

AFFIDAVIT OF SYAMPHONE PHASAY

MY HISTORY BEFORE THE COMMUNIST TAKEOVER

My name is Syamphone PHASAY and I was born on April 1, 1967 in Vientiane, Laos. Many family members going back generations on both sides of my lineage were elected by the villagers to important positions in the local government in Laos. My father, Khamphong Phaxay was headman of his village as were both of my grandfathers. It is the headman who keeps law and order in his community and forms a link between the villagers and the central government passing on census data and other statistics to district offices run by the government. Even under the Communists, this position has not changed so much.

When Laos was still ruled by a king my father and uncles studied in France. My parents met while both were students there. After returning from France my mother worked as a scientist testing vaccines in an animal research laboratory and my father worked for the Education Department Office, directing financial aid programs and helping Laotian students to get to France or the United States for further studies. In this job, my father met many important people throughout the world, many of whom aided him later in his struggles with the communists.

In 1960, war broke out between neutralist, pro-western troops and the Pathet Lao forces. The country divided into separate nations, the North and the South. During the war in Vietnam my dad and uncle, Inthamanivong Savang, worked all around Laos and the other nearby countries distributing rice and food, equipping educational facilities and bringing medical care to refugees fleeing from the war through USAID and World Vision Canada. We think our dad worked for the CIA, too, but do not know for sure. He had many contacts with foreigners and constantly had important people from other countries to dinner or

to stay as guests in our home.

My uncle, Inthamanivong Savang went to the U.S. for military studies and returned to Laos to become a leader of the Laos Army. In fact, all of my family held high positions with the Laos government. My uncle ran for President of Laos in 1972 -1973 election but no election actually took place because fighting started between the communists and the former King of Laos. My uncle still gained a great deal of political power because he had campaigned all over the country and became well known.

COMMUNIST TAKE OVER LAOS

The communist government took over and renamed the country "Laos People's Democratic Republic". This new Communist government feared my uncle so much that they kept him incarcerated in prisons and labor camps until 1997 when government officials finally killed him.

I. PAST PERSECUTION ON ACCOUNT OF IMPLIED POLITICAL OPINION

LIFE UNDER THE COMMUNISTS

Once the communists were firmly in power, they arrested my father time after time, putting him in jails or labor camps for many trumped up charges. This made life very difficult for my mother and for us kids. They forced us to live in various places doing terrible work and gave us very little food, after taking away everything that we had including our home and land.

Once when my little brothers and sisters and I were home alone on a prison island, soldiers came to our house, took my baby brother away and drowned him in the water surrounding the island. When father complained, they took him away again to a prison or a labor camp.

Another time when we were still living on that island, after my father's return, soldiers followed my brother and me as we walked to school. They tried to get me for their bad purposes but I ran very fast and got away. My mother said after that it was too dangerous for any of us to go to school anymore since she had to go to her assigned work with water buffalo every day and couldn't take us to school and watch out for our safety.

FATHER MAKES A NEW VILLAGE

My father finally created a new village called Phomsomboun on some land that had been his before the Communist takeover. Everyone loved him there and elected him head man (Mayor).

MY HUMILIATION TO SAVE BROTHER

A very bad thing happened to me when I was about 13 or 14. There was to be a great anniversary celebration of the Communist party in Laos. This was about the time my brother Sonexy was arrested just for talking about the student protests in Tiananmen Square in China with some school friends. To get Sonexy out of the extreme difficulties that his "rebellious actions" had brought on him I was forced into a humiliating situation that would plague me for the rest of my life in Laos. My family knew the niece of Khamtay Syphandone who became the prime minister of Laos. This man allowed Sonexy to go free from jail but in exchange I was forced to take part in an entertainment "party" for important government men who would be coming to Vientiane for the anniversary meetings and celebration.

My mother cried and cried. It meant that my reputation would be ruined. I had to dress up for the party like a fancy woman with make up and clothes that were not anything that a proper, well brought up little girl would ever do.

