

LAOS 2021 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

The Lao People's Democratic Republic is an authoritarian centralized one-party state ruled by its only constitutionally authorized party, the Lao People's Revolutionary Party. The National Assembly elections, held February 21, were not free and fair. The ruling party selected all candidates and voting was mandatory for all citizens. On March 22, the National Assembly approved Phankham Viphavan as prime minister.

The Ministry of Public Security maintains internal security and is responsible for law enforcement; the ministry oversees local, traffic, immigration, and security police, village police auxiliaries, and other armed police units. The armed forces, under the Ministry of Defense, also have some domestic security responsibilities, including counterterrorism, counterinsurgency, and border security. Civilian authorities maintained effective control over the security forces. There were credible reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: arbitrary killings by government soldiers; arbitrary detention; political prisoners; serious restrictions on free expression and media, including censorship and criminal defamation laws; substantial interference with the freedom of peaceful assembly and freedom of association; inability of citizens to change their government peacefully through free and fair elections; serious restrictions on political participation; and serious government corruption.

While the government prosecuted and punished officials for corruption, there were no prosecutions or punishments for officials who committed other abuses, and police and security forces committed human rights abuses with impunity.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically

Motivated Killings

In April several UN special rapporteurs wrote a letter to the government expressing concern about the alleged March 8 killing of Chue Youa Vang, a relative of two ethnic Hmong victims from a group of four Hmong who disappeared in March 2020. The letter alleged Vang was shot and killed by soldiers as reprisal for his and other family members' advocacy for their missing relatives.

b. Disappearance

Unlike in previous years, there were no reports of disappearances by or on behalf of government authorities.

There was no progress in the 2012 abduction of Sombath Somphone, a prominent civil society leader and retired founder of a nonprofit training center, who was abducted by persons in plainclothes after what appeared to be an orchestrated stop of his vehicle by traffic police in Vientiane. The case continued to draw considerable attention from civil society. In November Sombath's spouse was informed that Sombath's assets, held by the government since his disappearance, would be held until he had been missing for 10 years, which authorities stated was in compliance with the law. Lawyers for Sombath's spouse reported they have no evidence of such a legal provision.

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

The constitution and law prohibit such practices. Unlike in previous years, there were no credible reports that government officials employed them. The April letter noted above from UN special rapporteurs also expressed concern about "credible allegations and testimonies indicating that cases of...torture and other serious violations of human rights, including sexual abuse, have been perpetrated by army soldiers" in a Hmong area in Xiangkuang Province (see also section 6, Systemic Racial or Ethnic Violence and Discrimination).

Impunity reportedly remained a problem; there were no statistics available on its prevalence. The Ministry of Public Security's Inspection Department continued to allow the public to submit written complaints via its website or through complaint

boxes maintained throughout most of the country. Observers noted that the website is cumbersome to use and statistics on the utilization of the website and boxes were not available. The government revealed no information regarding the existence of a body that investigates abuses by security forces.

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: Prison cells were crowded, with beds no wider than 20 inches. Some prisons reportedly held juveniles with adults, although no official or reliable statistics were available on the overall population, including on the gender of prisoners. Due to a lack of space, pretrial detainees and convicted prisoners were held together. There was no information available on the prevalence of death in prisons or pretrial detention centers. Crowded conditions exacerbated the spread of COVID-19 in several prisons, including an outbreak of more than 100 cases in one prison located in Savannakhet.

Some prisons forced inmates to reimburse authorities upon release for the cost of food eaten during incarceration. Prisons generally provided inadequate food that families and friends had to augment.

Although most prisons had a clinic, usually with a doctor or nurse on staff, medical facilities were usually deficient. Prisoners had access only to basic medical care, and treatment for serious ailments was unavailable. 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 in emergencies.

Administration: The Ministry of Public Security is responsible for monitoring prison and detention center conditions. Regulations require authorities to permit prisoners and detainees to submit complaints to judicial authorities and to request investigation of credible allegations of problematic conditions. There were no reports of such requests, possibly due to prisoners' fears of exacerbating poor detention conditions.

