

# Laos 2023 Human Rights Report

## Executive Summary

There were no significant changes in the human rights situation in Laos during the year.

Significant human rights issues included credible reports of: arbitrary or unlawful killings, including extrajudicial killings; cruel, inhuman, or degrading treatment or punishment by government officials; arbitrary arrest or detention; serious problems with the independence of the judiciary; political prisoners; transnational repression against individuals in another country; arbitrary or unlawful interference with privacy; serious restrictions on freedom of expression and media freedom, including violence against journalists, censorship, and the use of criminal defamation laws; serious restrictions on internet freedom; substantial interference with the freedom of peaceful assembly and freedom of association; refoulement of refugees to a country where it was believed they would face torture or persecution; inability of citizens to change their government peacefully through free and fair elections; serious and unreasonable restrictions on political participation; serious government corruption; serious government restrictions on domestic and international human rights organizations; extensive gender-based violence, including domestic or intimate partner violence, sexual violence, and child, early, and forced marriage; crimes

involving violence targeting lesbian, gay, bisexual, transgender, queer, or intersex persons; and prohibiting independent trade unions.

The government did not take credible steps to identify and punish officials who may have committed human rights abuses.

Reports of human rights abuses, primarily involving forced or compulsory labor, by foreign investors (notably Chinese state-owned and private firms) were increasingly common. These entities often operated in autonomous Special Economic Zones; some had links to transnational organized criminal actors. Authorities generally did not investigate or prosecute such abuses.

## **Section 1. Respect for the Integrity of the Person**

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

There were reports that the government or its agents committed arbitrary or unlawful killings, including extrajudicial killings, of human rights defenders. A former Lao activist who migrated to Thailand and was recognized formally as a refugee by the UN High Commissioner for Refugees, Bounsuan Kitiyano, was found shot to death on a roadside in Ubon Ratchathani Province on May 17. Multiple social media commentators maintained that the Laotian government was complicit.

## **b. Disappearance**

There were no reports of disappearances by or on behalf of government authorities. Observers noted, however, that the government made no effort to investigate or punish perpetrators of previous disappearances, such as those of Phetphouthon Philachanh in 2019 or of Sombath Somphone in 2012.

## **c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment, and Other Related Abuses**

The constitution and law prohibited such practices, yet there were credible reports that government officials employed them, including reports of mistreatment of prisoners and detainees.

Impunity reportedly remained a problem. The Ministry of Public Security's Inspection Department allowed the public to submit written complaints via its website or through complaint boxes maintained throughout most of the country. Observers noted the website was cumbersome to use; statistics on the utilization of the website and boxes were not available. There was no known official body that investigated abuses by security forces. There were no known cases against officials accused of abuses.

## **Prison and Detention Center Conditions**

Prison and detention facility conditions varied widely and in some prisons were harsh and life threatening due to food shortages, gross overcrowding, physical abuse, and inadequate medical care.

**Abusive Physical Conditions:** Prison cells were small, with beds no wider than 20 inches placed on the floor, often taking up all floor space to fit as many prisoners as possible.

Generally, prisons did not provide adequate food, and families and friends of prisoners had to supplement prison rations.

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

**Administration:** Regulations required 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, because the process was too lengthy to be effective, and because officials were uncooperative in facilitating the requests and sometimes demanded bribes to move the process forward. In some cases, prisoners and detainees shared complaints with family and friends who reported the problems to their representatives in the National

Assembly when it was in session, hoping their representative would question relevant authorities regarding the complaints.

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

#### **d. Arbitrary Arrest or Detention**

The law provided protection for individuals against arbitrary arrest and detention, but some government officials did not respect these provisions, and arbitrary arrest and detention persisted. The law promised 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**

Police, military forces, and the Department of Customs had arrest powers, although generally, only police exercised them. The law required authorities to notify detainees of the charges against them and inform next of kin within 24 hours of arrest, but this did not always occur, especially in rural areas. The law allowed detainees to be held for up to two months during an investigation period before announcing charges formally; this period could be extended for up to one year. There was a bail system, but authorities implemented it arbitrarily. The law provided detained, arrested, or jailed persons the right to legal representation upon request; however, authorities

generally did not allow lawyers access to detainees until the investigation concluded and the case was passed to the prosecutor's office. The lack of access to detainees led observers to conclude some suspects were detained incommunicado.

