

LAOS 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Lao People's Democratic Republic (Lao PDR) is ruled by its only constitutionally legitimate party, the Lao People's Revolutionary Party (LPRP). The most recent National Assembly election held in March 2016 was not free and fair. The LPRP selected all candidates, and voting is mandatory for all citizens. Following the election the National Assembly approved Thongloun Sisoulith to be the new prime minister.

Civilian authorities maintained effective control over the security forces.

The most significant human rights issues included: lack of due process, including arbitrary arrest, detention and punishment by the government; government infringements on the right to privacy and on freedoms of speech, press, assembly, and association; the denial to citizens of the ability to choose their government; trafficking in persons; and restrictions on workers' rights, including the inability to form independent labor unions not associated with the government.

The government neither prosecuted nor punished officials who committed abuses, and police and security forces committed human rights abuses with impunity.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no credible reports the government or its agents committed arbitrary or unlawful killings.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

There was still no progress in the 2012 abduction of Sombath Somphone, a prominent civil society leader and retired founder of a nonprofit training center, by persons in plainclothes after what appeared to be an orchestrated stop of his vehicle by traffic police in Vientiane. The government denied knowledge of his whereabouts and claimed its investigation was continuing.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and/or law prohibits such practices, and there were no reports government officials employed them.

Prison and Detention Center Conditions

Prison and detention facility conditions varied widely and in some prisons were harsh due to minimal food supply, overcrowding, and inadequate medical care.

Physical Conditions: Cells were crowded. Some prisons reportedly held juveniles with adults, although no official or reliable statistics were available on the overall population or gender of prisoners countrywide. There was no information available on the prevalence of death in prisons or pretrial detention centers. Food rations were minimally adequate, and family members were responsible for bringing food to their relatives in prison. Some prisons required inmates to reimburse authorities upon release for the cost of food eaten during incarceration. Prisoners in the larger facilities in the capital generally fared better than did those in smaller, provincial prisons.

Although most prisons had some form of clinic, usually with a doctor or nurse on the staff, medical facilities were usually deficient. Prisoners had access only to basic medical care, and treatment for serious ailments was unavailable. For example, in a Vientiane prison there was a clinic with four sick beds and a staff of three for 700 inmates. Prisoners received vaccinations upon arrival; if sick, they had to pay for necessary medicine. In some facilities, prisoners could arrange for treatment in police hospitals, and authorities sent prisoners to these hospitals in emergencies.

Administration: The Ministry of Public Security is responsible for monitoring prison and detention center conditions. Authorities permitted prisoners and detainees to submit complaints to judicial authorities without censorship and to request investigation of credible allegations of inhuman conditions, although there were no reports of prisoners, detainees, or their family members making such requests due to fear of exacerbating poor detention conditions. During the October 16-November 17 session of Laos' National Assembly, the legislature's Justice Committee raised--and the President of the Supreme Court acknowledged--

concerns about deteriorating prison conditions, including overcrowding and the detention of suspects alongside convicted criminals.

There was no ombudsperson to serve on behalf of prisoners and detainees. Prison wardens set prison visitation policies. Family members generally had access to prisoners and detainees once per month. Prisoners and detainees could follow some religious observances, but authorities did not provide any facilities.

Independent Monitoring: Government officials did not permit regular independent monitoring of prison conditions. During the June 18 Australia-Laos Human Rights Dialogue, Australian and EU diplomats and other foreign government officials were permitted to visit the only prison that housed foreign prisoners, as well as a drug treatment detention center in Vientiane.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention, but some government officials did not respect these provisions, and arbitrary arrest and detention persisted.

Role of the Police and Security Apparatus

The Ministry of Public Security maintains internal security but shares the function of external security with the Ministry of Defense's security forces and with the LPRP and the LPRP's mass organizations. The Ministry of Public Security oversees local, traffic, immigration, and security police, village police auxiliary, plus other armed police units. The armed forces have domestic security responsibilities, including counterterrorism and counterinsurgency.

Impunity remained a problem; however, there were no statistics available on its prevalence. The Ministry of Public Security's Inspection Department maintained complaint boxes throughout most of the country for citizens to deposit written complaints, but statistics on utilization were not publicly available. The government revealed no information regarding the existence or nonexistence of a body that investigates abuses by security forces. There were no known actions taken by the government to train security forces on respect for human rights.

Arrest Procedures and Treatment of Detainees

Both police and military forces have arrest powers, although generally only police exercised them. The law provides detainees the right to a prompt judicial

determination of the legality of their detention. The law also requires authorities to notify detainees of the charges against them and inform next of kin of their detention within 24 hours of arrest, but this did not always occur in remote provinces. There is a bail system, but authorities implemented it arbitrarily. There were procedures for house arrest of detainees, particularly for health reasons, and there were isolated reports of detainees held under house arrest. The law provides detained, arrested, or jailed persons the right to legal representation upon request. There were no reports of prisoners held incommunicado.

