

briefing

Laos

Religious freedom report

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I. Executive summary

This briefing is an assessment of recent and current trends in the area of religious freedom in Laos, particularly focusing on the Christian community. The information in this report is based upon first-hand testimony from sources within Laos, providing an assessment of the situation as viewed on the ground.

The macro concern with respect to religious freedom in Laos is the weakness in the rule of law, with limited legal protections existing for religious activities and arbitrary approaches towards religion being exercised at the local level. With respect to Protestant Christianity, the legality of congregations is dependent upon their subscription to the Lao Evangelical Church (LEC) or Seventh Day Adventists, the only Protestant denominations recognised under the 2002 'Decree Regarding Governance and Protection of Religious Activity in the Lao PDR' (Prime Minister's Decree No. 92/PM), popularly known as Decree 92.

Given the relative lack of domestic legislative protection, international standards on human rights and religious freedom are of vital importance. Laos ratified the International Convention on Civil and Political Rights (ICCPR) in 2009. The ratification itself is to be welcomed. However, several reservations were made against Article 18 on freedom of religion or belief. Laos should be encouraged to remove these reservations and implement the protections of the ICCPR in full.

Laos has seen improvements in the level of religious freedom during recent years, including a significant reduction in the number of Christian prisoners of conscience. However, one long-term Protestant prisoner continues to serve a fifteen-year sentence in Udomoxai prison, while a number of short-term detentions in prisons and police stations have also occurred during recent years. Cases of individuals being arrested and charged with "being a Christian" have declined, although this still occurs in isolated incidents. Instead, recent arrests of Christians have seen a rise in spurious charges being made, such as one pastor who was accused of "human trafficking".

Protestantism is generally perceived as a 'foreign' or 'enemy' religion, and suspicion of religious activities and their potential to cause 'social disorder' is enshrined in policy documents such as Decree 92. The prevailing attitude towards the religious activities of Protestant groups continues to be one of control, perpetuated from the central government level. When this method of control is mediated at the local level there is room for arbitrary implementation. CSW sources have confirmed that Christian communities are still subject to the whims of current local authorities, without sufficient access to legal protection or knowledge of their rights. Central government can blame local officials for poor implementation of religious protection at the local level, and thus avoid taking responsibility for the macro level.

Attempted forcible renunciations of faith and forcible evictions of Christians from their villages continue to be reported on occasion, and usually constitute the most serious infractions of religious freedom for Protestants. Such incidents usually occur in remote provinces far away from Vientiane and often affect ethnic minority Protestants, particularly among the Khmu. Research for this report found at least two incidents of forced eviction and two of forcible destruction or seizing of church property. Although such incidents have become less widespread, many churches continue to operate under restrictive circumstances, and there exists a particular intolerance of evangelism. Some provinces, particularly in the far north and the south, have areas where it is currently impossible for Christians to meet together openly, demonstrating a tangible lack of religious freedom at the local level.

As Laos' standing on the world stage continues to increase, not least with the hosting of the Asia-Europe Summit (ASEM) in November 2012, it is imperative that the international community raise human rights concerns, including that of the country's religious freedom situation, with Laos' government to ensure that the rights of all Lao citizens are improved along with much-needed economic growth and development.

2. Recommendations

2.1. To the government of the Lao People's Democratic Republic

It is recommended that the government of Laos should:

1. Remove the reservations to Article 18 of the ICCPR and ensure that the protective measures enshrined in Article 18 are applied broadly and fairly to all citizens of Laos;
2. Address the weak legislative protection for religious freedom by ensuring that any future legislation pertaining to religious activity adheres to internationally recognised standards as defined by the UDHR and the ICCPR.
3. Release all those detained on religious grounds including Mr Khamson Baccam and Mr Tong Chanh, and provide immediate information on the whereabouts and condition of Mr Boontheong;
4. Recognise other religious groups and denominations in addition to the LEC, Seventh Day Adventists and the Roman Catholic Church, to provide choice of religious affiliation for Christians in Laos;
5. Address the issue of arbitrary implementation of religious protection at the local level by providing training and advice to local, district and provincial officials, as well as providing training to make religious groups aware of their rights before the law;
6. Liaise with Ta-Oyl district level officials to ensure a positive outcome for the Katin villagers who were forcibly evicted from their village;
7. Issue a further invitation to the UN Special Rapporteur on Freedom of Religion or Belief to visit Laos;
8. Follow up on promises and assurances made to the UN Special Rapporteur on Freedom of Religion or Belief during her visit to Laos in September 2009, including providing information on the whereabouts of, and ultimately the release of Mr Boontheong.