**Arbitrary Arrest:** Police continued to exercise wide latitude in making arrests, relying on a provision of the law that permitted warrantless arrests in urgent cases. At times authorities detained prisoners who had completed their sentences, particularly if they were unable to pay court fines.

Savang Phaleuth, a Lao activist based in Thailand, was detained incommunicado from April until June in Savannakhet Province after returning to visit family in Laos. Officials stated he was arrested for holding dual nationality, but observers reported his detention was due to his political campaign work. He was allowed to return to Thailand after his release.

**Pretrial Detention:** Pretrial detention was a problem due to limited judicial capacity to bring cases to trial in a timely fashion, as well as official malfeasance. Observers reported officials in some cases took bribes to shorten or lengthen pretrial detentions.

## **e. Denial of Fair Public Trial**

The constitution and law subordinated the judiciary to the ruling party. Moreover, corruption and judicial action outside the law continued with

impunity. Some judges reportedly accepted bribes; others 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 provided for the right to a fair and public trial, although the judiciary seldom upheld these rights. The law required authorities to inform persons of their rights, but defendants did not have a legal right to know promptly, or in detail, the charges against them. Trials were public, except for those involving certain types of family law or children younger than 16 or cases related to national security or state secrets.

A lack of qualified lawyers and lawyers' occasional unwillingness to work on sensitive cases due to fear of retaliation undermined the right to counsel, in addition to the widespread belief that having a lawyer served no purpose. 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 was no legal right to adequate time and facilities to prepare a defense.

The government charged a fee for interpreters for defendants who could

not communicate in the Lao language.

Most trials were largely pro forma examinations of the accused and reviews of the evidence. Although according to the law defendants had the right to question and present witnesses and evidence on their own behalf, a defense attorney's role was 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 could refuse to testify, although authorities reportedly imposed harsher penalties on defendants who did not cooperate.

There was no right of appeal.

## **Political Prisoners and Detainees**

Human rights experts said the country had at least four political prisoners. Three of them (Somphone Phimmasone, Soukan Chaithad, and Lodkham Thammavong) were convicted and sentenced in 2017 on multiple charges including treason, propaganda against the state, and gatherings aimed at causing social disorder. The fourth (Houayheuang "Muay" Xayabouly) was arrested in 2019 and pleaded guilty to charges of defaming the country when she criticized the government's response to flooding in Champasak and Salavan Provinces on Facebook, after using social media previously to criticize graft and greed among government officials.

The government did not permit access to these prisoners by human rights or



humanitarian organizations.

## **f. Transnational Repression**

### **Extraterritorial Killing, Kidnapping, Forced Returns, or Other Violence or**

**Threats of Violence:** The government was alleged to have killed or kidnapped individuals in other countries for politically motivated reprisal.

The whereabouts of Od Sayavong, a Lao prodemocracy activist and refugee recognized by the UN High Commissioner for Refugees living in Thailand who disappeared in 2019, remained unknown.

**Threats, Harassment, Surveillance, and Coercion:** The government allegedly harassed individuals in other countries for political reasons. A self-exiled online activist, Joseph Akaravong, who gained attention for reporting on the government's mishandling of a 2018 dam collapse in Attapeu Province, fled to Thailand and then to France due to harassment by Lao and Thai authorities. Since his 2022 arrival in France, observers reported continued harassment by Lao authorities trying to limit his online criticism of the government by removing content from his social media profile and deactivating his account.

## **g. Property Seizure and Restitution**

The government continued to relocate villagers to accommodate development projects. Families frequently reported the government

displaced them without proportionate and timely compensation. In Khong District, Champasak Province, only 35 of 235 families were compensated as of November after the government took their land in 2022 to accommodate Chinese investors planning to build a large-scale tourism development project in a Special Economic Zone (SEZ). Those families compensated received approximately 370 million kip (\$17,800) each but lost access to productive agricultural land and, therefore, their livelihoods.

## **h. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence**

The law prohibited such actions, yet there were reports that the government failed to respect these prohibitions.

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.

While the law allowed cohabitation, in some rural areas authorities fined unmarried couples found living together.