I AM ARRESTED

The day of the party came and I had to a dance with men and then to sleep in the dance hall. These men want me to sleep with them and when I said no, they arrested me and then made me sit on an ant hill. Ant bites hurts a lot and makes me sick. It was terrible experience altogether and when I returned home 2 or 3 days later after the "party" was over the neighbors and everyone in my school talked bad about me and looked down on me. After that I have no friends at all. Some people in the village still hold this against me. I can't help it. It saved my brother but I had to trade my young girlhood and my whole future reputation to get his release from jail.

II. PAST PERSECUTION ON ACCOUNT OF POLITICAL OPINION

SENT TO THE FRONT AS CANNON FODDER

Eventually, I graduated from high school and college. After college I was sent to a short training period before being sent to the war front. The group of women I was with were all non-communists or others in some sort of disgrace with the government so we were not in the regular army, just a special group of students that the government wants to get rid of.

TRAINED TO DIE

We women who were "undesirables" (non-communists) were not given much training at all. They expected us to fight at the front untrained - just a sacrifice as cannon fodder. During our "so called" training they packed us about 20 girls to a very hot room, and treated us in very bad ways. Some of the women got sick because the food was too little and too bad. Some of my friends there lost their lives. Some have babies. The soldiers could do anything they want to us. Like if we do something wrong, we have to sleep with them. They think we are good meat for them every time that we make a mistake.

MY SICKNESS

I got sick because I don't have enough food. One of my legs got big and bigger and was swollen with water inside. I asked to leave. Finally when I can't walk anymore, they sent me home to stay with my family. I stayed in the hospital for six weeks. After I got home I went back to school to study but I had already missed one year.

I AM RETURNED TO FRONT

Again I got sent to the fighting at the front. Luckily the fighting stopped at just that moment I got there. I would surely have been killed right away otherwise.

MY BROTHER COMES HOME FROM REEDUCATION CAMP

My brother, Sonexy spent 1 year in a reeducation camp and when he came home, he was very sick also. It looked like he would die. This was the government way. If someone in the camps was about to die, that sick person would be sent out right away to die somewhere outside the camp. This way the people of Laos would not know how many people were dying of mistreatment and starvation and disease in the camps.

SPIES IN OUR HOME

When Sonexy got home we now had two soldiers living in our home sent to spy against my father. They lived in our house and reported on everything that my father did. These two men wanted Sonexy to return to the labor camp right away, but he was way too sick so Dad sent him to the hospital and then quietly hid him in a friend's house to recuperate. We wanted Sonexy at home but father felt it would be too dangerous with the two government men living with us and reporting on everything that went on in our household.

Finally, Sonexy got better and Dad decided that Sonexy must

escape from Laos. If he returned to the "re-education camp" he would surely not survive. After three failed attempts to get him a U.S. visa the all important visa finally was obtained. This happened in 1991 just about the time that the new school dedication occurred in our village.

MY BROTHER'S PAPERS FOUND

Just days before Sonexy expected to sneak out of Laos, one of the government spies found the hidden visa papers and airline ticket. The man immediately guessed exactly what Sonexy was up to. The soldiers threatened to report this "treasonous action" to the government. We would all be arrested and sent to prison if the government discovered our plot to help Sonexy escape from Laos! The two spies were very happy because now they had real control over my father.

MY SACRIFICE TO SAVE OUR FAMILY

One of the men wanted to marry me. He offered not to report us if I would marry him. We all knew we would probably die if I did not go through with the marriage he was demanding. Now in firm control of our existence, the spies made me file for the marriage papers one week after the discovery of my brother's hidden travel papers. The government turned down my marriage application the first time because the man I was being forced to marry was a communist-in-training and this did not look good, him marrying the daughter of the most well-known anti-communist in the village.

About a year later, the government permitted this spy to marry me and the wedding occurred in April of 1992.