2.2. To the UK, EU, US and ASEAN

It is recommended that the UK, EU, US and ASEAN make representations to the government of Laos to:

1. Urge Laos to remove the reservations to Article 18 of the ICCPR and ensure that the protective measures enshrined in Article 18 are applied broadly and fairly to all citizens of Laos;
2. Encourage the release of all those detained on religious grounds including Mr Khamson Baccam and Mr Tong Chanh, and provide immediate information on the whereabouts and condition of Mr Boontheong;
3. Request to engage with any new legislation pertaining to religion and encourage that it adhere to international standards as outlined in the UDHR and the ICCPR;
4. Encourage Laos to follow the lead of other countries by recognising other denominations in addition to the LEC, Seventh Day Adventists and the Catholic Church, to provide choice of religious affiliation for Christians in Laos;
5. Encourage Laos to continue to address the issue of arbitrary implementation of religious protection at the local level by providing training and advice to local, district and provincial officials, as well as providing training to make religious groups aware of their rights before the law;
6. Urge liaison with Ta-Oyl district level officials to ensure a positive outcome for the Katin villagers who were forcibly evicted from their village;

7. Encourage Laos to issue a further invitation to the UN Special Rapporteur on Freedom of Religion or Belief;
8. Request that Laos follow up on promises and assurances made to the UN Special Rapporteur on Freedom of Religion or Belief during her visit to Laos in September 2009, including: providing information on the whereabouts, and ultimately the release of, Mr Boonthong;
9. Build relationships with religious personnel in Laos to show international interest in, and support for, religious freedom in the country;
10. Regularly raise cases of concern with relevant representatives from the Laos government to show broad international concern regarding the right of all people to religious freedom.

2.3. To the UN Special Rapporteur on Freedom of Religion or Belief

It is recommended that the UN Special Rapporteur on Freedom of Religion or Belief should:

1. Request a standing invitation to visit Laos following up on the visit made by the previous Special Rapporteur in September 2009;
2. Make representation to the Government of Laos to request updates on the assurances made to the previous Special Rapporteur on the cases of Mr Khamsone Baccam and Mr Tong Chanh, and Mr Boonthong;
3. Request that assurances made to the former UN Special Rapporteur on Freedom of Religion or Belief during her September 2009 visit be honoured and followed up with concrete action;
4. Urge the government of Laos to address the issue of weak legislative protection for freedom of religion within the country and to implement legislation that adheres to internationally recognised standards.

3. Introduction

The level of religious freedom has improved in Laos during recent years, especially since Laos has begun to host international events such as the 2004 ASEAN summit, the 2009 South East Asian Games and regular regional ASEAN meetings and dialogues. However, while the widespread arbitrary detentions of religious leaders which exemplified Laos' hard-handed approach to religion in preceding years have diminished considerably, numerous problems in the area of religious freedom continue to exist. The macro issue is the weakness in the rule of law, with limited legal protections existing for religious activities and with arbitrary approaches towards religion still being exercised at the local level.

The major test of a country's commitment to freedom of religion or belief is its treatment of religious minorities. Therefore, this briefing is largely based upon CSW sources in various provinces and an analysis of recent trends in the government's treatment of religious activities. Laos is well-known for being a challenging context in which to gather accurate information; CSW has undertaken to authenticate the information contained in this report. It is also worth noting that although suspicion of religious activities clearly exists in Laos, persecution is often bound up with other issues outside of religion, such as the treatment of ethnic minorities, wider policy regarding a particular people group or area; or secondary issues such as Christian approaches to cultural norms, or relationships between religious groups at the local level.

Due to historical factors, Protestant Christianity is often identified primarily as being a foreign – historically, an American – religion in Laos. This perception illustrates the need for advocacy across the international community as a clear demonstration that religious freedom is a universal right that should be upheld unilaterally.

Social factors including prejudice and lack of understanding are also factors contributing to discrimination against Protestantism. In rural settings, the impetus for anti-Christian measures may come from traditional shamans. Reports consistently suggest that the Chau Pha movement (transliterations vary), which is made up of a number of disparate and disunited Hmong insurgent groups and which involves a quasi-religious dimension, is also largely hostile to Protestantism.

It is worth noting that the officially recognised churches in Laos have varying connections to recognised global bodies. The LEC is a member of the World Council of Churches. In common with Burma, Vietnam and China, the Lao government does not have formal relations with the Vatican. However, the leadership of the Catholic Church in Laos does have contact with the Vatican, albeit informally.

Laos will host the Ninth Asia-Europe Summit in Vientiane on 5-6 November 2012, welcoming world leaders from 46 countries. The hosting of the summit represents another step forward in Laos gaining prestige on the global stage. In previous years when Laos has hosted international meetings, such as the SEA games or the ASEAN Summit, religious leaders reported an intensification of surveillance, repression and harassment of leaders, particularly focused in Vientiane. In particular, some house church congregations were prevented from meeting together for the duration of the events. It is possible that similar restrictions will be imposed on religious groups leading up to and during the ASEM Summit in 2012. For this reason, it is important that the international community ensure that Laos is made aware that restrictions of this nature are unacceptable and will ultimately give a poor impression of the country.

4. Religious demography

The Laos Constitution does not identify an official state religion. However, the dominant religion among ethnic Lao people (who make up almost half the population) is Theravada Buddhism. In addition, the remaining population of Laos is made up of ethnic minorities, most of whom follow traditional animist practices and ancestor worship, sometimes mixing this with aspects of the Buddhist religion. The practice of animism and Buddhism is tolerated, and in many cases actively encouraged, by Laos officials who view these practices as a central part of traditional Laos culture.