The law allowed citizens to marry foreigners only with prior government approval. Authorities could 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 was illegal, although rarely prosecuted.

## **Section 2. Respect for Civil Liberties**

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

The law provided for freedom of expression, including for members of the press and other media, but the government severely restricted this right through violence, intimidation, indirect censorship, control of the media, criminal defamation laws, and national security laws invoked to deter or punish criticism of the government.

**Freedom of Expression:** The law forbade slandering the state, distorting party or state policies, inciting disorder, or propagating information or opinions that weakened the state; taken together, these severely restricted the ability of citizens to discuss matters of public interest.

The Ministry of Education tightly controlled school curricula, including in private schools and colleges, as well as opportunities for citizens to study

abroad. Both citizen and noncitizen academic professionals conducting research in the country could be subject to restrictions on access to information and publication.

**Violence and Harassment:** On April 29, an online commentator and activist who contributed to social media platforms critical of the government, Anousa “Jack” Luangsuphom, was shot in the face and chest by an unknown gunman in a coffee shop. The government did not investigate or prosecute the perpetrator of this attack.

**Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media:** The state owned and controlled most domestic print and electronic media and closely controlled domestic television and radio broadcasts. Officials reviewed all articles in privately owned newspapers and 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.

**Libel/Slander Laws:** Defamation was a criminal offense and the laws were used.

**National Security:** Authorities cited laws protecting national security to deter or punish criticism of the government.

## **Internet Freedom**

The law prohibited online anonymity and the government, which controlled domestic internet servers, sporadically monitored internet usage. The government also reportedly operated a task force to monitor social media use specifically, including what it considered “fake news.” The law prohibited deceptive statements on the internet as well as statements critical of the government and the LPRP.

The Ministry of Technology and Communications could direct internet service providers to terminate internet services of users found violating the law. Ministry instructions warned social media users could not post content or comments that contained criticism of the government. Observers who reported articles or made comments on articles critical of the government suddenly disappeared from social media sites.

## **b. Freedoms of Peaceful Assembly and Association**

The government restricted the freedoms of peaceful assembly and association.

### **Freedom of Peaceful Assembly**

The law did not provide for the freedom of peaceful assembly and prohibited participation in demonstrations, protest marches, or other acts that “cause turmoil or social instability,” without explicit government

permission. Nongovernmental organization (NGO) representatives were denied government approval to host the Association of Southeast Asian Nations People's Forum, which would have brought together more than 200 participants to discuss human rights in 2024.

### **Freedom of Association**

The law tightly restricted freedom of association. Political groups other than organizations approved by the LPRP were prohibited. NGOs were restricted by onerous registration processes and reporting requirements. 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."

Authorities restricted NGOs' ability to disseminate information and conduct activities. NGOs were required to obtain Ministry of Foreign Affairs approval to receive foreign funding greater than 500 million kip (\$24,000). NGOs also had to accept "advice and assistance" from the government to ensure their operations were in line with party policy and the law.

### **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 law provided for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights with significant exceptions.

**In-country Movement:** On domestic flights, all travelers were subject to inspection by immigration officials, who ran a systems check before travelers were allowed to proceed to boarding.

Citizens traveling for religious purposes, including to minister, give advice, or visit other religious communities, were required to seek permission from central, provincial, district, and village authorities depending on where they were traveling, a process that could take several weeks. Christian groups reported problems obtaining permission to travel within the country, although many ignored the permit requirement.

All residents had to have approval from the government to change their residence.

**Foreign Travel:** There were restrictions on foreign travel. Citizens desiring to travel internationally for religious purposes had to obtain permission from the government.

## e. Protection of Refugees

The government cooperated 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, except in two notable cases.

**Access to Asylum:** The law provided for granting asylum or refugee status, but the government had no system for providing protection to refugees. The Ministry of Public Security did not routinely grant asylum or refugee status, but dealt with individuals on a case-by-case basis.