Arbitrary Arrest: Police continued to exercise wide latitude in making arrests, relying on a provision of the law that permits warrantless arrests in urgent cases. Police reportedly used the threat of arrest as a means to intimidate persons or extract bribes.

At times authorities detained prisoners after they completed their sentences, particularly if prisoners were unable to pay court fines. In some cases officials released prisoners if they agreed to pay fines upon their release. The government sometimes released offenders convicted of nonviolent crimes without formally sentencing them to prison. During the National Assembly's fall session, legislators called on judicial bodies to investigate instances of arrests without warrants by local police, and to which public prosecutors had turned a blind eye.

Pretrial Detention: The law limits detention without trial to one year. The length of detention without a pretrial hearing or formal charges is also limited to one year. The Office of the Prosecutor General reportedly made efforts to have authorities bring all prisoners to trial within the one-year limit, but officials occasionally did not meet the requirement. The Office of the Prosecutor General must authorize police to hold a suspect pending investigation. It grants authorization in three-month increments, and police must release a suspect after a maximum of one year if they lack sufficient evidence to bring charges.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but corruption and judges acting with impunity continued to be problems. Some judges reportedly accepted bribes. The National Assembly may remove judges from office for impropriety but did not announce any such removals during the year. The legal framework provides for defense counsel, evidentiary review, and the presumption of innocence. Despite these provisions, the country was still developing a formal justice system. Judges usually decided guilt or innocence in advance of trials, basing their decisions on

police or prosecutorial investigation reports. The preferred and widely used policy for resolving disputes continued to be the “Harmonious Village Policy” or “No Case Village Policy,” which discouraged villages from referring cases to the formal justice system and provided incentives to village leaders to resolve legal disputes within village mediation units. Village leaders are not lawyers or judges and do not receive training.

Trial Procedures

The law provides for the right to a fair and public trial, although the judiciary did not always uphold this right. The law provides defendants a presumption of innocence. Most trials, including criminal trials, were primarily pro forma examinations of the accused and reviews of the evidence. Defendants do not have a legal right to know promptly and in detail the charges against them, but the law requires authorities to inform persons of their rights. Trials are public, except for those involving certain types of family law or related to national security, state secrets, or children younger than 16 years.

The law provides defendants the right to defend themselves with the assistance of a lawyer or other persons, but there remained a lack of qualified lawyers. Lawyers sometimes were unwilling to defend sensitive cases due to fear of retaliation by local authorities. A defense attorney may be present during a trial, but his role is passive, such as asking the court for leniency in sentencing or appealing a technical matter, not arguing the merits of the case, challenging evidence, or mounting a true defense for the client. Authorities provided defense attorneys at government expense only in cases involving children, cases likely to result in life imprisonment or the death penalty, and cases considered particularly complicated, such as ones involving foreigners. There is no legal right to adequate time and facilities to prepare a defense.

The government allows interpreters to provide explanations of laws and defendant’s rights to ethnic minority citizens and foreigners who cannot communicate in the Lao language. Interpreters receive payment based on the court fee system, which the court passes on to the defendant.

Defendants may have someone assist them in preparing written cases and accompany them at trial, but only the defendant may present oral arguments at a criminal trial. Defendants may question, present witnesses, and present evidence on their own behalf. Defendants may refuse to testify, although authorities sometimes imposed harsher penalties on defendants who did not cooperate.

Defendants have the right to object to charges brought against them, and they have the right to appeal, but only in civil cases. The Court of Appeals is legally obligated to decide a case within 45 days from the time it receives the appeal; however, appeals often took longer than six months or remained pending indefinitely.

Litigants may select members of the Lao Bar Association to represent them at trial. The bar association was nominally independent but received some direction from the Ministry of Justice. For several reasons, including the general perception that attorneys cannot influence court decisions, most defendants chose not to have attorneys or trained representatives. The government made efforts to train more lawyers and improved the curriculum at the Faculty of Law at the National University. In 2016, 172 students attended the one-year program, and 166 new students enrolled during the year.

Most judges and attorneys were LPRP members. Most had only basic legal training, and some court districts had few or no reference materials available for guidance. The National Assembly's Legal Affairs Committee occasionally reviewed People's Supreme Court decisions for accuracy and returned cases to it or the Prosecutor General's Office for review when the committee believed the court made decisions improperly.

Political Prisoners and Detainees

There were no government statistics or reliable estimates available regarding the number of political prisoners, but the government confirmed it had three political prisoners. The criminal court convicted Somphone Phimmason, Soukan Chaithad, and Lodkham Thammavong in March to 20, 16, and 12 years' imprisonment respectively on multiple charges including treason, propaganda against the state, and gatherings aimed at causing social disorder.