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 observe some personal religious practices, but authorities did not provide any facilities for communal worship.

Independent Monitoring: Government officials did not permit regular independent monitoring of prison conditions.

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. The law provides detainees the right to a prompt judicial determination of the legality of their detention, but this was not consistently observed.

Arrest Procedures and Treatment of Detainees

Both police and military forces have arrest powers, although generally only police exercised them. In July the Department of Customs in the Ministry of Finance was granted arrest powers under the new customs law. The law requires authorities to notify detainees of the charges against them and inform next of kin of detentions within 24 hours of arrest, but this did not always occur, especially in rural areas. There is a bail system, but authorities implemented it arbitrarily. There are legal procedures for house arrest, particularly for health reasons. The law provides detained, arrested, or jailed persons the right to legal representation upon request. These provisions often were not respected. International press reported, for example, that Houayheuang (“Muay”) Xayabouly, arrested in 2019, (see section 2.a., Freedom of Expression), was denied access to counsel while the police investigation of her was active.

A civil society advocate noted that police sometimes intimidated or sought to discredit witnesses.

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 to intimidate persons or extract bribes.

In March 2020 police arrested Sithon Tippravong, a Lao Evangelical Church pastor from Savannakhet Province. Sithon was not informed of the charges against him until February.

At times authorities continued to detain prisoners who had completed their sentences, particularly if they were unable to pay court fines.

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 exact number of detainees held more than a year was unknown.

e. Denial of Fair Public Trial

The constitution and law subordinate the judiciary to the ruling party. Moreover, corruption and judges acting outside the law with impunity continued. Some judges reportedly accepted bribes. Judges reportedly decided guilt or innocence in advance of trials, basing their decisions on police or prosecutorial investigation reports. Most defendants chose not to have attorneys or trained representatives due to the general perception that attorneys could not influence court decisions.

Trial Procedures

The law requires authorities to inform persons of their rights, but defendants do not have a legal right to know promptly, or in detail, the charges against them. Trials are public, except for those involving certain types of family law, or related to national security, state secrets, or children younger than age 16.

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, counsel (who are not required to be lawyers), and evidentiary review. A lack of qualified lawyers and lawyers' occasional unwillingness to serve in sensitive cases due to fear of retaliation by local authorities undermined the right to counsel. 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 those involving foreigners. There is no legal right to adequate time and facilities to prepare a defense.

For a fee the government allows interpreters to provide explanations of laws and defendant rights to ethnic minority citizens and foreigners who cannot communicate in the Lao language.

Most trials, including criminal trials, were primarily pro forma examinations of the accused and reviews of the evidence. Although defendants have the right in law to question and present witnesses and evidence on their own behalf, a defense attorney's role is limited in most trials to such actions as asking the court for leniency in sentencing or appealing a technical matter, rather than arguing the merits of the case, challenging evidence, or mounting a true defense. Defendants may refuse to testify, although authorities reportedly imposed harsher penalties on defendants who did not cooperate.

There is no right of appeal.

Political Prisoners and Detainees

There were no government statistics or reliable estimates available regarding the number of political prisoners. Three political prisoners (Somphone Phimmason, Soukan Chaithad, and Lodkham Thammavong) convicted and sentenced in 2017 to 20, 16, and 12 years' imprisonment, respectively, remained in prison on multiple charges including treason, propaganda against the state, and gatherings aimed at causing social disorder, despite calls in April from a UN special rapporteur for their immediate release.

Politically Motivated Reprisal Against Individuals Located Outside the Country

As of December the whereabouts of Od Sayavong, a Lao prodemocracy activist living in Thailand who disappeared in 2019, remained unknown. He had been critical of the Lao government and was seeking asylum in a third country. The UN special rapporteur on the situation of human rights defenders stated in 2019 that Od might have "been disappeared."

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.