**Refoulement:** The government returned at least two Chinese asylum seekers, free-speech activist Qiao Xinxin (born Yang Zewei) and human rights lawyer Lu Siwei, to China, where they could face abuse or torture. During a raid by Chinese and Lao security officials in early June, Qiao Xinxin was reportedly taken from his apartment in Vientiane, where he had been living with a legal residence permit. In August, his family reported that he was being held at a detention center in Hunan Province, China. Lu Siwei was detained by Lao authorities in July when attempting to transit into Thailand with the ultimate goal of reuniting with his family in the United States. He was returned to China in mid- to late-September, held at a detention center in Sichuan Province on charges related to violating his exit ban, and released on bail, pending trial, on October 28, according to media reports. Observers



reported Chinese authorities pressured the Lao government to return these individuals.

## **f. Status and Treatment of 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 internally displaced persons; their situation, protection, and reintegration; government restrictions on them; and their access to basic services and assistance.

In July, media reported the presumed final round of compensation to the victims of a 2018 dam collapse was delayed. Many of the estimated 6,000 persons made homeless remained inadequately housed and without their livelihoods. Reconstruction efforts and compensation plans were significantly hampered by alleged corruption and lack of consultation with survivors. Human rights observers reported that approximately 70 percent of the 1.9 trillion kip (\$91 million) provided by the dam operator for compensation was paid directly to the government, ostensibly to be used for rebuilding infrastructure, utilities, schools, and medical facilities.

## **Section 3. Freedom to Participate in the Political**

## Process

The law did not provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage.

## Elections and Political Participation

**Abuses or Irregularities in Recent Elections:** The 2021 National Assembly elections were neither fair nor free of abuses and irregularities, according to observers. Of the 164 members elected, 158 were LPRP members; six identified as independent. The National Election Committee was appointed by the National Assembly to manage the elections; its activities were not transparent. The government prohibited independent observers from monitoring polling stations, claiming this was due to COVID-19 health restrictions.

**Political Parties and Political Participation:** Although the constitution outlined a system comprising executive, legislative, and judicial branches, the constitution granted the LPRP control of the state and leadership in all branches and at all levels. The formation of other political parties was illegal.

**Participation of Women and Members of Marginalized or Vulnerable Groups:** Women faced barriers to political participation, including limited

access to justice and economic opportunities, and therefore their 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.

## **Section 4. Corruption in Government**

The law provided criminal penalties for corruption by officials; the government generally did not implement the law effectively. There were numerous reports of government corruption during the year.

**Corruption:** Official corruption was widespread at all levels of government. Observers reported poor fiscal and economic conditions exacerbated the problem. Corruption was particularly problematic in government development and investment projects, especially those involving construction, natural resource extraction, and in the development of certain SEZs. Most offenders enjoyed impunity.

Observers reported the June 2022 removal of the former governor of the central bank for alleged corruption exemplified this impunity. He was reassigned as a minister to the Prime Minister's Office and faced no punishment. In October, 55 party members in Huaphan Province were cited for corruption after a targeted inspection of five provincial government agencies. Punishments for these officials varied widely but were generally not rigorous; only 16 were formally removed from office.

The government anti-corruption hotline reportedly was used often, and members of the public frequently reported government officials' inappropriate or suspicious activities on social media; such postings were generally not censored or removed.

For additional information about corruption in the country, please see the Department of State's *Investment Climate Statement*, and the Department of State's *International Narcotics Control Strategy Report*, which includes information on financial crimes.

## **Section 5. Governmental Posture Towards International and Nongovernmental Monitoring and Investigation of Alleged Abuses of Human Rights**

Domestic and international human rights groups could operate only under government oversight, and the government restricted their ability to monitor or investigate human rights conditions or cases and publish their findings. Government officials were rarely cooperative or responsive to the views of these groups.

The government maintained human rights dialogues with some foreign governments and continued to receive training in UN human rights conventions from international donors.

**Retribution against Human Rights Defenders:** NGOs and individual human

rights defenders generally exercised self-censorship, particularly after the 2012 disappearance of an internationally respected civil society advocate. NGOs also acknowledged avoiding saying anything that might delay government approvals needed to carry out their work.

During the year, there were five known cases of retribution against human rights defenders, of whom three were Lao and two Chinese; the cases of Savang Phaleuth, Bounsuan Kitiyano, Anousa “Jack” Luangsuphom, Qiao Xinxin, and Lu Siwei were reported in detail above. Observers noted a “chilling effect” on civil society in the wake of these five cases.