THE MAN I WANTED TO MARRY

This marriage to the Communist broke my heart because I already had a wonderful man that I expected to marry - a young student

who had attended a school close to our house. He was a glass blower when I met him but had been sent to engineering school in the Soviet Union for six years to learn how to construct dams. He and I planned to marry when he completed this schooling. We were marrying for love. This was not an arranged marriage between families.

My boyfriend returned from school at least once a year and we could be together during that time. We were so in love. We promised to wait for one another and wrote many letters.

It was like the end of world for me when I had to break my promise to the man I loved in order to save our family. I knew we would all end up dead or at least brutalized if I did not go through with the marriage to the soldier in our midst.

My boyfriend returned from Russia just one month after my forced marriage, in June. He had begged me by letter to wait and not to go through with this awful marriage, but I had no choice. When he returned, he came to see me and said that we must remain friends. He actually waited 3 years to see if the soldier and I would eventually divorce. Then sadly, he married someone else. I kept a secret hope alive that somehow we would eventually get to be together but that was not to be. I had a baby right away and then it was too late to do anything but make the best of this ugly situation.

MY LIFE AFTER FORCED MARRIAGE

Three months after my dreadful marriage the communists sent my husband away to school. Now I was married to a man I did not love, pregnant, and alone to have the baby without its father's presence. It was hard because we had no money and very little food. My husband was gone 3 years, coming home only 1 month each year. He hardly knew his own child. He had always written

reports about our family to the government before our marriage, but once he became part of the family I really don't know if he continued to do this any longer or not but my father says that he still reports on everything we do.

We now have three children, the youngest is only 1 ½ years old. The government today has my husband enrolled for six years at medical school. He still lives in my father's house with our children but as a student he has no income. That means that I would be the only financial support for us all if I returned to Laos.

MY WORK HISTORY

I taught school for some years but became allergic to the chalk dust. My doctor said that eventually I could die from this if I kept up exposure. When I requested a transfer out of the classroom for health reasons, the government said no. Finally one year later, I got a position with the Cultural Center. In this job I must travel around the country looking into the cultural activities in villages and towns. I am continually separated from my children and traveling with men I work with which is not acceptable. My mother has always taken care of my children because my husband has no time between his school and his studies and he has no family to help.

NO FAMILY REMAINING IN LAOS EXCEPT CHILDREN AND HUSBAND

One by one all of my sisters and brothers fled Laos. My father suffered much disgrace in the village. The government was so angry that he had succeeded in getting a school built and electricity brought into the village after the government had refused to help us. When the communist government refused to help the village, my father called on the many people who he knew around the world. With international help of the US Agency for International Development (USAID) and a Christian organization, World Vision Canada, my father built a school and

marriage vow and I will honor that even if my heart rebels.

III. FEAR OF FUTURE PERSECUTION

THREATENED WITH REMOVAL FROM GOVERNMENT REGISTRY

When I left Laos to come to the U.S., Laotian government officials took me aside and told me very straight out that if I did not return within 3 months they would make life impossible for me by taking my name off the civil registry. That makes me like an illegal person. I cannot return home, I cannot work at my old job or any new one - if no work then no food. I just become a non-person, everything I do will be illegal and I can be arrested for anything, just being on the street or in someone's home - even in the home I have always known. For a woman, that leaves prostitution as the only means of survival - even though that is illegal too.

IV. FEAR OF PERSECUTION ON ACCOUNT OF RELIGION

RELIGIOUS CONVERSION TO CHRISTIANITY

I have found new joy in this country through the religion of the Church of the Latter Day Saints. Under communism while I was growing up no one could go to any religious services at all. Our family had been Buddhists for centuries, but that is a foreign religion to me because it was completely forbidden under the communists.

In the United States my brother Sonexy became a Priest in the Aronic Priesthood in the Church of Jesus Christ of Latter-Day Saints in 1993. Since that time he has moved through the regular religious progression and in 1994 was ordained as a Melchizedek Priest. This gives him the calling of "High Priest".