Property Seizure and Restitution

The government continued to relocate villagers to accommodate development projects. Families frequently reported the government displaced them without adequate compensation for government projects, for example a railway linking Vientiane with China that was set to open in December. Others were forced to move away from productive agricultural land and lost their access to land and livelihoods in the process.

Ongoing hydropower projects also caused many families to relocate. In many cases the government moved families to higher (and less productive) ground. A UN special rapporteur in 2019 issued a report criticizing the government for focusing on “large-scale initiatives including infrastructure projects and industrial plantations that have separated persons from their land, often resulting in hardship and debt.”

The government relied on assistance from nongovernmental organizations (NGOs), bilateral donors, and international organizations to cover the needs of those it resettled, but aid was not available in all areas.

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

The law generally prohibits such actions, but the government continued its broad use of security law exemptions when it perceived a security threat.

The law prohibits unlawful searches and seizures but does not require a warrant in many cases. Although the law requires police to obtain search authorization from a prosecutor or a panel of judges, they did not always do so, especially in rural

areas. Security laws allow the government to monitor individuals' movements and private communications, including via mobile telephones and email without a warrant (see section 2.a.). All mobile phone users must register their subscriber identity module cards with the Ministry of Posts and Telecommunications by providing their personal information to the government.

The Ministry of Public Security monitored citizens' 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" persons to police. Members of organizations affiliated with the Lao People's Revolutionary Party (LPRP), including the Lao Women's Union, the Lao Youth Union, and the Lao Front for National Development, also monitored citizens.

The law allows citizens to marry foreigners only with prior government approval. Authorities may annul such marriages entered without approval, with both parties subject to arrest and fines. The government normally granted such permission, but the process was lengthy and burdensome, offering officials opportunities to solicit bribes. Premarital cohabitation with foreigners is illegal, although it was rarely prosecuted.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and Other Media

The law provides for freedom of expression, including for members of the press and other media, 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.

In late July according to international media, Savannakhet provincial police arrested Ther Una for singing songs criticizing official corruption; he was reportedly jailed and questioned for a few days.

As of December, Houayheuung (“Muay”) Xayabouly remained in prison serving a five-year sentence. She was arrested in 2019 and pleaded guilty to charges of defaming the country when on Facebook she criticized the government’s response to flooding in Champasak and Salavan Provinces, after previously using social media to criticize graft and greed among government officials.

NGOs generally exercised self-censorship, particularly after the 2012 disappearance of an internationally respected civil society advocate (see section 1.b.). NGOs stated they also tried to avoid saying anything that might further delay government approval of a memorandum of understanding (MOU) needed to carry out their work. NGOs reported that citizens are taught at an early age not to criticize the government.

Freedom of Expression for Members of the Press and Other Media, Including Online Media: 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. The government did not allow foreign news organizations to set up bureaus in the country, except those from neighboring communist states China and Vietnam. In September 2020 the army started a new television channel, reportedly funded by the Chinese government.

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 onetime licensing fee, largely as a revenue-generating measure, but otherwise made no effort to restrict their use.

In August 2020 then prime minister Thongloun Sisoulith urged media and publishing officials to continue “defeating the fake, deceptive, and harmful news” found in social media. International media reports interpreted the prime minister’s speech as an instruction to the press not to report negatively on the government.

The Ministry of Information, Culture, and Tourism required any “individual, legal entity, state or private sector” that posts news stories on social media platforms to register or face legal consequences.

The government restricted the activities of foreign journalists. Authorities denied journalists free access to information sources and at times required them to travel with official escorts.

Censorship or Content Restrictions: Officials reviewed all articles in privately owned periodicals after publication and by law 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’s Mass Media Department did not confirm whether the government disapproved any publication during the year.

Authorities prohibited dissemination of materials deemed 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 imprisonment of up to one year.

Ministry of Posts and Telecommunications instructions warn that social media users must not post content or comments that contain criticism of the government. Observers noted that articles or comments on articles critical of the government suddenly disappeared from social media sites.