It is difficult to obtain accurate statistics regarding the number of adherents to Christianity in the country. The Lao Front for National Reconstruction (LFNR) only recognises three Christian groups in Laos: the Laos Evangelical Church (LEC), the Roman Catholic Church and the Seventh Day Adventist Church. Leaders from the Roman Catholic Church told CSW there are approximately 50,000 adherents to Catholicism in Laos. For Protestants, the Lao Front for National Reconstruction (LFNR) cites a figure of 60,000, while the Lao Evangelical Church (LEC) gives a figure of over 100,000 members. The Seventh Day Adventist Church reports that it has four churches in Laos with a total of just under 2,000 members.¹

Due to the LFNR's reluctance to recognise other denominations, many groups operate outside the official system, meaning it is difficult to obtain accurate membership figures. Other Christian groups operating in Laos include the Methodists, Baptists, Assemblies of God and various non-denominational groups which have links with Christian groups in Thailand and Vietnam. It was not possible to obtain up-to-date membership data for these groups for this report. In addition, it is thought that the number of ethnic minority Christians may run to the tens of thousands; many Hmong, Yao and Khmu have embraced Christianity in recent years.

Adherents to other religious groups are small in number – it is known that there are small numbers of adherents to Islam, Bahá'í, Confucianism and other religions in the country (mostly situated in urban areas around Vientiane). Restrictions facing these religious groups are outside the scope of this report.

5. Legislative and policy framework on religious activities

5.1. International law

Laos ratified the International Covenant on Civil and Political Rights (ICCPR) in 2009. Article 18, which closely mirrors the same article of the Universal Declaration of Human Rights, provides that “Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or in private, to manifest his religion or belief in worship, observance, practice and teaching.”

On ratifying the ICCPR Laos held a reservation against Article 18, stating, “All acts creating division among religions were incompatible with Article 18 of the Covenant”. The UN Special Rapporteur on Freedom of Religion or Belief commented that, “It seems questionable whether this declaration is in line with the text and spirit of the Covenant” and noted “with concern the different approach and lower threshold for limitations on the

¹ Reference taken from <http://www.adventistdirectory.org/ViewAdmField.aspx?AdmFieldID=LAAC>, accessed October 2011.

freedom to manifest one's religion or belief applied by the Laos PDR by seeking to outlaw 'all acts creating division between religions'. The comments went on to say that such a "domestic concept is highly subjective and could be abused by the State to prohibit religious activities that are protected under international law, such as the teaching and dissemination of religious beliefs or proselytism in general".²

Article 21 protects the right of 'peaceful assembly', while discrimination based on religion is proscribed and effective protection against discrimination guaranteed in Article 26. Article 27 protects the freedom of ethnic minorities to practise their own religion.

Additionally, Laos acceded to the Convention on the Rights of the Child (CRC). Article 2 specifies that a state must take measures to ensure that a child faces no discrimination on the basis of beliefs held by his/her parents. Article 14 guarantees the right of a child to 'freedom of thought, conscience and religion', and freedom to manifest his/her religious beliefs. Article 17 requires that a child have access to resources aimed at promoting his/her spiritual well-being; Article 27 provides for a standard of living adequate to a child's spiritual development, and Article 30 for a child belonging to an ethnic minority to profess and practise a religion.

5.2. Domestic legislative framework

A major issue in upholding internationally recognised human rights standards in Laos is weakness in the rule of law in the country. In addition, domestic law pertaining to religious freedom is extremely limited and vague, failing to guarantee internationally recognised standards. These factors combined create the conditions in which abuses of religious freedom can occur and recur unchecked. Domestic law on religion is therefore one of the most serious factors when considering the state of religious freedom in Laos.

5.2.1. Constitutional protection

Article 30 of the 1991 Constitution guarantees the basic right to freedom of religion for all citizens: "Lao citizens have the right to believe or not to believe in religions". Article 9 states, "The state respects and protects all lawful activities of the Buddhists and of other religious followers, 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". However, the final clause of the Article can be used to vitiate all the other protections: "All acts of creating division of religions and classes of people are prohibited". The phrase "acts of creating division" is not defined and therefore leaves it open for arbitrary definitions of what these acts could entail. Vague wording, combined with the weak initial definition in Article 30, provides a standard of protection that falls far short of internationally defined standards.

In addition, protection of rights fundamental to the practice of religion such as freedom of assembly, freedom of association and freedom of speech, are not provided for robustly in the constitution.

Article 22 provides for equality before the law, irrespective of faith, and Article 27 provides for "freedom of settlement and movement as prescribed by law". Article 31 provides that

² Report of the Special Rapporteur on Freedom of Religion or Belief, Asma Jahangir, Mission to the Lao People's Democratic Republic, A/HRC/13/40/Add.4 p.13–14. Available here: http://www2.ohchr.org/english/bodies/hrcouncil/docs/13session/A.HRC.13.40.Add.4_enAEV.pdf

“Lao citizens have the right and freedom of speech, press and assembly; and have the right to set up associations and to stage demonstrations which are not contrary to the law.” Article 29 provides, “The right of Lao citizens in their bodies and houses are inviolable. Lao citizens cannot be arrested or searched without warrant or approval of the authorised organisations, except in the cases as prescribed by law.”