Civil Judicial Procedures and Remedies

The law provides for judicial independence in civil matters, but enforcement of court orders remained a problem. A person may seek a judicial remedy for violations of civil or political rights in a criminal court or pursue an administrative remedy from the National Assembly. Individuals may seek redress for violations of social and cultural rights in a civil court.

f. Arbitrary Unlawful Interference with Privacy, Family, Home, or Correspondence

The law generally prohibits such actions, including privacy of mail, telephone, and electronic correspondence, but the government continued its broad use of security law exemptions when there was a perceived security threat.

The law prohibits unlawful searches and seizures. Although the law requires police to obtain search authorization from a prosecutor or a panel of judges, police did not always obtain prior approval, especially in rural areas. Security laws allow the government to monitor individuals' movements and private communications, including via mobile telephones and email (see section 2.a.).

The Ministry of Public Security monitored citizen activities through a surveillance network that included secret police. A police auxiliary program in urban and rural areas, operating under individual village chiefs and local police, shared responsibility for maintaining public order and reported undesirable elements to police. Members of the LPRP's front organizations, including the Lao Women's Union (LWU), the Youth Union, and the Lao Front for National Construction, also monitored citizens.

The law allows citizens to marry foreigners only with prior government approval. Authorities may annul marriages entered into without approval, with both parties subject to arrest and fines. The government normally granted permission to marry, but the process was lengthy and burdensome, offering officials opportunity to solicit bribes. Premarital cohabitation with foreigners is illegal, although it was rarely enforced, and generally only when the Lao party complained of some injustice.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The law provides for freedom of expression, including for the press, but the government severely restricted political speech and writing and prohibited most public criticism it deemed harmful to its reputation.

Freedom of Expression: The law provides citizens the right to criticize the government but forbids slandering the state, distorting party or state policies, inciting disorder, or propagating information or opinions that weaken the state.

Nongovernmental organizations (NGOs) generally exercised self-censorship, particularly after the 2012 disappearance of an internationally respected civil society advocate.

In 2015 police arrested Bounthanh Thammavong, a Polish citizen of Lao heritage, for a posting on Facebook an article he published in 1997 critical of the government. The Vientiane Supreme Court found Bounthanh guilty of “disseminating propaganda against the government with the intention of undermining the state” and sentenced him to four years and nine months in prison for “complaining about and carrying out activities against the regime.”

Press and Media Freedom: The state owned and controlled most domestic print and electronic media. Local news reflected government policy. The government permitted publication of several privately owned periodicals of a nonpolitical nature, including ones specializing in business, society, and trade. By law foreign media must submit articles to the government before publication; however, authorities did not enforce these controls.

Although the government closely controlled domestic television and radio broadcasts, it did not interfere with broadcasts from abroad. Citizens had 24-hour access to international stations via satellite and cable television. The government required owners of satellite receivers to register them and pay a one-time licensing fee, largely as a revenue-generating measure, but otherwise made no effort to restrict their use.

Violence and Harassment: The government required foreign journalists to apply for special visas and restricted their activities. Authorities continued to deny journalists free access to information sources but often permitted them to travel without official escorts. When the government required escorts, they reportedly were at journalists’ expense.

Censorship or Content Restrictions: Officials reviewed all articles in privately owned periodicals after publication and could penalize those whose articles did not meet government approval. Publishers and journalists were generally aware of what content the government would approve for publication and practiced self-censorship. The Ministry of Information and Culture’s Mass Media Department did not confirm if the government disapproved any publication during the year.

Authorities prohibited dissemination of materials deemed indecent, subversive of national culture, or politically sensitive. Any person found guilty of importing a publication considered offensive to national culture was subject to a fine of one to three times the value of the item or a maximum imprisonment of one year.

Internet Freedom

The government controlled domestic internet servers and sporadically monitored internet usage but did not block access to websites. The government maintained infrastructure to route all internet traffic through a single gateway, thereby enabling it to monitor and restrict content. The National Internet Committee under the Prime Minister's Office administers the internet system. The office requires internet service providers to submit quarterly reports and link their gateways to facilitate monitoring.

The cybercrime law criminalizes dissent and puts user privacy at risk. In 2015 authorities arrested persons for online activities, including one who posted photos of alleged police extortion on Facebook and another who alleged a governor granted a controversial land concession to a developer (see section 2.a.).

The government convicted several activists based on their use of Facebook to criticize the government while living in Thailand. (see Section 1.e.).

The law prohibits certain types of content on the internet, including deceptive statements, and statements against the government and party. The Ministry of Posts and Telecommunications has authority to direct internet service providers to terminate internet services of users found violating the decree.