Libel/Slander Laws: Defamation is a criminal offense, and the laws were used.

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, although the government’s technical ability and human resources to monitor internet usage were limited. 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 law criminalizes dissent and puts user privacy at risk by requiring individuals to register on social media sites with their full names, making it difficult to share news articles or other information anonymously. The law prohibits deceptive statements on the internet as well as statements critical of the government and the LPRP. The Ministry of Posts and Telecommunications has authority to direct internet service providers to terminate internet services of users found violating the law. Authorities continued to detain or arrest persons who criticized the government.

Authorities individually warned social media bloggers to stop posting stories they perceived to be critical of government policies, including posts on the government's response to flooding and corruption. In May, Radio Free Asia reported the government announced the creation of a task force to monitor social media use including what it considered "fake news."

Academic Freedom and Cultural Events

The law provides for academic freedom, but the government imposes restrictions. The Ministry of Education tightly controls 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 for state-employed academic professionals to travel abroad 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 attempted to limit the influence of Thai culture on local music and entertainment. The government punished a Ministry of Public Security staff person for posting videos on social media of himself singing Thai songs in his government uniform.

b. Freedoms of Peaceful Assembly and Association

The government restricted the freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The law does not provide for the freedom of peaceful assembly and prohibits participation in demonstrations, protest marches, or other acts that “cause turmoil or social instability,” without explicit government permission. Participation in such activities is punishable by a maximum of five years’ imprisonment; however, this was infrequently enforced. In April authorities released Sithon Thippavong, a Christian pastor, who had been indicted in February 2020 and convicted on charges of organizing two large gatherings (of religious believers) without permission and “destroying societal solidarity.”

Freedom of Association

The law tightly restricts freedom of association. For example, political groups other than organizations approved by the LPRP are prohibited. Moreover, the government occasionally influenced board membership of NGOs and forced some organizations to change their names to remove words it deemed sensitive, such as “rights.”

Government registration regulations apply to nonprofit NGOs, 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 registration process for local NGOs was burdensome, often taking more than two years, and authorities restricted NGOs’ ability to disseminate information and conduct activities without interference. NGOs are required to obtain Ministry of Foreign Affairs approval to receive foreign funding greater than \$60,000. NGOs also must accept “advice and assistance” from the government to ensure their operations are in line with party policy and the law.

Taxation of NGOs, including nonprofit organizations, varied from organization to organization. Taxation requirements for international and local NGOs that receive foreign funding could be cumbersome and varied, depending heavily on prenegotiated MOUs.

Some ministries appeared open to regular engagement with NGOs, particularly those with long-standing relationships and projects considered apolitical. These ministries show their support for these NGOs with continued invitations to attend

meetings at ministries, continued government participation in donor working-group meetings, and ministries actively seeking input from NGOs as they draft legislation. In recent years the government invited NGOs to some National Assembly sessions. Civil society observers commented that those NGOs with which the government engaged were not fully representative of civil society. Despite some positive steps, NGOs faced many challenges to carrying out their societal roles.

c. Freedom of Religion

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

d. Freedom of Movement and the Right to Leave the Country

The government restricted freedom of internal movement, foreign travel, emigration, and repatriation.

In-country Movement: Citizens traveling for religious purposes, including to minister, give advice, or visit other churches, are required to seek permission from central and provincial authorities. This process can take several weeks. Christian groups reported problems obtaining permission to travel within the country, although many chose to ignore this requirement. All residents must receive approval from the government to change their residence.

e. Status and Treatment of Internally Displaced Persons

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

These difficulties were exacerbated by continued travel restrictions related to the COVID-19 pandemic. According to the International Organization for Migration, more than 400,000 Lao migrant workers have returned from Thailand since the onset of the COVID-19 pandemic. These workers were required to spend 14 days

in one of 106 government-run quarantine centers, and some were required to spend an additional 14 days in a village- or district-level quarantine center in their home province. Many observers expressed concerns about the conditions in government-run quarantine centers, including reports of food shortages, lack of hygienic facilities, lack of privacy, and lack of adequate separation between new arrivals and those finishing quarantine, which in many cases led to further extended quarantine periods. The government worked with several UN agencies and a variety of donors to augment food and personal protective equipment supplies and to improve quarantine center conditions.