Article 6 specifies that, “The State protects the freedom and democratic rights of the people which cannot be violated by anyone”, and that, “All acts of bureaucratism and harassment that can be physically harmful to the people and detrimental to their honour, lives, consciences and property are prohibited.”

5.2.2. ‘Decree 92’

The major legislation covering religious practice is the 2002 “Decree Regarding Governance and Protection of Religious Activity in the Lao PDR” (Prime Minister’s Decree No. 92/PM), popularly known as “Decree 92”.³ This reiterates the constitutional guarantee that “all Lao citizens have equal right before the law to adhere or not to adhere to a religion” (Article 3), and sets out a framework for religious practices, under the arbitrating authority of the Lao Front for National Reconstruction (LFNR).

Article 3 states that the State “respects and protects all legitimate activities of believers”, without defining what constitutes legitimate activities. This leaves the definition of legitimacy to the arbitration of local officials.

Article 5 of the Decree requires “believers of all religions” to “preserve and expand historic traditions, cultural heritage and Lao national unity”. The requirement to retain unity without defining what this means in practice could lead to a lack of respect for religious minorities.

Religious groups are required to register (Article 7) and state approval is required for a wide range of religious activities, including the appointment of religious personnel or staff (Articles 8–9), preaching and propagation (Article 12), the printing of religious literature (Article 14), the construction of religious buildings (Article 16) and relationships with foreign co-religionists (Articles 17–20). Article 13 of the Decree articulates a concern about the divisive potential of religion, and sets out an ill-defined proscription of “conducting activities against the Lao PDR regime, and dividing ethnic groups or religions in order to cause social disorder”.

Article 14 gives guidance regarding “printing of books, documents for dissemination, signs and various plates related to religion” and deems that they “shall be authorized by the Ministry of Information and Culture with the approval of the Central Committee of the Lao Front for National Construction.” It goes on to say, “It is forbidden for believers in the Lao PDR to publish or possess books, documents, photographs, signs, video cassettes, VCD, films or other media having characteristics of superstitions...or distortions of truth...”. The de facto ban on all religious materials from outside the country leaves religious minorities in the position of either obtaining materials illegally with the subsequent threat of prosecution, or dependent upon the LFNC’s decision as to suitable materials. Internationally recognised rights of freedom of speech, expression and freedom of religion or belief allow the authorship, printing and dissemination of religious materials.

Guidelines for the implementation of Decree 92 have been set out by the LFNR, which is responsible for the management of religious affairs and operates through officials at the

³ The full text of Decree 92 is available from CSW on request (English language translation only).

central, provincial, district and village levels. The Department of Religious Affairs, under the jurisdiction of the LFNC, also has a supervisory role over religious activities.

It is known that replacement legislation is being considered to replace Decree 92. To date, this has not been forthcoming and information available on this issue is vague. However, any replacement legislation should be well-defined and provide broad protection for religious freedom as defined by international standards. Laos' ratification of the ICCPR is a positive step which could be used to encourage replacement religious legislation to use the protections of the Covenant as a basis for domestic law.

In addition to the points outlined above, a major area of weakness is a lack of understanding of and adherence to the law in rural areas, particularly those furthest from urban centres. Better defined legislation would need to be accompanied by improved training and dissemination of legal protection at the local level. Training programmes for local officials should be encouraged and supported by the international community as a way of ensuring internationally recognised human rights standards reach all Laos citizens, not just those in major cities.

5.3. Lao Evangelical Church

The Lao Evangelical Church (LEC), which was established in 1956 and officially recognised in 1990, now claims membership of approximately 100,000 across Laos, over half of whom are in Vientiane. The LEC and Seventh Day Adventist Church are the only Protestant churches officially recognised by the LFNR. The LEC headquarters are based in Vientiane. The LEC leadership is well-connected internationally with a variety of Christian groups overseas.

The LEC takes a pragmatic approach to the religious freedom situation in Laos, recognising that while problems persist – particularly in the remote provinces – improvements have been made in the general situation in recent years. The LEC regularly intervenes in religious freedom disputes when the leadership is made aware of difficulties at the local level. Sometimes intervention has resulted in a positive outcome, while in other cases the situation has persisted, due to a variety of factors.

The LEC has been involved with high-level discussions at the central government level regarding religious freedom in Laos, as well as holding many seminars in partnership with the government, to encourage the better treatment of Christians and to train Party officials about the need to respect religious freedom.

6. Attitudes to Christianity

Information from CSW sources has been used in this report to assess the religious freedom situation at the local level, and provides an important indicator of the level of freedom currently experienced in Laos. In compiling information on the current situation in Laos CSW found that specific patterns emerged, which are outlined in more detail below.