Many poor and rural citizens lacked access to the internet. According to the International Telecommunication Union, approximately 22 percent of the population had access to the internet in 2016.

Academic Freedom and Cultural Events

The law provides for academic freedom, but the government imposed restrictions. The Ministry of Education tightly controlled curricula, including in private schools and colleges.

Both citizen and noncitizen academic professionals conducting research in the country may be subject to restrictions on travel, access to information, and

publication. The government required exit stamps and other mechanisms for state-employed academic professionals to travel for research or to obtain study grants.

The government requires producers to submit films and music recordings produced in government studios for official review. The Ministry of Information and Culture attempted to limit the influence of Thai culture on local music and entertainment, but these attempts had little effect.

b. Freedoms of Peaceful Assembly and Association

The law places restrictions on the freedoms of peaceful assembly and association and the government continued to restrict these rights.

Freedom of Peaceful Assembly

The law prohibits participation in demonstrations, protest marches, or other acts that cause turmoil or social instability. Participation in such acts is punishable by a maximum five years' imprisonment; however, this is not strictly enforced. For example, in October a crowd of almost 2,000 persons gathered to protest outside the office of a financial company that had allegedly defrauded investors; police intervened by detaining the company's executives but did not detain any protesters.

Freedom of Association

The government used laws that restrict citizens' right to organize and join associations. For example, political groups other than mass organizations approved by the LPRP are prohibited. Moreover, the government occasionally influenced board membership of civil society organizations and forced some organizations to change their names to remove words it deemed sensitive, such as "rights."

The registration process was generally burdensome, and authorities restricted NGOs' ability to disseminate information and conduct activities without interference. By law the government regulates the registration of nonprofit civil society organizations, including economic, social welfare, professional, technical, and creative associations at the district, provincial, or national level, depending on their scope of work and membership. The government did not approve any new non-profit registration at the national level during the year, and there has been no change in the number of registered associations since 2015: 147 national-level associations were fully registered, 22 had temporary registration, and 32 others had

pending applications. Taxation of civil society organizations varied from organization to organization. Taxation requirements for international and local nonprofit organizations that receive foreign funding could be cumbersome and lacked uniformity, relying heavily on prenegotiated memorandums of understanding.

On August 11, the prime minister signed Decree 238 on Non-Profit Associations, which revised and replaced the prior legislation.

Some ministries appeared more open to engagement with civil society organizations, illustrated by an increase in invitations to attend meetings at ministries. The government also invited NGOs to the National Assembly's intersession and plenary. Despite some positive steps, civil society organizations still faced many challenges for effective civil engagement and participation.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The government used the law to restrict freedom of internal movement, foreign travel, emigration, and repatriation. The government cooperated in some cases with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

In-country Movement: Citizens traveling for religious purposes including to minister, give advice, or visit other churches, with the exception of animist groups, are required to seek permission from central or provincial authorities. Authorities arrested and detained five Christian pastors for several weeks after crossing the border into Vietnam and re-entering the country to visit a remote community. Religious materials were found in their possession and they did not have permission to proselytize outside of their approved area. Vietnamese officials detained the group and transferred them to Lao custody because they did not have travel documents.

Internally Displaced Persons (IDPs)

The absence of comprehensive and timely monitoring by international organizations and independent observers made it difficult to verify the number and condition of IDPs; their situation, protection, and reintegration; government restrictions on them; and their access to basic services and assistance.

The government continued to relocate some villagers to accommodate land concessions given to development projects and highland farmers, mostly from ethnic minority groups, to lowland areas under its plan to provide better access to roads and health and education services, and to end opium production and slash-and-burn agriculture. Families frequently reported that the government displaced them for government projects.

Although resettlement plans called for compensating farmers for lost land and providing resettlement assistance, in many cases villagers considered the assistance insufficient. Moreover, in some areas farmland allotted to relocated villagers was poor and unsuited for intensive rice farming. The government relied on assistance from NGOs, bilateral donors, and international organizations to cover the needs of those it resettled, but such aid was not available in all areas.

Authorities reportedly also forced a few non-Buddhist minority religious groups from their villages due to local restrictions on religious practices (see section 2.c.).

Protection of Refugees

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has not established a system for providing protection to refugees. The government did not routinely grant refugee or asylum status, but it dealt pragmatically with individual cases.

The government continued to refuse UNHCR's request to re-establish an in-country presence to monitor the reintegration of Hmong returnees from Thailand. The government maintained that UNHCR's mandate expired in 2001 and all former refugees had successfully reintegrated. The government provided the international community access, albeit controlled, to resettlement villages.

Authorities reportedly detained refugees recognized by UNHCR, such as Kha Yang after his deportation from Thailand in 2011. Authorities did not acknowledge UNHCR requests for access to him at that time. Kha Yang's whereabouts remained unknown.

