation and government by embracing Christianity, which the officials consider a "foreign religion to be abhorred," according to HRWLRF.

The chief of police demanded that Oun immediately renounce Christianity or face expulsion from the village. He "further threatened Thao Oun that if word of his arrest and interrogation get out to the international community, he will be put to death," according to HRWLRF. The organization decided to publicize the mistreatment, a spokesman told Compass, citing international exposure as the most effective way of preventing Lao officials from carrying out threats.

The sub-district chief of police also told Oun that his harsh treatment would end "only after the death of all believers in Boukham Church," according to HRWLRF.

To further pressure Boukham Church, Liansai village officials and security forces along with Saybouthong sub-district police on Saturday (Sept. 5) arrested Thao Aom, who became a Christian 10 months ago. He also was interrogated and intimidated at Saybouthong sub-district police headquarters, with authorities telling him, "You have believed in a foreign religion, so you

must sign an affidavit to renounce Christianity – if you do not recant, you must vacate the village.”

HRWLRF reported that after three hours of police interrogation, Aom still refused to sign the affidavit renouncing his faith. He was expelled from the village.

He has sought refuge in a village about six kilometers (nearly four miles) away, where he had previously lived, according to HRWLRF.

On Sunday (Sept. 6) at 6 a.m., Palan district police authorities joined the officers from Saybouthong sub-district, in Ad-Sapangthong district, to surround the Boukham Church worship site in Saisomboon village – blocking church members from entering for Sunday morning worship.

Members of Boukham Church rotate worship sites among three locations, according to HRWLRF: in Liansai village in Saybounthong sub-district of Ad-Sapangthong district; in Boukham village in Ad-Sapangthong district; and in Saisomboon village in Ad-Sapangthong district. Elder Oun lives in Liansai village, where he leads the worship service when Boukham Church meets there.

To punish Boukham Church members for following Christ, Lao officials have denied schooling to 10 of their children and cut off access to water at village wells, according to HRWLRF. They have also deprived all area Christians of protection and rights and threatened to deny public medical care for Christians who get sick or injured.

Laos is a Communist country that is 1.5 percent Christian and 67 percent Buddhist, with the remainder unspecified.

The actions against Boukham church violate the Lao Constitution as well as the 2004 Law on Criminal Procedure, the 2006 Law on the Protection of the Rights and Interests of Children and the 2005 Penal Law, according to the organization. The officials who arrested Oun and Aom have violated Article 5 of the Law on Criminal Procedure, which prohibits the arrest, detention or building search without an order from a public prosecutor or from a people’s court, according to HRWLRF.

“Any individual who arrests, detains or conducts any search of buildings or persons in contravention of the laws shall be subject to criminal proceedings and shall be criminally liable,” the law states, according to HRWLRF.

“In addition to violating the Lao Constitution that guarantees religious rights of an individual Lao person, the arrest of Thao Oun by gunpoint was clearly an abuse of authority, and the officials should be punished for this criminal act,” HRWLRF said in a statement. “Article 154 of Penal Law stipulates, ‘Any civil servant engaging in the intentional excessive use of the authority provided by law, thereby [adversely] affecting the interests of the state or society or the rights and interests of citizens, shall be punished by three months to three years of imprisonment and shall be fined from 500,000 kip to 5 million kip [US\$60 to US\$600].’”

The law further states that if such abuses of authority are committed with the use of force, weapons, torture, indecent words or acts affecting the honor and reputation of the victim, the offender is to be punished by three to five years of imprisonment and fined from 2 million kip to 7 million kip (US\$240 to US\$840).

The denial of education for school-age children on the basis of religious affiliation violates Article 3 (5) of the Law on the Protection of the Rights and Interests of Children, the organization asserted. Article 6 further states, “All children are equal in all aspects without discrimination of any kind in respect of gender, race, ethnicity, language, beliefs, religion, physical state and socio-economic status of their family.”

Last year officials in Boukham village detained three Christians from the church – Pastor Sombong Supatto, Boot Chanthaleuxay and Khamvan Chanthaleuxay – for several weeks before releasing them on Oct. 16. Authorities initially arrested Pastor Supatto and four others on July 20, storming their house church and ordering the 63 Christians present to cease worshipping or face prison for “believing in and worshipping God.”

Police targeted the church because it was not officially registered. Such registration comes with strict limitations on church activities, so many Christians avoid doing so.

9. Amnesty International Report 2009 – Laos, May 28, 2009, available at <http://report2009.amnesty.org/en/regions/asia-pacific/laos> (excerpt):

Christians, from mainly evangelical congregations, faced increased persecution. Between July and September at least 90 Christians, including pastors, were arrested and detained without charge or trial. Some were held for several weeks. At least two people were released after being forced to renounce their faith.