The 2018 collapse of a dam under construction in Attapeu Province displaced an estimated 6,000 persons. As of September, international and national media reported more than 4,000 of these individuals remained displaced. The government continued working with international partners to provide housing or land for those displaced, but reports indicated that progress was slow and possibly hampered by corruption.

f. Protection of Refugees

The government cooperated in some cases with the Office of the UN High Commissioner for Refugees and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, and other persons of concern.

Access to Asylum: The law provides for the granting of asylum or refugee status, but the government has not established a system for providing protection to refugees. The Ministry of Public Security did not routinely grant refugee or asylum status but dealt with individuals on a case-by-case basis.

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 constitution grants the LPRP control of governance and leadership in all branches and at all

levels.

Elections and Political Participation

The National Assembly appointed election committees which 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.

The National Assembly chooses or removes the country's president, vice president, and other members of the government. The National Election Committee manages elections, including approval of candidates. The activities of the National Election Committee were not transparent.

Recent Elections: The most recent elections for National Assembly members were on February 21. The government prohibited independent observers from monitoring polling stations, claiming this was due to COVID-19. Elections were not free and fair; the LPRP selected all candidates for the National Assembly elections.

Political Parties and Political Participation: The constitution designates the LPRP as the sole legal party. The formation of other political parties is illegal.

Participation of Women and Members of Minority Groups: No laws limit participation of women and members of historically marginalized or minority groups in the political process, and they did participate. Women's leadership roles were limited, especially in rural areas. Of the population, 80 percent lived in rural areas where the village chief and council handled most routine matters, and fewer than 3 percent of village chiefs were women. The LPRP's Party Congress elections in January increased the number of female members in the 71-member LPRP Central Committee from seven to 12, and from one to two in the 13-member Politburo. Of the 164 members elected to the National Assembly in February, 36 were women and 29 were members of minority ethnic groups.

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. Many officials continued to engage in corrupt practices with impunity, and there were numerous reports of government corruption during the year.

Corruption: Official corruption was widespread and found at all levels of government, and it was acknowledged by government-controlled media. During the year local media reported that investigating agencies uncovered more than 1.5 trillion kip (\$323,000) in losses due to corruption and had investigated 24 persons, 16 of whom were government employees. The government anticorruption hotline reportedly was used often, and members of the public frequently raised awareness of government officials' inappropriate or suspicious activities on social media; such postings were not censored or removed.

Section 5. Governmental Posture Towards 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. The government maintained human rights dialogues with some foreign governments and continued to receive training in UN human rights conventions from international donors. In 2020 civil society representatives were, for the first time, included in the country's delegation to its Universal Periodic Review.

Government Human Rights Bodies: The government continued to support a National Committee on Human Rights, chaired by the foreign minister to the Prime Minister's Office and composed of representatives from the government, National Assembly, the judiciary, and LPRP-affiliated 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 in the protection of human rights.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape of “a person” and provides for penalties of four to six years’ imprisonment; there is no law against spousal rape. Sentences are significantly longer and may include life imprisonment if the victim is younger than age 18 or is seriously injured or killed. Rape cases tried in court generally resulted in convictions with sentences ranging from three years’ to life imprisonment.

Domestic violence is illegal but often went unreported due to social stigma. In September an advocate for women’s rights said gender-based violence had increased since the onset of the COVID-19 pandemic. Enforcement of the domestic violence law varied, and observers reported that violence against women in rural areas was rarely investigated. 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.

The Lao Women’s Union and the Ministry of Labor and Social Welfare, in cooperation with NGOs and the Counseling and Protection Center for Women and Children in Vientiane, assisted victims of domestic violence by operating shelters, providing a hotline telephone number, and employing counselors.