The government's policy, both for Hmong surrendering internally and for those returned from Thailand, was to return them to their community of origin whenever possible.

Section 3. Freedom to Participate in the Political Process

The law denies citizens the ability to choose their government in free and fair periodic elections based on universal and equal suffrage, and it did not provide for the free expression of the will of the people. Although the constitution outlines a system comprising executive, legislative, and judicial branches, the LPRP controlled governance and leadership at all levels through its constitutionally designated leading role.

Elections and Political Participation

The National Assembly appointed election committees, which must approve all candidates for local and national elections. Candidates do not need to be LPRP members, but almost all were, and the party vetted all candidates, including those in the March 2016 National Assembly election. In 2016 the National Assembly began to decentralize its power by establishing provincial councils composed of 360 members countrywide selected from 508 candidates. Most candidates were either government staff or party members.

The National Assembly chooses or removes the country's president, vice president, and other members of the government, generally based on its Standing Committee's recommendations. The Standing Committee also supervises all administrative and judicial organizations; has sole power to recommend presidential decrees; and appoints the National Election Committee, which has authority over elections, including approval of candidates. The activities of the Standing Committee and the National Election Committee were not transparent. The National Assembly exerted public oversight over the executive branch.

Recent Elections: The most recent national election for National Assembly members was in March 2016. The government allowed independent observers to monitor the election process. Several of the observers were members of the diplomatic corps in the country, as well as foreign press. The government determined which polling stations the various observers could visit, and these selected polling stations were reportedly better prepared and organized than others not under observation.

Political Parties and Political Participation: The constitution legitimizes only the LPRP. The formation of other political parties is illegal.

Participation of Women and Minorities: No laws limit participation of women and members of minorities in the political process, and they did participate. Although 80 percent of the population lived in rural areas where the village chief and council handled most routine matters, fewer than 3 percent of village chiefs were women. The LPRP's Party Congress elections in January increased the number of ethnic minority members in the 69-member LPRP Central Committee from seven to 15, and from two to three in the 11-member Politburo. The number of ethnic minority ministers in the 27-member Cabinet increased from two to six, including a deputy prime minister.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials and the government made some progress in addressing corruption. Some officials continued to engage in corrupt practices with impunity.

Corruption: Government-controlled media repeatedly reported official corruption was an outstanding problem. The government reportedly cracked down on corruption at the national and provincial levels. The State Audit Office (SAO) stated that under the Thongloun government, no officials dared to attempt embezzling funds for the fictitious "ghost" projects seen in prior years. SAO and State Inspection and Anti-Corruption Authority (SIAA) officials also stated that they were operating with an unprecedented level of autonomy and authority to conduct inspections that lead to enforcement actions. The government established an anti-corruption hotline that reportedly was very active, and members of the public frequently raised awareness of government officials' inappropriate or suspicious activities on social media, without such postings being censored or removed.

Financial Disclosure: There is no legal requirement for public disclosure of assets and income by appointed or elected officials, although LPRP policy requires senior officials, prior to taking their designated positions, to disclose their personal assets and those of their dependents, but not their incomes, to the party's inspection committee. The committee inspects the officials' assets before and after they have been in their positions. Persons not compliant with this policy are subject to unspecified measures, although the LPRP used its control of government

authorities and media to block public censure of corrupt officials who were party members.

The SIAA implemented a second round of asset declarations requiring all government agencies at the central and provincial levels to declare their assets between March and September.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

Domestic and international human rights groups operated only under government oversight, and the government limited their ability to investigate or publish findings on human rights abuses.

The government intermittently responded in writing to requests for information on the human rights situation from international human rights organizations. Nevertheless, the government maintained human rights dialogues with some foreign governments and continued to receive training in UN human rights conventions from international donors.

Government Human Rights Bodies: The government continued to support a National Steering Committee on Human Rights, chaired by a minister and head of the President's Office, and comprising representatives from the government, National Assembly, the judiciary, and official mass organizations.

The Department of Treaties and Legal Affairs in the Ministry of Foreign Affairs acts as the secretariat for the National Human Rights Steering Committee and has authority to review and highlight challenges and constraints in the protection of human rights.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape, and provides for penalties of three to five years' imprisonment. Sentences are significantly longer and may include capital punishment if the victim is younger than 18 years or is seriously injured or killed. Rape cases tried in court generally resulted in convictions with sentences ranging from three years' imprisonment to execution.

Domestic violence is illegal, but there is no law against marital rape, and domestic violence often went unreported due to social stigma. Penalties for domestic violence, including battery, torture, and detention of persons against their will, may include both fines and imprisonment. The law grants exemption from penal liabilities in cases of physical violence without serious injury or physical damage.