10. Compass Direct News: Officials Announce Ban on Christianity in Lao Village, July 16, 2009, available at <http://www.compassdirect.org/english/country/laos/4576/> :

Following the confiscation of livestock from Christian families earlier this month, officials in a village in Laos on Saturday (July 11) called a special meeting for all residents and announced that they had “banned the Christian faith in our village.”

The chief of Katin village, along with village security, social and religious affairs officials, warned all 53 Christian residents that they should revert to worshipping local spirits in accordance with Lao tradition or risk losing all village rights and privileges – including their livestock and homes, according to advocacy group Human Rights Watch for Lao Religious Freedom (HRWLRF).

The Katin village leader also declared that spirit worship was the only acceptable form of worship in the community, HRWLRF reported. Katin village is in Ta Oih district, Saravan Province.

The previous Sunday (July 5), officials and residents confiscated one pig each from nine Christian families and slaughtered the animals in an effort to force them to renounce their faith. Officials said the seizure of the pigs – each worth the equivalent of six weeks’ salary for an average laborer in the area – was punishment for ignoring the order to abandon Christianity. (See Compass Direct News, “Officials Seize, Slaughter Christians’ Livestock,” July 10.) According to HRWLRF, the chief’s order clearly contravened Article 6 and Article 30 of the Lao Constitution, which guarantees the right of Christians and other religious minorities to practice the religion of their choice without discrimination or penalty.

In addition, HRWLRF stated that Katin officials had violated Article 53 of the 2003 Law on Local Administration, which requires them to abide by the constitution and other laws and to provide for the safety and well-being of all people living under their care.

Officials in Katin have a history of ignoring constitutional religious freedoms. On July 21, 2008, officials detained 80 Christians in the village after residents seized a Christian identified only as Pew and poured rice wine down his throat, killing him by asphyxiation.

When family members buried Pew and placed a wooden cross on his grave, officials accused them of “practicing the rituals of the enemy of the state” and seized a buffalo and pig from them as a fine.

On July 25, 2008, officials rounded up 17 of the 20 Christian families then living in the village – a total of 80 men, women and children – and detained them in a school compound, denying them food in an effort to force the adults to sign documents renouncing their faith. The other three Christian families in the village at that time had already signed the documents under duress.

As their children grew weaker, 10 families signed the documents and were permitted to return home. The remaining seven families were evicted from the village and settled in an open field nearby, surviving on whatever food sources they could find in the jungle.

Suffering from the loss of their property and livelihoods, however, the seven families eventually recanted their faith and moved back into the village. But over time, some of the Christians began gathering again for prayer and worship.

On Sept. 8, 2008, provincial and district authorities called a meeting in Katin village and asked local officials and residents to respect the religious laws of the nation.

Four days later, however, village officials seized a buffalo worth approximately US\$350 from a Christian resident identified only as Bouchu, telling him the animal would be returned only if he renounced his faith. When he refused, they slaughtered the animal in the village square and distributed the meat to non-Christian residents.

B. SOCIETAL ABUSES

1. **U.S. Department of State Country Reports on Human Rights Practices 2008 – Laos**, February 25, 2009, *available at* <http://www.state.gov/g/drl/rls/hrrpt/2008/eap/119045.htm> (bold emphasis added) (excerpt from Report below):

In November six members of a group of eight Khmu pastors were released from detention; each was ordered to pay three million kip (approximately \$350) in detention costs. The eight pastors were arrested in **March** while attempting to cross the border from Bokeo Province into Thailand. An earlier group of Khmu pastors reportedly had crossed without incident. However, there was no indication that the latter group was trying to cross the border legally. Their situation was complicated when authorities found they were carrying documents critical of religious persecution in Laos. At year’s end the other two pastors reportedly remained in the Oudomsai provincial prison.

2. **Compass Direct News: Police Destroy Church Building in Village**, March 29, 2009 *available at* <http://www.compassdirect.org/english/country/laos/2840/> :

Boikhamxay, Laos: Police in Borikhamxay province, Laos, on March 19 destroyed a church building in Nonsomboon village while Christian residents attended a meeting called by district officials.