I now go of the Church of the Latter-day Saints like my brother. This religion fills the great spiritual emptiness that I had grown up

with. It helps me to accept all that has gone on in my life that could make me crazy to think too much about. I know that I could never practice my new religion fully in my own country. My father is certain that I will be killed if I try to practice it in Laos.

RELIGIOUS CONSTRAINTS IN LAOS

The reason I can't practice it in my country is because the communists keep Christians under tight control. The government refuses to allow Christians to meet with others to spread the Word among the other people. Even though the government now allows the people to once again practice Buddhism, it is completely against Christian religions. The communists say Christian religions bring in Western influence and so must be "anti-communist" and dangerous to the way of life the communists force us to live. Christians are regularly arrested in Laos for meeting or even discussing their religion.

MORMONS ARE PROSELYTIZERS

The communist government says that people can practice other religions. But when it actually happens, the government makes it difficult. It actively discourages other religions. It also keeps Christians from teaching other people about the Christian religion. The Church of the Latter-Day Saints requires that members proselytize as part of its teachings. I can't ever do that in my own country. I would be subject to arrest for the very actions required by my church. This would make it impossible for me to do what my church asks. It would not really allow me to practice my religion. I already know how bad it is to be arrested. Now as a mother, I cannot risk arrest again.

I would be in danger if I even tried to bring my children up in the Christian way taught me by the Church of the Latter Day Saints. I can't bear for my children to miss knowing the beauty and the strength that the Christian religion through the Church of the

brought in electricity to our village. This helped the people a lot but infuriated the Communists who did not want my father to succeed. The Communists certainly did not want him to get help from the outside world to do this good works for our little village. This happened in 1991 about the time my brother Sonexy left for the US.

My father again was targeted by the Lao government. On March 17, 1999 the appointed Mayor of the village forced my father out of our village for daring to fix up our family home. The Mayor would have put him in prison but couldn't because of father's well connected friends around the country. My father finally had to admit that this new mayor will find a way to kill him just like the government killed my uncle in 1997.

Finally, after much bad treatment, father escaped to the United States himself. The government made him sign many papers and then let him go. He now has a US green card and will never return to Laos unless the communist government falls. My mother recently fled Laos also and has rejoined my father in the U.S.

CHILDREN ALONE WITH NO ONE TO CARE FOR THEM

After I left for the U.S., my mother took care of my three children and cooked and cleaned in her home for my husband and supported everyone since he makes no money as a student. Then mother, too, fled Laos. That leaves my children with no one to take care of them. I am worried so much about them now that my mother is not with them anymore.

HUSBAND REFUSES TO LET CHILDREN GO

Once I came to the United States, my husband refused to let our children come over saying that he will not let them come unless I bring him over to the United States, too. I feel like he is once again holding me hostage - do what he wants or else! I have made a

Latter-day Saints brings to my life today.

CONCLUSION

In sum, my life has been a series of major sacrifices made to protect myself and my loved ones from the Communist government which took over our tiny country.

The Communists killed my baby brother almost as sport. My uncle was killed only a few years ago by them. My brother Sonexy almost died from ill treatment in a labor camp. My father has been repeatedly imprisoned and sent to labor camps and finally just exiled, banished from the village he himself created. I have been arrested, sent to the fighting front without training because I refused to become a Communist and suffered unspeakable humiliations as a young girl to protect my brother. My forced marriage is a daily burden.

Because I have not returned to Laos within three months as ordered, I will face a yet more terrible future. I can have no hope of bringing up my children in the Christian faith that now makes my life bearable and in fact can only expect to be further mistreated or worse because of my religion.

A life of complete degradation is no life at all. Being in such disgrace, as the daughter of an avowed anti-communist and as a woman who refused to return to Laos when told, and then to go back as a Christian makes me a marked person. For this I desperately seek asylum in the United States for my protection and that of my family which remains behind.

Syamphone Phasay