The LWU and the Ministry of Labor and Social Welfare, in cooperation with NGOs, assisted victims of domestic violence. The Counseling and Protection Center for Women and Children in Vientiane operated a countrywide hotline for persons to report incidents of domestic violence and receive telephonic counseling.

Sexual Harassment: The law does not criminalize sexual harassment, but indecent sexual behavior toward another person is illegal and may be punished by six months to three years in prison. Victims rarely reported sexual harassment, and its frequency remained difficult to assess.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at: www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: The law provides equal rights for women as for men and equal pay for equal work (see section 7.d.), but in some regions, traditional attitudes and gender-role stereotyping kept women and girls in subordinate positions and prevented them from equally accessing education, employment, and business opportunities. The law also prohibits discrimination in marriage and inheritance, although varying degrees of cultural-based discrimination against women persisted, with greater discrimination practiced by some ethnic minority groups in remote areas.

The LWU operated countrywide to promote the position of women in society, including conducting programs to strengthen the role of women; the programs were most effective in urban areas. Many women occupied decision-making positions in civil service and private business, and in urban areas their incomes frequently were higher than those of men. Poverty continued to affect women disproportionately, especially in rural and ethnic minority communities.

Children

Birth Registration: Regardless of where they are born, children acquire citizenship if both parents are citizens. Children born of one citizen parent acquire citizenship if born in the country or, when born outside the country's territory, if one parent has a permanent in-country address. Parents did not register all births immediately. The village chief registers children born in remote areas, and then the local authority adds the name and date of birth of the child in the family registration book. Every family must have a family registration book. If parents failed to register a child at birth, they could request to add the child to the family registration book later.

Education: Education is compulsory, free, and universal through fifth grade, but a shortage of teachers and the expectation children will help their parents with farming in rural areas prevented some children from attending school. There were significant differences among ethnic groups in the educational opportunities available to boys and girls. To increase elementary school attendance by ethnic minority children, the government continued to support the establishment of dormitories in rural areas countrywide. School enrollment rates for girls were lower than for boys, although the gender disparity continued to decrease. Overall 17 percent of school-age girls, compared with 11 percent of school-age boys, never attended school.

Child Abuse: The law prohibits violence against children, and offenders are subject to re-education programs and unspecified penal measures in more serious cases. (For statistics on violence against children, see the UNICEF website.)

Early and Forced Marriage: The legal minimum age of marriage for boys and girls is 18 years, but the law allows marriage as young as 15 years with parental consent. Approximately 35 percent of girls married before they reached 18 years, and 9 percent married before they were 15 years old, a practice particularly prevalent among certain ethnic groups and among impoverished rural families.

Sexual Exploitation of Children: The age of consensual sex is 15 years. The law does not provide penalties for child prostitution, but the penalty for sex with a child (defined as younger than 15 years) is one to five years' imprisonment and a fine of 500,000 to three million kip (\$62 to \$370). The law does not include statutory rape as a crime distinct from sex with a child or rape of any person. Authorities did not treat child pornography differently from pornography in general, for which the penalty is three months to one year in prison and a fine of 50,000 to 200,000 kip (\$6 to \$24).

The country was a destination for child sex tourism. The government continued efforts to reduce demand for commercial sex through periodic raids and training workshops. The government and NGOs hosted seminars to train tourism-sector employees, and many major international hotels in Vientiane and Luang Prabang displayed posters warning against child sex tourism.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

There was no significant Jewish community resident in the country, and there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

Although constitutional protections against discrimination do not apply specifically to persons with disabilities, regulations promulgated by the Ministry of Labor and Social Welfare and the Lao National Commission for the Disabled generally sought to protect such persons against discrimination. Authorities rarely enforced these regulations. Little information was available regarding discrimination in the workplace, although persons with disabilities reported it was difficult sometimes to access basic services and obtain employment.

The Ministry of Labor and Social Welfare has primary responsibility for protecting the rights of persons with disabilities. The Ministry of Health is also involved in addressing health-related needs of persons with disabilities and continued to coordinate with international NGOs.

According to the Ministry of Public Works and Transport, the law requires construction projects begun after 2009 to provide accessibility for persons with disabilities, particularly buildings, roads, and public places. The law does not mandate accessibility to buildings built before its enactment or government

services for persons with disabilities, but the Ministry of Labor and Social Welfare regulations resulted in construction of additional sidewalk ramps. Although there was some progress made on accessibility, a lack of resources prevented effective implementation.

The government continued to implement its strategic plan to protect the rights of children with disabilities and enable them to study alongside other children in schools countrywide. The nongovernmental Lao Disabled People's Association noted that in many cases students with disabilities did not have access to separate education.