A member of the provincial religious affairs department, identified only as Bounlorm, has since claimed that police destroyed the worship facility because it was built without official approval. Tension between the Christians and local authorities escalated last year when officials ordered at least 40 Christian families living in Ban Mai village to relocate some 20 kilometers (12 miles) to

Nonsomboon for “administrative reasons,” according to advocacy group Human Rights Watch for Lao Religious Freedom (HRWLRF). Local sources said the forced relocation to Nonsomboon village was an effort to control the activities of Christians in Ban Mai who were sharing their faith with other people in the district. Previously authorities had evicted Christians from several other villages in the district and relocated them to Ban Mai village, HRWLRF reported. Families were expected to cover their own relocation expenses, including the cost of rebuilding their homes and re-establishing their livelihoods.

Initially residents refused to relocate a second time, largely because officials would not grant permission to move their existing church building or to erect a new structure in Nonsomboon. Eventually they were forced to move to Nonsomboon under duress. Lacking worship facilities, the villagers on Dec. 10, 2008 erected a simple church building. On Dec. 26, village police removed the cross from the building, summoned four key church leaders to a meeting at the Burikan district office and subsequently detained them for building a church without government approval.

HRWLRF identified the four only as pastor Bounlard, assistant pastor Khampeuy, church elder Khampon and men’s ministry leader Jer. When the wives of the four men brought food to them during their detention, officials refused to allow them to see their husbands. In a meeting on Dec. 27 between provincial religious affairs officials and church leaders, officials said police had arrested the Christians because they refused to tear down the church building. A senior religious affairs official identified only as Booppa, however, agreed to release the Christians on Dec. 29.

The Christians of Nonsomboon then applied for permission to hold a Christmas service in their church facility on Jan. 7 and invited religious affairs official Bounlerm to attend. When permission failed to arrive in time, they conducted the service regardless, with Bounlerm and other district officials attending as honorary guests.

During the service, district and village level police officers charged into the building and ordered church members to cease worshiping. Bounlerm encouraged the congregation to follow orders from the local officials.

Police officers then drafted a document ordering church members to abandon the Christmas celebration and demanded that the congregation sign it. When they refused, the police insisted that they disband the meeting immediately. After leaving the building, the congregation traveled to nearby Burikan town and set up a tent in an open field next to a government office in order to complete the Christmas service, as there were no church facilities in Burikan.

A campaign of intimidation followed, according to HRWLRF, culminating in the destruction of the church building by village police on March 19. At press time, no information was available on the content of the meeting called by district officials on that day.

3. PR-Inside.com, Laos: 8 Lao Hmong Children Captured By LPDR, 26 Killed As Senator Jim Webb Arrives, Aug. 13, 2009, *available at* <http://www.pr-inside.com/laos-8-lao-hmong-children-captured-r1434824.htm> :

2009-08-13 07:25:20 - “In apparent preparations by the LPDR regime in Laos for the visit of Senator Jim Webb, to seek to pacify and eliminate remaining enclaves of Laotian dissidents, the Lao government soldiers of the LPA have launched at least four major and intensified attacks on Laotian and Hmong civilians, and religious and political dissidents, in Phoua Bia mountain area

of Laos since July 26, 2009, that have continued up until the most recent reported attacks today, on August 13, 2009,” said Philip Smith, Executive Director of the Center for Public Policy Analysis (CPPA) in Washington D.C.

Washington, D.C., and Vientiane, Laos, August 13, 2009

In apparent preparation for the visit of U.S. Senator Jim Webb to Laos, the Lao Peoples Army (LPA) has launched massive and intensified attacks against unarmed Laotian and Hmong civilians in Laos in the Phou Bia Mountain area, and in other locations in Laos, in an apparent attempt to wipe out political and religious dissidents groups and those living independently of the authoritarian, and communist Lao Peoples Democratic Republic (LPDR) military junta.

The LPDR regime in Laos is a one-party, communist military junta intimately allied with North Korea and Burma. In June and July of 2009, the LPDR regime has held official state-sponsored rallies and meetings in support of North Korea and donated Laotian elephants to the Stalinist regime in North Korea in support of its Marxist-Lennist regime and nuclear weapons program.
www.pr-inside.com/laos-north-korea-hold-rally-prior-r1402606.htm

“Many Lao Hmong children were also brutally mutilated and kidnapped during the recent attacks which clearly rise to the level of war crimes and crimes against humanity by the LPDR regime and LPA military officials.”

Smith further stated: “Redundant and credible, direct sources from Laos report that over 150 LPA soldiers have surrounded and attacked Lao Hmong civilians in the Phoua Bia mountain area of Laos alone leaving 26 killed and at least 4 wounded, including unarmed Laotian and Hmong women and children as well as dissident Christian and animist believers and supporters of the 1999 October Laos Student Movement for Democracy.”