6.1. Cultural antagonism

Laos is keen to preserve a strong, united sense of national identity exemplified through its citizens' loyalty to the country, regardless of their ethnic or religious identity. The existence of tens of ethnic groups (the government cites a figure of more than 48 groups⁴, though this figure is generally estimated to be on the low side), coupled with the country's geography, are factors contributing to the government's concern regarding the potential for the demise of the country's national identity. The desire for cultural homogeneity as an integral part of national loyalty can be identified as one factor leading to a lack of tolerance for religious activity. An underlying concern that unity must equal uniformity means religious difference is little tolerated. Only as societal views change will religious freedom be fully enjoyed, protected and promoted within Laos.

As explained above, policy documents on religion promulgated by the Party, including 'Decree 92', display a suspicion of the potential of religious belief and practice to cause social disorder, disunity and to harm the national interest. The notion that Christianity constitutes a threat to national homogeneity is demonstrated in a common accusation against Christians: that they belong to a 'foreign religion' or an 'enemy religion', which is not proper to Laos; this perception reflects a fear of Christianity as a threat to government organisations. Reportedly, officials in some rural areas speak openly in antagonistic terms about Christians and Americans, as though conflating the two.

The antagonistic view can emerge at village level as a reaction against the tendency of Christians to abstain from engaging in some aspects of traditional culture, including participating in village festivals and drinking alcohol. In some areas, participation in such events is interpreted by authorities as demonstrating loyal citizenship and a commitment to harmony. Christians who do not participate have been accused of being disloyal to their communities.

This is clear from information that has been collected from CSW sources regarding a majority Buddhist village in Savannakhet province. Sources reported that the relationship between the Christian community and the village chief had broken down in 2010/11 over the construction of a Buddhist temple in the village. At the time of construction the village chief requested that all the villagers assist practically with the project, regardless of their own religious affiliation. The Christians from the church decided that they could not participate in the building of a Buddhist Temple in good conscience. On explaining their position to the village head, there was a disagreement and the relationships subsequently soured. In contrast, the Catholic congregation in the village assisted with building the Buddhist Temple. They also attend various Buddhist and Animist ceremonies (which the Protestant congregation chooses not to attend). As a result the Catholics have a better

⁴ Figures taken from <http://www.asianlii.org/asia/other/ADBLPRes/2006/4.pdf> Accessed 11 November 2011.

relationship with the village authorities and are left alone. In September 2011, the church elders were forced to sign a document that authorised handover of their church property to the authorities. The letter included an admittance that the group was following an ‘enemy religion’ and following a ‘deceitful religion’. The property was subsequently seized.

Roman Catholics in Vietnam are generally encouraged by the leadership to engage in village life by attending and participating in village-wide Buddhist and Animist ceremonies and cultural events. This approach has largely led to the maintenance of good relationships between Catholics and non-Catholics at the local level. However, individuals who choose not to participate due to reasons of personal conscience or doctrine continue to be discriminated against at the local level. This is one area in which the legislation of Decree 92 is unhelpful. The vagueness of the wording, which allows for religious freedom while also stating that religions should “preserve and expand historic traditions, cultural heritage and Lao national unity”, is a potential factor in local officials accusing minority religious groups of following “enemy religion[s]” and, by implication, being disloyal to Laos.

The Constitution and subsequent policy documents on religion also display an inherent preference for the dominant religion of Buddhism. Article 9 of the Constitution, which provides for a basic form of religious freedom, emphasises the activities of Buddhists.

6.2. Arbitrary treatment of religious activities and personnel

Rather than being subject to the rule of law, the levels of religious freedom experienced across the country are typically dependent upon the individual approach of a local official. This is a direct consequence of ambiguous and inadequate legislative protection for freedom of religion, a lack of training for local authorities, societal prejudices, and the continued attitude of antipathy towards religion among communist officials. At the local level, the default approach to religion appears to be one of repression and control.

The impetus for harassing or persecuting a Christian community typically originates from any of a variety of authorities, either within the village or at a higher (district or provincial) level. This enhances the vulnerability of Christians to arbitrary mistreatment. The village level authorities are subject to the district- and provincial-level authorities. The village policeman, while theoretically junior to the village head, is under the authority of the district people’s committee and, in practice, is able to heavily influence the village authorities. In many villages, shamans are another source of authority who may influence other officials to oppose Christians, as the conversion of villagers to Christianity may result in a loss of their influence and affluence.

A prominent case of concern since 2010 is the situation at Katin village, Ta-Oyl district, Saravan province in Southern Laos, where a group of Christians were forcibly evicted from their village at gunpoint. The district level official who spoke to the villagers reportedly announced, “There are no Christians in this district”. In a meeting with the village security personnel, village policeman and representative of the LFNR, eight new families who had recently converted to Christianity and are still living in the village proper were told that the district level officials had told the village leadership that the Christians have freedom by law, but that it was up to the village officials to “take care” of the situation. The village officials told the group that this means they are allowed to evict the Christians if they want to, and that the district level officials tacitly approve of this. Despite visits from religious affairs officials from Vientiane and intervention from the US Embassy in Vientiane, the situation is ongoing and a viable solution has not been forthcoming during this time.