National/Racial/Ethnic Minorities

The law provides for equal rights for all members of national, racial, and ethnic groups and bars discrimination against them, including in employment and occupation. Nonetheless, some societal discrimination persisted. Moreover, some critics continued to charge the government's resettlement program for ending slash-and-burn agriculture and opium production with adversely affecting many ethnic minority groups, particularly in the north. Some minority groups not involved in resettlement, notably those in remote locations, maintained they had little voice in government decisions affecting their lands and the allocation of natural resources from their areas. In some rural ethnic minority areas, a lack of livelihoods and decent employment contributed to significant migration to urban areas and practices such as illegal logging.

Of the 49 official ethnic groups in the country, the Hmong are one of the largest and most prominent. A number of Hmong officials served in senior ranks of government and the LPRP, including one Politburo member and several members of the LPRP Central Committee. However, some Hmong maintain separatist or irredentist political beliefs, and small, scattered pockets of insurgents and their families remained in rural areas. The government continued to reduce its efforts to combat them actively, while continuing to offer amnesty to those who surrendered. Amnestied insurgents continued to be the focus of official suspicion and scrutiny, and the government leadership remained suspicious of the political objectives of some Hmong.

Acts of Violence, Discrimination and Other Abuses Based on Sexual Orientation and Gender Identity

No law prohibits discrimination based on sexual orientation or gender identity. There were no reports of discrimination, but observers believed societal stigma and concern about repercussions led some to withhold reporting incidents of abuse.

There were no legal impediments to lesbian, gay, bisexual, transgender, and intersex (LGBTI) organizational activities, but the government discouraged such activities by withholding approval to organizations wishing to hold public awareness activities.

Within lowland society, some societal discrimination in employment and housing persisted, and there were no governmental efforts to address it. Local activists explained that most openly LGBTI persons did not attempt to apply for government or high-level private-sector jobs because there was a tacit understanding that employers were unwilling to hire them. Reports indicated lesbians faced greater societal stigma and discrimination than gay men, while the transgender population faced the highest levels of societal stigma and discrimination.

HIV and AIDS Social Stigma

Research conducted in 2012 found people with HIV/AIDS faced significant social stigma, which for some resulted in verbal and physical assault, job loss, and income loss. The Ministry of Health continued to promote tolerance and understanding of persons with HIV/AIDS through public-awareness campaigns. The government took steps to include gay men and transgender persons in its National Strategy and Action plan for HIV/AIDS prevention. Senior government officials stated that society is reducing stigma among some members of the LGBTI community; however, the government did not directly address or support transgender issues.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the right of workers to form and join worker organizations. The law defines collective bargaining, but does not set out conditions, and requires the examination of all collective bargaining agreements by the Labor Administration Agency (LAA). The law provides for the right to strike, subject to certain limitations. The law does not permit police, civil servants, foreigners, and members of the armed forces to form and join unions. There is a general

prohibition against discrimination against employees for reasons unrelated to performance, although there is no explicit prohibition against antiunion discrimination. There is no explicit requirement for reinstatement of workers fired for union activity.

The law requires a workforce of 10 or more workers to elect one or more employee representatives. Where a trade union exists, the head of the union is by default the employee representative. Both representatives and trade union heads may bargain collectively with employers on matters including working conditions or recruitment, wages, welfare, and other benefits.

There was no information on the resources dedicated to enforcement of freedom of association provisions of the labor laws. Penalties under law for infringing on workers' freedom of association include fines, incarcerations, and/or business license revocation, and they were not considered sufficient to deter violations.

Most workers' organizations were not independent of the government or its political party and operated within the framework of the Lao Federation of Trade Unions (LFTU), an organ of the LPRP. The government reported the law permits affiliation between independent unions of separate branches of a company but stated the law does not explicitly allow or disallow affiliation at the industry, provincial, or national levels. There were reports unions not affiliated with the LFTU existed in industries, including the garment industry, light manufacturing, and agriculture processing.

Labor disputes reportedly were infrequent, and the Ministry of Labor and Social Welfare generally did not enforce the dispute resolution section of the labor law, especially in dealings with joint ventures in the private sector. Employee representatives and ad hoc workers' groups tried to resolve complaints, as did, according to some reports, representatives of the LWU and local community leaders. There was little information available on the effectiveness of employee representatives, although anecdotal evidence suggested some had successfully negotiated for higher wages and better benefits.

The law provides for imprisonment penalties for those who join an organization that encourages protests, demonstrations, and other actions that might cause "turmoil or social instability." The government's overall prohibition of activities it considered subversive or demonstrations it considered destabilizing, lack of familiarity with the provisions of the amended labor law, and a general aversion to

open confrontation continued to make workers extremely unlikely to exercise their right to strike.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor. The law prohibits private employers from using forced labor, and the penalties for perpetrating forced labor can include fines, suspension from work, revocation of business license, and prosecution. There may be civil or criminal prosecutions for forced labor violations. Penalties for trafficking in persons, which includes forced labor, consist of imprisonment, fines, and the confiscation of assets. Such penalties were sufficiently stringent to deter violations. Due to limited numbers of inspectors and resources, the government did not effectively enforce the law.