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 prevalence remained difficult to assess.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

UNFPA reported that information on and access to sexual and reproductive health services were limited, especially for unmarried youth. Social and cultural barriers restricted access to contraception. Contraceptive commodities were not widely available in rural areas and were often unaffordable.

The government provided access to sexual and reproductive health services to survivors of sexual violence, including access to emergency contraceptives, where available.

According to 2017 UN estimates, the maternal mortality rate was 185 deaths per 100,000 live births, and the lifetime risk of maternal death was one in 150. Pregnancy and childbirth remained a leading cause of death among women of reproductive age due to limited prenatal and obstetric care and services as well as high rates of adolescent pregnancy, especially in rural areas. According to UNFPA, very few medical centers were equipped to deal with obstetric emergencies, especially in small or ethnic minority villages. The adolescent birth rate remained high at 83 births per 1,000 girls between ages 15 and 19.

Discrimination: The law provides equal rights for women and men and equal pay for equal work, but in some regions traditional attitudes about gender roles 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 culture-based discrimination against women persisted, with greater discrimination practiced by some ethnic minority groups in remote areas.

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

Systemic Racial or Ethnic Violence and Discrimination

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. The government did not enforce these laws effectively; societal and governmental discrimination persisted against minority ethnic groups.

The country is home to many different ethnic groups; most do not consider themselves indigenous. The Hmong are one of the largest and most prominent of

the 50 officially recognized ethnic groups in the country. Several Hmong officials have served in senior ranks of government and the LPRP. Amnestied former Hmong insurgents were subject to official suspicion and scrutiny, and government leadership remained suspicious of the political objectives of some Hmong.

According to international and local sources, in March government troops launched a new campaign of attacks against groups of Hmong living in the forests near Phou Bia Mountain – an area long associated with alleged insurgent activity – to remove the Hmong from areas targeted for development and foreign investment projects.

Critics continued to charge that the government's resettlement program for ending slash-and-burn agriculture adversely affected 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.

Children

Birth Registration: Children acquire citizenship if both parents are citizens, regardless of where they are born. 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 fail to register a child at birth, they may request to add the child to the family registration book later.

Children born in the country to parents who are unable to certify their citizenship but who are integrated into society may request citizenship. This requires multiple levels of government approval, including the National Assembly. Not all children born in the country who would otherwise be stateless are able to acquire citizenship.

Education: Education is compulsory, free, and universal through fifth grade, but a shortage of teachers and the societal expectation that children would help their

parents with farming in rural areas prevented some children from attending school. For some families, fees for books and school clothes are prohibitively expensive. There were significant differences among ethnic groups in educational opportunities available to children. According to a 2020 UNICEF study, access to early childhood education is slightly higher for girls than boys, and dropout rates slightly lower for girls than boys in primary school. Instruction was not offered in any language other than Lao, which discouraged ethnic minority children from attending school. To increase elementary school attendance by ethnic minority children, the government continued to support the establishment of boarding schools in rural areas countrywide.

Child Abuse: The law prohibits violence against children, and offenders are subject to re-education programs and unspecified penal measures in more serious cases. There were no reports of cases brought to court under this law.

Child, Early, and Forced Marriage: The legal minimum age of marriage for boys and girls is 18, but the law allows marriage as young as 15 with parental consent. According to UNICEF data from 2017, approximately 35 percent of girls married before they reached 18, and 9 percent married before they were 15, a practice particularly common among certain ethnic groups and impoverished rural families.

Sexual Exploitation of Children: There is no legal age of consent for minors engaging in consensual sex. In cases involving minors, the law distinguishes between possible consensual sex and rape and poses varying penalties between three and 20 years' imprisonment depending on the age of the victim and perpetrator. The penalty for possession of child pornography is three months to one year's imprisonment; the penalty for the dissemination of such material is one to three years.