**The United Nations or Other International Bodies:** The government did not permit visits by UN special rapporteurs. There were at least six pending visit requests by UN special rapporteurs that the government did not allow.

**Government Human Rights Bodies:** The government continued to support a National Committee on Human Rights, chaired by the deputy prime minister, who also held the position of foreign minister, and composed of representatives from the government, National Assembly, judiciary, and LPRP-affiliated organizations. The Department of Treaties and Legal Affairs in the Ministry of Foreign Affairs acted as the secretariat for the National Human Rights Steering Committee and had authority to review and highlight problems in the protection of human rights.

## Section 6. Discrimination and Societal Abuses

### Women

**Rape and Domestic Violence:** The law criminalized rape of “a person” and provided penalties of four years to life imprisonment; there was no law against spousal rape. Sentences were significantly longer and could include life imprisonment if the survivor was younger than 18 or was seriously injured or killed.

Domestic violence was illegal but often went unreported due to social stigma. Penalties included both fines and imprisonment, but the law granted exemption from penal liabilities in cases of physical violence without serious injury.

The government did not effectively enforce laws on rape and domestic violence. Observers reported gender-based violence in rural areas was rarely investigated. The Lao Women’s Union and the Ministry of Labor and Social Welfare, in cooperation with NGOs, assisted victims of domestic violence by operating shelters, providing a hotline telephone number, and employing counselors.

**Other Forms of Gender-based Violence or Harassment:** The law did not criminalize sexual harassment, but indecent sexual behavior toward another person was deemed illegal and was punishable by six months to three years

in prison. Survivors rarely reported sexual harassment, and its prevalence remained difficult to assess.

**Discrimination:** The law prohibited direct or indirect discrimination by employers against employees based on sex, provided equal rights for women and men, including equal pay for equal work, although a gender wage gap persisted, and prohibited discrimination in marriage and inheritance. The law prohibited the employment of pregnant women and new mothers in occupations deemed hazardous to women's reproductive health and required the transfer of women working in such jobs to less demanding positions, without a wage or salary reduction. The law prohibited discrimination in hiring based on a woman's marital status or pregnancy and protected women against dismissal on these grounds.

The government did not enforce the law effectively. In some regions, discriminatory attitudes regarding gender roles kept women and girls in subordinate positions and denied them equal access to education, employment, and business opportunities. Varying degrees of culture-based discrimination against women persisted, with greater discrimination practiced by some ethnic minority groups in remote 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 and economic hardship continued to affect women disproportionately, especially in rural and ethnic minority

communities.

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

The UN Population Fund reported that information on and access to sexual and reproductive health services were limited, especially for unmarried youth. Social and cultural barriers and a lack of information restricted access to contraception. Access to contraceptive means was also limited in rural areas; they were generally available only in provincial, not village, health centers and were often unaffordable.

The government provided limited access to sexual and reproductive health services to survivors of sexual violence, including access to emergency contraceptives and postexposure prophylaxis, but such services were not widely available.

According to the most recent UN estimates, in 2017 the maternal mortality rate was 185 deaths per 100,000 live births. Pregnancy and childbirth remained leading causes 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 the UN Population Fund, 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, largely due to lack of access to contraception.

## **Systemic Racial or Ethnic Violence and Discrimination**

The law provided for equal rights among all national, racial, and ethnic groups and barred discrimination against them, including in employment.

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

The country was home to many different ethnic groups; most did not consider themselves Indigenous. The Hmong were one of the largest and most prominent of the 50 officially recognized ethnic groups in the country.

Hmong officials 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.

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:** Birth registration was available through village chiefs for children born in remote areas, but some parents did not register births immediately. Lack of birth registration could result in denial of access to health care or education in more developed areas but was rarely a problem in rural or remote areas. If parents failed to register a child at birth, they could request to add the child to the family registration book later.

**Education:** There were significant differences among ethnic groups in educational opportunities available to children. 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 from remote locations, the government continued to support the establishment of boarding schools in rural areas countrywide.

**Child Abuse:** The law prohibited violence against children, and offenders were 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 for marriage was 18, but the law allowed marriage as young as 15 with parental consent. No reliable recent data existed, but observers believed underage marriage to be a problem, particularly among certain ethnic minority groups and in poor

rural areas.