Well-established congregations regularly report that while they are able to meet together freely for regular Sunday worship meetings, the authorities are often opposed to activities pertaining to evangelism, new families joining the congregation or special meetings, for example celebration services to mark religious festivals such as Christmas or Easter. The underlying suspicion of Christianity producing citizens who are disloyal to Laos is a threat to village life, and can result in particularly harsh treatment of new converts or those who engage in proselytising.

CSW sources specifically highlighted the persecution experienced by certain ethnic minority groups such as the Bru and Ta Oi ethnic groups in southern Laos.

Other sources told CSW that there are no churches meeting together in Saravan province at the time of this report due to pressure from local authorities, and that in Champasak the LEC congregation is not allowed to meet at the present time; in contrast the Catholic Church in the area is allowed to meet together.

6.3. Methods of harassment and persecution

6.3.1. Attempted forcible renunciations of faith and forcible evictions

In recent years there have been several incidents of attempted or actual forced renunciation of faith as well as several incidents of forced eviction on the basis of faith. Some of these incidents are ongoing.

CSW sources have relayed reports of a family from a village in Savannakhet Province. They are part of a family of ten people who converted to Christianity along with another family four years ago (around 2008).

The village authorities reacted negatively on hearing of the conversions and tried to force the two families to renounce their faith. One family felt scared and, as a result, renounced Christianity by signing papers saying that they would not continue to practise their faith. The other family refused to bow to the pressure and did not sign the documents. Initially, the village authorities did not put them under any further pressure, but banned them from worshipping in the village itself. As a solution the family began to worship in their rice paddy fields just outside the village. This continued for several years.

In 2011, according to sources, the village authorities began to receive complaints from the other villagers who said that the presence of the Christian villagers was making them ill. (Several villagers had fallen ill with unknown illnesses and the villagers saw this as a negative consequence of the Christians not participating in ancestor worship.)

In response, under pressure from the villagers, the village authorities expelled the Christian family; forcing them to live in their rice paddy fields close to the village. They have built a small shelter there with a grass roof.

At the end of August 2011 the family was told by a group of village level police, security personnel and the village chief, that they would have to leave the rice paddy after the 2011 rice harvest (expected between October-December 2011). The family was pressured to sign documents stating that they were renouncing their faith. They refused, but CSW's sources reported that their thumbprints were forcibly put onto the document by the village policeman. Due to low literacy levels, the family is not aware of the exact wording of the documents, nor were they given copies of them.

A few weeks later the authorities returned, and forced the adults from the family to put their thumbprints on documents saying that they understood that they would be evicted from the village and rice paddy field area if they chose to continue practising their faith, and that they would need to go to live in an area that allowed Christians.

In August 2011, forced renunciation was used against a schoolteacher in Savannakhet province. CSW received reports of a member of an unregistered house church in Savannakhet province who reported that his wife, a schoolteacher, had been told by the village level authorities that she could not teach in the village school any longer because she was a Christian. She then complained to the district education office and they told her it was fine for her to teach and that she should just carry on. In August 2011 the headmaster of the school in the village forced her to sign a document stating that if she wanted to continue teaching she agreed to renounce her faith in Christianity. She did not know what to do. The village head brought the woman's uncle to the office and together they coerced her to sign the document.

Katin Village

The situation in Katin village, Ta-Oyl district, Saravan province, involves a large-scale eviction on the basis of religious belief. The situation has been ongoing since January 2010 when CSW was made aware of the case.

On 10 January 2010, 48 men, women and children from Katin village, Ta-Oyl district, Saravan province, were forced from their village at gunpoint after 100 officials, police and villagers raided a worship service. Guns were pointed at the group who were forced to walk to a field four miles away, where they have remained. Six of the families' houses in the village were later destroyed by the group, and all eleven families affected have had all their personal belongings confiscated. Each family was given one plastic sheet but they have not been provided with any food. Local and district level officials pressured the group to renounce their Christian faith.

At this stage, it is extremely difficult to see potential for a positive outcome for the evictees. The village and district officials will lose face if they allow the group to return, and the relationship between the evictees and the village officials has been strained for some time.

In March 2010 the district head of Ta-Oyl, Mr Bounma, met with the Christian group and encouraged them to renounce their Christian beliefs. The group refused, and on hearing this Mr Bounma reportedly stated that he did not allow Christianity in his district.

CSW sources report that many of the evictees are currently living in the jungle outside the village. The group living outside the village in the jungle is made up of eight families, with a total of 61 people. The group has lost their Katin village registration, meaning that they are not technically recognised by the village. This will hinder access to education and healthcare. The group is reported to be in good health, though they do not have access to medical treatment. They have a problem regarding access to water at present – there has not been much rain recently and they are concerned about what will happen if the lack of rain continues.

In 2010, the 22 children from the evicted group of villagers were able to go to school. However, this changed the following year. In the Laos system, the head teacher of the local school 'invites' eligible children from the village to start school at the beginning of term. In 2011, 19 of the children did not receive invitations (three are at school in Savannakhet city) and therefore have not been allowed to attend school.