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 in 2020 to train tourism-sector employees how to identify signs of child trafficking and how to report them to authorities but held no such sessions during the year due to COVID-19 lockdowns.

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 <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

There was no significant Jewish community 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 <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

Although constitutional protections against discrimination do not apply specifically to persons with disabilities, the law spells out the rights of persons with disabilities to education, health care, and public transportation, while also providing tax exemptions for small businesses owned by persons with disabilities. It includes a provision for persons with disabilities to receive an identification card as part of an effort to collect data on disabilities so the government can provide better and more comprehensive services for persons with disabilities. Advocates for persons with disabilities said the law broadly defined the rights of such persons but did not indicate how outcomes, such as accessible facilities or increased employment opportunities, would be achieved. 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 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.

The law requires construction projects begun after 2009 to provide accessibility for

persons with disabilities, particularly buildings and public transportation services. The law does not mandate accessibility to buildings built before 2009, but Ministry of Labor regulations resulted in construction of additional sidewalk ramps during the year.

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 lacked access to appropriate educational resources.

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

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

There were no legal impediments to organized lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) groups or activities, but local activists reported they did not attempt to hold activities they believed the government would deem sensitive or controversial.

Some societal discrimination in employment and housing reportedly persisted; there were no government efforts to address it. Local activists explained that most openly LGBTQI+ persons did not attempt to apply for government or high-level private-sector jobs because there was tacit recognition that employers would not hire them. LGBTQI+ advocates said that while the country still had a conservative and traditional society, gay and lesbian persons were becoming more integrated, although the transgender population continued to face high levels of societal stigma and discrimination.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law does not provide for the right of workers to form and join worker organizations independent of the Lao Federation of Trade Unions (LFTU), an organ of the LPRP. The law defines collective bargaining but does not set out conditions, and it requires the examination of all collective bargaining agreements by the Labor Administration Agency. 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 or 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 an LFTU-affiliated 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, recruitment, wages, welfare, and other benefits.

Trade union law allows workers in the informal economy, including workers outside of labor units or who were self-employed, to join LFTU-affiliated unions. It also establishes rights and responsibilities for “laborer representatives,” which the law defines as “an individual or legal entity selected by the workers and laborers in labor units to be a representative to protect their legitimate rights and interest.”

There was no information on the resources dedicated to enforcement of freedom of association provisions of the labor laws, particularly during the continued COVID-19 lockdown of government offices during the year. Penalties under law for infringing on workers’ freedom of association include fines, incarceration, business license revocation, or some combination of these; these penalties were not commensurate with those for other laws involving civil rights, and there were no reports of enforcement.

The law permits affiliation between unions of separate branches of a company but does not explicitly allow or disallow affiliation at the industry, provincial, or national levels. There were reports that unions not affiliated with the LFTU and without legal standing existed in some industries, including the garment industry, light manufacturing, and agricultural processing.

Trade unions are prohibited from striking or creating a disturbance. Labor disputes reportedly were infrequent, and the Ministry of Labor generally did not enforce the dispute resolution section of labor law, especially in dealings with joint ventures in the private sector. Lockdown measures and fear of COVID-19 limited out-of-home collective activities.

By law workers who join an organization that encourages protests, demonstrations, and other actions that might cause “turmoil or social instability” may face prison time.

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 may include fines, suspension from work, revocation of business licenses, 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 confiscation of assets. Such penalties were commensurate with those for analogous serious crimes, such as kidnapping. Due to limited numbers of inspectors, among other factors, the government did not effectively enforce the law. During the year antitrafficking resources and inspection officials were diverted to COVID-19 management at border crossings.

With no oversight by local authorities, foreign and Lao workers at or near foreign-owned or foreign-operated agricultural plantations, including banana and rubber plantations, on railway construction sites, and in special economic zones were vulnerable to forced labor.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor. The law allows children from ages 14 to 18 to work a maximum of eight hours per day, provided such work is not dangerous or difficult. Children 12 to 14 may perform light work that does not affect their health or school attendance. The law applies only to work undertaken in a formal labor relationship, not to self-employment or informal work.