**Sexual Exploitation of Children:** There was no legal age of consent for engaging in consensual sex. In cases involving children, the law distinguished between possible consensual sex and rape and could impose penalties of between three and 20 years' imprisonment depending on the ages of the survivor and the perpetrator. The penalty for possession of child pornography was three months to one year of imprisonment; the penalty for the dissemination of such material was one to three years of imprisonment. Authorities enforced the law. 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.

## **Antisemitism**

There was no significant Jewish community in the country, and there were no known reports of antisemitic incidents.

## **Trafficking in Persons**

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

## **Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation, Gender Identity or Expression, or**

## Sex Characteristics

**Criminalization:** No laws criminalized consensual same-sex sexual conduct between adults. There were no reports that seemingly neutral laws were disproportionately applied to lesbian, gay, bisexual, transgender, queer, or intersex (LGBTQI+) persons.

**Violence and Harassment:** Security officials tolerated acts of violence against LGBTQI+ individuals. In September, media reported a gay couple were killed in their home; however, following an investigation, authorities reported the killing occurred during a home robbery, rejecting any motive related to the sexual orientation of the victims. Observers said societal stigma and concern regarding repercussions, such as harassment or loss of employment, led LGBTQI+ individuals to refrain from reporting incidents of abuse.

**Discrimination:** The law did not prohibit discrimination based on sexual orientation, gender identity or expression, or sex characteristics. Societal discrimination in employment and housing reportedly persisted; there were no government efforts to address it. Local activists said most openly LGBTQI+ persons did not apply for government or high-level private-sector jobs because there was tacit recognition that employers would not hire them. Participants in focus group discussions described being denied interviews based on their appearance and a perception that they were

members of the LGBTQI+ community.

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 both at home and in the workplace.

**Availability of Legal Gender Recognition:** Individuals were not able to change their gender identity marker on legal and government identification documents.

**Involuntary or Coercive Medical or Psychological Practices:** There were no known reports of such practices.

**Restrictions of Freedom of Expression, Association, or Peaceful Assembly:** There were no legal impediments specific to organized LGBTQI+ groups or activities, but local activists reported they did not attempt to hold activities they believed the government would deem sensitive or controversial. In June, authorities refused to allow a planned awareness raising event to celebrate the International Day against Homophobia, Biphobia, and Transphobia.

## **Persons with Disabilities**

Persons with disabilities could not access education, employment, health services, public buildings, or transportation on an equal basis with others.

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 and public transportation or increased employment opportunities could be achieved. The law required construction projects to provide accessibility for persons with disabilities, particularly to buildings and public transportation services.

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. Participants in focus group discussions described being denied interviews based on a perception that they were persons with disabilities.

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; however, children with disabilities attended school at significantly lower rates than other children, especially in rural areas. The nongovernmental Lao Disabled People's Association noted that in many cases students with disabilities lacked access to appropriate educational resources.

## **Section 7. Worker Rights**

### **a. Freedom of Association and the Right to Collective**

## Bargaining

The law permitted workers to form and join unions, but only within the framework of government control. The government recognized only the Lao Federation of Trade Unions (LFTU), an organ of the LPRP. There were no independent unions, and no legal means to establish them. The law defined collective bargaining but did not set out conditions, and it required the approval of all collective bargaining agreements by the Labor Administration Agency. The law did not provide for the right to strike and forbade striking during mediation of labor disputes. The law did not address the legality of a strike if mediation or other legal mechanisms were unsuccessful. The law did not permit police or members of the armed forces to form or join unions. The law did not prohibit antiunion discrimination.

The law allowed workers in the informal economy and self-employed workers to join LFTU-affiliated unions. It also established rights and responsibilities for “laborer representatives,” which the law defined 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.”

A dual system of representation effectively ensured government control over union activity. The law required LFTU representation in all workplaces employing 10 or more workers. Laborers who served as representatives of the LFTU were known as “grassroots representatives.” The LFTU also

employed district and provincial representatives, on government payroll, to train and organize the workplace (grassroots) representatives. Both government-employed LFTU representatives and workplace (grassroots) representatives bargained collectively with employers on relevant matters.