When the group left the village, all except one of the group's houses were torn down by the village authorities. The villagers have reportedly not been allowed access to the remaining house and their request to reuse the wood from the building in their new location was turned down. In addition, the group was told that they are not allowed access to farm their rice paddies any more. The village chief, village LFNR representative and the village security personnel told them that the rice paddies are no longer available for use by the group "because of your faith".

Since January 2010, many officials have visited Katin village and the group living in the jungle to ascertain what is happening. The provincial level religious affairs official visited the group and reportedly told them, "Everything that has happened has happened because of your faith. You have religious freedom in Laos but Katin village does not want religious freedom so you cannot go back unless you renounce your faith". The group has received visits from religious affairs officials from Vientiane as well as from the province-level authorities.

The continuing use of forced eviction demonstrates the weakness of implementation of religious law and protections at the local level. Despite constitutional and legislative protection provided through the country's law at the central level, local officials continue to act arbitrarily, disregarding these protections.

6.3.2. Arbitrary detentions

The number of arbitrary detentions of Christians has declined considerably in recent years, but continues to occur periodically. Detentions are commonly short-term, and detainees can be detained on spurious or no charges and their cases are usually not taken to trial.

In one such example, CSW advocated on behalf of a Christian from the Lanten ethnic group from Luang Namtha province, northern Laos, who was arrested on 18 September 2009 and imprisoned on charges of human trafficking. At the time of his arrest, he was leading an unregistered church group with approximately 40 attendees, and he had expressed concerns that he would be targeted due to his Christian work. He had been travelling from his village with two male youths to Luang Prabang, where he intended to take the young men for vocational training in coffee production. One of the youths had not received permission from his parents to travel. The police were informed and the group was stopped by police just outside Luang Namtha. This man was arrested and the two young men were sent back to their village. He was originally told he would be charged with being a Christian, receiving money for converting people to Christianity, and human trafficking. The first two charges did not appear on the charge papers. He was charged with human trafficking and held in Luang Namtha district prison with his feet in shackles.

He was temporarily released some time between 5 and 7 December 2009, after his case was raised by Asma Jahangir during her visit to Laos as UN Special Rapporteur on Freedom of Religion or Belief. He was reported to have paid a fine of between US\$500 and US\$700 for his release. He was then re-arrested on 9 December 2009, at which point the money was returned to his family. A CSW source told us that the district head had authorised his release on condition of the payment of a fine, but the village head and Provincial Governor disagreed with this approach and ordered his re-arrest.

He was finally released from prison in April 2010.

In another case, Pastor Wanna and Pastor Yohan were held in Khammouan Prison, Takhet City, on charges of "organising a Christmas celebration without approval". They were arrested, along with nine others, by the district police at Nakoon village, Hinboun district, Khammouan province on 4 January 2011.

The police forced the group of eleven Christians into a vehicle at gunpoint and transported them to Khammouan prison. It is understood that they were arrested due to officials viewing the meeting as a “secret meeting”. Eight of the individuals were released within 48 hours and another released soon afterwards.

Pastor Wanna and Pastor Yohan were reportedly told throughout their imprisonment that they would be released if they renounced their Christian faith. They refused.

They were both released from prison in January 2012.

6.3.3. Confiscation of property

After 1975, many buildings owned by religious groups such as the Catholic Church or the Laos Evangelical Church were confiscated by the State and converted to another use. High-profile examples include a building in Luang Prabang that was forcibly converted to a police station and police training school.

Since 1975 some groups have attempted to request that buildings be returned to the church. Only a small number of these attempts have been successful.

In October 2011, a property belonging to a church in Dongpaiwan village, Saybuly district, Savannakhet province was forcibly confiscated by local authorities and converted into a school. The property, comprising two buildings and a pond used to raise fish as a source of income for the church, can no longer be used by the church, which has lost a considerable investment.

The church at Dongpaiwan has a congregation of 212 people, including children. The village was founded in 1977 and since this time a Protestant and Catholic church has existed at Dongpaiwan. The Protestant congregation has used the same piece of land since 1977. In 2004 a bamboo building was constructed in the local style using locally available building materials similar to the remainder of the village buildings. In 2006, the congregation began to raise money to improve the structure of the church building as the bamboo construction was getting old and needed renovating. By 2008 the money had been raised through donations from the village as well as donations from Christians in Savannakhet city. The church elders asked permission from the village head to begin the work, and he gave verbal permission. In the village, it is not common practice to obtain written permission for construction or renovation projects. The work began in 2008, using a concrete and wire frame construction, and this was completed in 2010. The property used by the church consisted of a piece of land on which there were two buildings, an area with fruit trees and a fish pond. The fish pond was used by the church to raise fish on a commercial basis. These were then sold and the money used for church funds.

In September 2011 the district level authorities, police, military and the district commissioner came to the village for a training conference. On seeing the church, the district commissioner is reported to have said, “You must have got foreign money to build this church and you don’t have planning permission.” They explained that one donation had been received from a Korean individual of 1,000 Thai Baht (approximately US\$30), but that this donation had been made in the presence of the village head, who had sanctioned the gift.