“Amnesty International, Medecins Sans Frontieres (MSF – Doctors Without Borders), Journalists Without Borders (JSF) and independent human rights and humanitarian organizations have documented the LPDR regime’s recent human rights violations, atrocities and war crimes against Lao and Hmong civilians and dissident religious and political groups in Laos, including peaceful Lao student demonstrators of the October 1999 movement for democracy that continue to be imprisoned in Laos,” Smith continued.

www.amnesty.org/en/library/info/ASA26/003/2007

asiapacific.amnesty.org/aidoc/ai.nsf/Index/ENGASA260042004

[asiapacific.amnesty.org/library/Index/ENGASA260042000?open&of=EN ..](http://asiapacific.amnesty.org/library/Index/ENGASA260042000?open&of=EN..)

“Independent journalists from the New York Times, Time Magazine, the British Broadcasting System (BBC) and Al-Jazeera news have done extensive investigative reporting in recent months and years documenting the Lao military regime’s attacks against Lao Hmong civilians and political and religious dissidents in Laos,” Smith concluded.

“During the attacks by the LPA, the Lao government has also captured eight (8) young, innocent Lao Hmong children during its recent military campaign in the Phou Bia Mountain area of Laos,” said Mr. Vaughn Vang, Director of the Lao Hmong Human Rights Council, Inc.

Vaughn Vang contined: "These Lao Hmong children, who were captured and separated from their parents by the recent attacks by the LPA military forces in Laos include: Chou Vue, 2 years old; Cher Yang, 3 years old; Chue Vue, 5 years old; May Vue, 8 years old; Yia Vue, two months old; Pang Ntxhee Yang, 4 years old; Mai Chou Vue, 6 years old, Mai Dub Yang, 5 years old."

"The Laotian and Hmong civilians of the Phoua Bia mountain area, and elsewhere in Laos, are appealing to the United States, United Nation, and the Association of South East Asian Nations (ASEAN) to save these 8 young children who have been captured by the Lao soldiers in Phoua Bia during the recent attacks. The whereabouts of these children are unknown and since they are children, they will be likely be be tortured and killed by the LPA military and LPDR regime in Laos," Vang continued.

According to Mr. Vang: "Sadly, Ntshiab Vue, an innocent Lao Hmong child, a little girl, only a couple months old, was found with her head brutally shot off her body and laying next to her dead mother, Mrs. Cha Lee Vue, who had also been tortured and killed by Lao soldiers during the attack."

"We are told, by some of the Lao Hmong survivors of the recent military attacks in Laos that the LPDR soldiers of the LPA used the little, innocent and sweet Lao Hmong girl, while she was still alive, for target practice and eventually shot her head off of her body; once she was captured and tied up; they mutilated her little body and continued to fire their weapons, over and over, into her little lifeless child's hody for target practice, until her head just eventually came off after so many bullets severed her head," said Mr. Vang.

The following are the names of some of the other Lao Hmong civilians in the group in the Phou Bia mountain area that were killed during these attacks that parallel the visit of U.S. Senator Jim Webb's visit to Laos and Southeast Asia: Mrs. Cha Lee Vue, 24 years old; Ntshiab Vue, two months old, Mrs. Cha Lee Vue's baby; Kong Yang, 28 years old; Nou Moua, 18 years old, who was brutally raped, tortured, and killed by Lao soldiers of the LPA during the attacks.

Vang concluded: "Additional Lao Hmong civilians that were left wounded during these attacks: were Vue Thao, 58 years old; Yeng Kong Thao, 5 years old; Vang Moua, 20 years old (who was Nou Moua's sister) and Nhia Vang, 18 years old."

Lao military attacks against Laotian and Hmong civilians and political and religious dissidents hiding in the jungles and mountains of Laos has intensified in recent months. The LPDR, like its ally North Korea, is using food as a weapon to starve and kill Lao Hmong civilians and opposition groups, according to T. Kumar of Amnesty International and other independent sources.

Dr. Jane Hamilton Merrit, historian, author and human rights advocate, has documented human rights abuses against the Laotian and Hmong people in recent months and years as well as in her book "Tragic Mountains: The Hmong, the Americans and the Secret Wars for Laos" (Indiana University Press). Dr. Hamilton-Merritt has be asked to testify in the U.S. Congress on numerous occasions and is a Nobel Peace Prize Nominee.

www.tragicmountains.org

Nearly 5,000 Lao Hmong refugees in Ban Huay Nam Khao, Petchabun Province, and Nong Khai, Thailand are facing forced repatriation by Thai and Lao military officials back to the LPDR regime in Laos that they fled.

[www.msf.org.au/media-room/press-releases/press-release/article/t ..](http://www.msf.org.au/media-room/press-releases/press-release/article/t..)