The Ministries of Public Security, Justice, and Labor 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 commensurate with analogous crimes, such as kidnapping. Prior to COVID-19-related lockdowns, the Ministry of Labor 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. Similar activities for the year were postponed due to prolonged COVID-19 lockdowns.

Child labor was prevalent throughout the country and most often associated with family agriculture production, since COVID-19 lockdowns closed many schools and factories.

There were reports of commercial sexual exploitation of children (see section 6, Children, Sexual Exploitation).

d. Discrimination with Respect to Employment and Occupation

The law prohibits direct or indirect discrimination by employers against employees based on sex but 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, and HIV or other communicable disease status. The law prohibits actions by the employer that are biased or limit opportunities for promotion on the part of the employee. This law was not effectively enforced.

The law requires equal pay for equal work, although a gender wage gap persisted,

prohibits discrimination in hiring based on a woman's marital status or pregnancy, and protects against dismissal on these grounds. During the year the government did not prioritize enforcement of prohibitions against employment discrimination or requirements for equal pay, but penalties under law included fines and were commensurate with laws related to those for civil rights.

e. Acceptable Conditions of Work

Wage and Hour Laws: In 2018 the government raised the monthly minimum wage for all private-sector workers; it was above the estimated national poverty line but has not since been raised. Some piecework employees, especially on construction sites, earned less than the minimum wage.

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 Ministry of Labor is responsible for the enforcement of wage and hour laws. The law does not specify penalties for noncompliance with minimum wage and overtime provisions, but it states they could include warnings, fines, "re-education," or suspension of a business license. The laws were not commensurate with those for similar crimes, such as fraud. Wage and working hours laws were not effectively enforced.

Occupational Safety and Health: Occupational health and safety standards existed, but inspections were inconsistent. The law provides for safe working conditions and higher compensation for dangerous work, but it does not explicitly protect the right of workers to remove themselves from a hazardous situation. In case of injury or death on the job, employers are responsible for compensating the 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 Labor Administration Agency. The law also mandates extensive employer responsibility for workers with disabilities who become so while at work. The law does not specify differentiated penalties for

noncompliance with specific occupational safety and health provisions, but it states that workplaces could face warnings, fines, “re-education,” or suspension of business licenses.

In May two migrant workers at a Chinese banana plantation in Bolikhamxay Province, ages 18 and 30, reportedly died due to exposure to toxic chemicals used on the plantation. Several workers at banana plantations throughout the country reported that many other workers had fallen ill or died due to chemical exposure; however, local media reported authorities often claimed the victims died of natural causes.

The law 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, without a wage or salary reduction.

The government did not always effectively enforce the law.

The Department of Labor Management within the Ministry of Labor is responsible for workplace inspections. The number of inspectors was insufficient to enforce compliance. Inspectors have the authority to make unannounced inspections and initiate sanctions but did not do so due to COVID-19 workplace lockdowns.

Informal Sector: According to NGOs, the establishment of large-scale, foreign-financed agricultural plantations led to displacement of local farmers. Unable to continue traditional practices of subsistence agriculture, many farmers sought employment as day laborers through local brokers, many of whom operated informally and thus left workers vulnerable to exploitation. The International Labor Organization estimated that more than 93 percent of workers in the country were employed in the informal economy, mostly in plantation agriculture, construction, mining, and hospitality work.

There were undocumented migrant workers in the country, particularly from Vietnam and Burma, who were vulnerable to exploitation by employers in the logging, mining, and agricultural sectors. Migrants from China and Vietnam also worked in construction, plantations, casinos, and informal service industries, all sectors where wage and occupational safety and health violations were common.

In late October the Ministry of Labor told local media that authorities had been “unable to collect accurate data” on the make-up and well-being of the labor force in the Golden Triangle, but that it was working with Bokeo Province officials to address unlawful labor practices.