Regarding the issue of planning permission, the church elders explained that the building was not a new construction, rather a renovation project, and that permission had been obtained

in advance from the village head. At this stage, the village head changed his story and claimed he had not sanctioned the renovation.

Of contextual relevance is a breakdown of relationship between the Christian community and the village chief during the construction of a Buddhist temple that took place in the village in 2010-2011. At the time of construction the village chief requested that all the villagers assist practically with the project. The Christians from the church decided that they could not participate in the building of a Buddhist Temple in good conscience. On explaining their position to the village head, there was a disagreement and the relationships subsequently soured. In contrast, the Catholic congregation in the village assisted with building the Buddhist Temple. They also attend various Buddhist and Animist ceremonies (which the Protestant congregation chooses not to attend).

On 14 September 2011, the district military chief presented the church elders with a letter outlining that the church elders admitted to: following an “enemy religion”; following a “deceitful religion”; and agreeing to give permission to release ownership of the property to the state. The district military chief attempted to force the pastor to sign the letter – he refused. CSW sources reported that the authorities then bulldozed the sign outside the church and the cross on top of the building, before bulldozing the fruit trees. They confiscated all the property – the fish pond, the buildings and the trees. Some of the elders complained to the district religious affairs bureau, but they stated that they were powerless to do anything because the order had come from the provincial level. They then called the LEC in Vientiane and asked them to speak to the provincial authorities on their behalf. Nothing came of this. They now no longer have a building to meet in, so they meet in two homes. They had spent about US\$20,000 on the renovation of the building which they lost. On 16 September 2011 the officials moved chairs and tables into the building and it is now being used as a school, even though the school did not need another building.

6.3.4. Harassment of foreign companies with Christian connections

Foreign investment is increasing in Laos. In recent years the major investors are China and Korea, as a preference for investment from within Asia appears to be increasing. In relation to this, the existence of foreign business people in Laos is increasing, particularly Chinese and Koreans.

Several small Western-owned companies with Christian connections have experienced harassment during the reporting period.

There are various social enterprise projects run by INGOs or businesses where owners are discreetly involved in religious activity. These projects and businesses tend to be able to continue through keeping a low profile and not being overt about any religious connection. Legitimate business activity provides revenue and income for local staff and suppliers and ultimately benefits society.

6.3.5. Discrimination on the basis of religious belief

CSW sources have reported that Christians in Southern Laos, especially in the province of Savannakhet, are regularly denied employment due to their Christian faith. The case of the school teacher who was forced to sign papers renouncing her faith in order to keep her job (explained above) is one such example. Societal discrimination against Christian adherents, who are viewed as following a foreign religion and as disloyal citizens of Laos, is a factor. In addition, it was reported that in 2010-2011 Christians in Savannakhet have difficulty adding

newborn children's details to their Family Registration documents, citing discrimination on the part of provincial level officials.

7. Cases of concern

CSW is concerned about several long-term cases.

7.1. Mr Boontheong

Mr Boontheong, from Hua Na village, Luang Namtha district, Luang Namtha province, disappeared on 3 July 2004 along with his wife and then seven-year-old son. While there is no clear documentary evidence that this was the work of government agents, his disappearance was preceded by many threats from plain clothes police in Luang Namtha. He had previously been imprisoned for seven months in 1998, after he led many from his Khmu village in Luang Namtha to join the Christian faith. No news has been heard of the family's situation or whereabouts since they disappeared. CSW heard a rumour that the family were being held in a 'dark prison' (or an underground prison) in 2010, but was unable to verify this claim.

7.2. Mr Khamson Baccam

Mr Khamson Baccam, from Hun district, Udomoxai province, was taken away by five men, one of whom was recognised to be a policeman from Hun district, at 7am on 18 January 2006. No news has been heard of Khamson since this time. His family have not been given arrest papers and no charges have been filed against him. At the time of his arrest, Khamson was working for an American agricultural company. He was a dedicated Christian who was said to have influence in the local area.

7.3. Mr Tong Chanh

Mr Tong Chanh (also known as Boon Chanh and Tongjahn) from Udomoxai district, Udomoxai province was arrested on 8 June 1999 and accused of fermenting rebellion against the government. He was sentenced to fifteen years' imprisonment. A later appeal at the province and Laos' Supreme Court in Vientiane was rejected. Tong Chanh was a former district governor and a well-known Khmu leader who was instrumental in the conversion of a number of Khmu in his province. His wife, Saengkham, is a leader in the LEC church.

8. List of abbreviations

ASEAN	Association of South-East Asian Nations
ASEM	Asia-Europe Summit
CRC	Convention on the Rights of the Child
CSW	Christian Solidarity Worldwide
EFL	Evangelical Fellowship of Laos
ICCPR	International Convention on Civil and Political Rights
INGO	International Non-Governmental Organisation
LEC	Lao Evangelical Church
LFNR	Lao Front for National Reconciliation
NGO	Non-Governmental Organisation
SEA	South East Asia