According to anecdotal reports, the establishment of large-scale, foreign-invested agricultural plantations led to displacement of local farmers, increasing their vulnerability to trafficking. Unable to continue traditional practices of subsistence agriculture, many farmers sought employment as day laborers through local brokers.

Also, see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law establishes 14 years as the minimum age for employment. The law allows children from 14 to 18 years to work a maximum of eight hours per day, provided such work is not dangerous or difficult. Employers may, however, employ children from ages 12 to 14 years to perform light work. The law applies only to work undertaken in a formal labor relationship, not to self-employment or informal work. The overwhelming majority of trafficking victims (60 percent) were girls between 12 and 18 years and most victims (35 percent) ended up in forced prostitution.

The Ministries of Public Security and Justice, and Labor and Social Welfare are responsible for enforcing child labor laws, including in the informal economy, but enforcement was ineffective due to the lack of inspectors. The law prescribes penalties of imprisonment and fines, which were not sufficient to deter violations. The Ministry of Labor and Social Welfare conducted public awareness campaigns, organized workshops with the National Commission for Mothers and Children in

the northern and southern provinces, and collected data on child labor as part of its effort to implement the National Plan of Action for the elimination of the worst forms of child labor.

According to the government's Child Labor Survey report, released in 2013 and based on 2010 data, approximately 90 percent of child labor occurred in the agricultural, fishing, or forestry sectors, and more than two-thirds of child laborers were involved in work defined as hazardous according to international standards. Many children helped on family farms or in shops and other family businesses, but child labor was rare in industrial (e.g., manufacturing) enterprises. There were reports of commercial sexual exploitation of children (see section 6, Children).

d. Discrimination with Respect to Employment and Occupation

The law prohibits direct or indirect discrimination by employers against employees in the workforce and prohibits all action by the employer that hinders, is biased, or limits opportunities for promotion and confidence on the part of the employee. The law, however, does not explicitly prohibit employment discrimination based on race, disability, language, sexual orientation, gender identity, political opinion, national origin or citizenship, social origin, age, language, HIV-positive status, or other communicable diseases.

The law requires equal pay for equal work and prohibits discrimination in hiring based on a female employees' marital status or pregnancy, and it protects against dismissal on these grounds. Women faced challenges in equal access to employment.

e. Acceptable Conditions of Work

During the year the government set the monthly minimum wage for all private sector workers at 900,000 kip (\$110) per month. The minimum wage for civil servants and state enterprise employees was 1.4 million kip (\$170) per month. The government estimated the national poverty line at an average income of 10,000 kip (\$1.25) per person per day.

The law provides for a workweek limited to 48 hours (36 hours for employment in dangerous activities). Overtime may not exceed 45 hours per month, and each period of overtime may not exceed three hours. Employers may apply to the government for an exception, which the law stipulates workers or their representatives must also approve.

The law provides for safe working conditions and higher compensation for dangerous work, but it does not explicitly protect a worker's right to self-remove from a hazardous situation. In case of injury or death on the job, employers are responsible to compensate a worker or the worker's family. The law requires employers to report accidents causing major injury to or death of an employee, or requiring an employee to take a minimum of four days off work, to the LAA. The law also mandates extensive employer responsibility for workers who became disabled while at work.

The law also prohibits the employment of pregnant women and new mothers in occupations deemed hazardous to women's reproductive health. The law requires the transfer of women working in such jobs to less demanding positions, and they are entitled to maintain the same salary or wage.

The Department of Labor Management within the Ministry of Labor and Social Welfare is responsible for workplace inspections. The government did not always effectively enforce the law. There was an insufficient number of inspectors to enforce compliance as they were only able to inspect a limited number of entities under their purview. The government did not always pay some civil servants on time and delayed salary payments for up to three months. Some piecework employees, especially on construction sites, earned less than the minimum wage. The overtime or wage law was not effectively enforced. The law does not specify penalties for noncompliance with occupational safety and health provisions, but they could include warnings, fines, "re-education," or suspension of business license.

There were a number of undocumented migrants in the country, particularly from Vietnam and China, who were vulnerable to exploitation by employers. Migrants primarily worked in construction, plantations, logging, casinos, and informal service industries, sectors where wage and occupational safety and health violations were more common. The International Labor Organization reported most garment-sector workers had limited understanding of their contractual rights and obligations and that working conditions in the sector were often difficult, with long hours and compulsory overtime.