Given total government control of union activity, there were no reports of government enforcement of laws on their establishment or operation.

Labor-related NGOs did not attempt activities they believed would be restricted by the government. The latter did support international labor-related NGO public affairs campaigns regarding workers' rights to safety, fair pay, and representation.

Penalties for violations of freedom of association and collective bargaining were less than those for other laws involving civil rights violations and were never applied against violators.

Common employer practices that limited or violated worker rights included requiring employees to meet with LFTU representatives only during nonwork hours and offering bribes to LFTU staff to avoid interruptions to the workday.

To obtain LFTU representation in a labor dispute, the grassroots representative in the enterprise had to first raise the issue with her or his supervisor and employer. If this failed to resolve the dispute, district and provincial level LFTU officials could come to the workers' aid. Labor disputes



were reportedly infrequent, and workers' engagement with LFTU officials outside the workplace was rare. 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.

## **b. Prohibition of Forced or Compulsory Labor**

See the Department of State's annual *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 prohibited all of the worst forms of child labor. The law set the minimum age for employment at 14 and limited working hours to a maximum of eight per day, provided such work was not dangerous or difficult. The law, however, also allowed children ages 12 to 14 to perform light work that did not affect their health or school attendance. The law applied only to work undertaken in a formal labor relationship, not to self-employment or informal work.

The government did not effectively enforce the applicable laws, reportedly due to a lack of inspectors. Penalties of imprisonment and fines were less than those for analogous crimes and were rarely applied against violators.

Child labor in the informal economy was prevalent throughout the country,

mostly associated with family subsistence farming.

There were no confirmed reports of the worst forms of child labor.

#### **d. Discrimination (see section 6)**

#### **e. Acceptable Conditions of Work**

**Wage and Hour Laws:** The law set a minimum wage for some employees in the private sector, but it was below the official estimate of the poverty income level, and increases to the minimum wage did not keep pace with inflation.

The law limited the workweek to 48 hours (36 hours for employment in dangerous activities). The law limited overtime to 45 hours per month, and each period of overtime to no more than three hours. Employers were allowed to apply to the government for an exception to the overtime rules, which the law stipulated workers or their representatives also had to approve. Overtime pay was rarely granted.

Alleged violations of wage and hour laws were common for some piecework employees, especially on construction sites, in small factories and microenterprises, who earned less than the minimum wage, and for workers in some SEZs, who were paid only 50 percent of the minimum wage.

**Occupational Safety and Health:** Occupational safety and health (OSH)

standards existed and were appropriate for the main industries. The law provided for higher compensation for dangerous work, but did not protect the right of workers to remove themselves from a hazardous situation.

The law mandated extensive employer responsibility for workers who became disabled at work. In case of injury or death on the job, employers were responsible for compensating the worker or the worker's family. The law also required employers to report to the government accidents that caused major injury or death, or required an employee to take four or more days off work to recover.

**Wage, Hour, and OSH Enforcement:** The Ministry of Labor and Social Welfare was responsible for enforcing wage, hour, and OSH laws, but did not effectively do so. The law did not stipulate penalties for specific violations, but it stated that they could include warnings, fines, "re-education," or suspension of a business license. Penalties were less than those for similar crimes, such as fraud, and were never applied against violators.

The Ministry of Labor and Social Welfare's Department of Labor Management was responsible for workplace inspections. The number of labor inspectors was insufficient to enforce compliance. Inspectors had the authority to make unannounced inspections and initiate sanctions. The government partnered with international labor-related and other NGOs on "Know Your Rights" print and press campaigns as well as some radio

advertisements.

Both Lao workers and undocumented migrant workers from neighboring countries such as Vietnam, China, and Burma worked informally in the construction, logging, mining, online marketing, and agricultural sectors where wage and OSH violations were common. The Ministry of Labor and Social Welfare reported it was difficult for authorities to collect accurate data on workers inside some of the country's SEZs. Most SEZ by-laws permitted some relaxation of labor laws but not outright dismissal, although labor laws were rarely enforced either within or outside of SEZs.

In January, the International Labor Organization estimated more than 83 percent of workers were employed in the informal sector, mainly in agriculture, construction, wholesale and retail trade, and household domestic work.