

## Laos | Freedom House

### POLITICAL RIGHTS: 2 / 40 (+1)

#### A. ELECTORAL PROCESS: 0 / 12

##### **A1. Was the current head of government or other chief national authority elected through free and fair elections? 0 / 4**

Laos is a one-party communist state and the ruling LPRP's 61-member Central Committee, under the leadership of the 11-member Politburo, makes all major decisions. The LPRP vets all candidates for election to the National Assembly, whose members elect the president and prime minister.

The LPRP selected new leaders through an opaque process at a party congress in 2016. After that year's tightly controlled National Assembly elections, lawmakers chose Bounnhang Vorachith to serve as president, and Thongloun Sisoulith to serve as prime minister.

##### **A2. Were the current national legislative representatives elected through free and fair elections? 0 / 4**

National Assembly elections are held every five years, but are not free or fair, and international observers are not permitted to monitor them. The LPRP won 144 of 149 seats in the 2016 legislative elections, with the remainder going to carefully vetted independents.

##### **A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 0 / 4**

The electoral laws and framework are designed to ensure that the LPRP, the only legal party, dominates every election and controls the political system.

#### B. POLITICAL PLURALISM AND PARTICIPATION: 0 / 16

##### **B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 0 / 4**

The constitution makes the ruling LPRP the sole legal political party, and grants it a leading role at all levels of government.

##### **B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 0 / 4**

Although the LPRP is the only legal party, National Assembly candidates are not required to be members. However, all candidates must be approved by National Assembly-appointed committees. In practice, almost all lawmakers belong to the LPRP, and legislate alongside a handful of party-vetted independents.

##### **B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 0 / 4**

The authoritarian one-party system in Laos excludes the public from any genuine and autonomous political participation.

##### **B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 0 / 4**

The right to vote and run for office are guaranteed in the constitution, but due to the one-party system, no portion of the population may exercise full political rights and electoral opportunities. Nominal representatives of ethnic minorities hold positions in the Politburo, Central Committee, and National Assembly, but they are limited in their ability to advocate for policies that benefit minorities. Women hold

approximately 28 percent of the National Assembly seats, but their presence in the legislature similarly does not guarantee that the interests of women are represented in politics. At the local level, village-level leaders are responsible for many of the decisions affecting daily life, and nearly all village chiefs are men.

## **C. FUNCTIONING OF GOVERNMENT: 2 / 12 (+1)**

### **C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 0 / 4**

None of the country's nominally elected officials are chosen through free and fair contests, and major policy decisions are reserved for the LPRP. In recent years the government has more frequently passed laws, rather than decrees, to govern, though due to the choreographed nature of elections the representatives approving these bills cannot be said to be enacting the will of the electorate.

### **C2. Are safeguards against official corruption strong and effective? 1 / 4 (+1)**

Corruption by government officials is widespread.

However, Prime Minister Thongloun has initiated an anticorruption drive since taking office in 2016. After taking office, he empowered the State Audit Organization (SAO) to conduct financial and budget investigations. The office has since uncovered several instances of misappropriated state funds and unreported expenditures, and some LPRP officials have apparently returned money that they stole to the national treasury. Thongloun's efforts intensified in 2018, when investigations were launched against numerous officials across many provinces; Radio Free Asia reported in May that at least 80 government officials had been investigated for graft so far during the year, though the actual number is likely substantially higher. Several senior government officials were arrested and face graft charges as a result of the effort.

The prime minister also placed a ban on export timber in 2016, in an effort to crack down on illegal logging and the extensive deforestation of the country. In 2017, he restricted some mining and fruit plantation operations that were accused of causing environmental damage and being conduits for graft. Two provincial governors have been fired, one in late 2017 and one in February 2018, over alleged links to graft in the timber trade.

*Score Change: The score improved from 0 to 1 because the government has pursued a relatively serious campaign against graft since 2016.*

### **C3. Does the government operate with openness and transparency? 1 / 4**

There are no access to information laws in Laos. However, the 2012 Law on Making Legislation increased legislative transparency by requiring bills proposed at the central and provincial levels to be published for comment for 60 days and, once passed, to be posted for 15 days before coming into force.

A 2014 asset declaration program has helped identify corrupt government officials. Meanwhile, the State Inspection Authority (SIA) reported that over 240,000 government officials and employees submitted asset declarations for review in 2017. Also in 2017, SAO reported that over \$120 million of unapproved state spending was discovered in the 2015–16 budget. Thongloun repeatedly promised in 2018 to make government more transparent to the citizenry, although he has been unclear about how he will do so.

Authorities released little information about the July 2018 dam collapse, and what information was released was often contradictory.

## **CIVIL LIBERTIES: 12 / 60 (+1)**

### **D. FREEDOM OF EXPRESSION AND BELIEF: 4 / 16**

#### **D1. Are there free and independent media? 0 / 4**

Authorities use legal restrictions and intimidation tactics against state critics, and as a result, self-censorship is widespread. The state owns nearly all media, though some independent outlets, primarily entertainment magazines that steer clear of political commentary, have emerged in recent years. Coverage of a catastrophic July 2018 dam collapse was suppressed, and as a result the death toll from the incident remains unclear; observers have suggested that the government death toll of 43, issued in November, was far too low.

**D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4**

Religious freedom is guaranteed in the constitution, but in practice is constrained, in part through the LPRP's control of clergy training and supervision of temples. There have been multiple cases in recent years of Christians being briefly detained or sentenced to jail for unauthorized religious activities, or pressured by authorities to renounce their faith. A ban on public proselytizing is generally enforced, and authorities make some efforts to monitor the importation of religious materials.

**D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4**

University professors cannot teach or write about politically sensitive topics, though Laos has invited select foreign academics to teach courses in the country, and some young people go overseas for university education.

**D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 1 / 4**

Government surveillance of the population has been scaled back in recent years, but security agencies and LPRP-backed mass organizations continue to monitor for public dissent, which is punishable under a variety of laws. As a result, there is little space for open and free private discussion of sensitive issues. The government attempts to monitor social media usage for content and images that portray Laos negatively, and courts have handed down heavy sentences in response individuals' posting of such material.

Nevertheless, a Chinese railway construction project that has displaced citizens and prompted the government to take on debt, as well as the 2018 dam collapse, have been controversial enough to prompt some criticism of the government among ordinary people.

**E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 0 / 12****E1. Is there freedom of assembly? 0 / 4**

Although protected in the constitution, the government severely restricts freedom of assembly. Protests are rare, and those deemed to be participating in unsanctioned gatherings can receive lengthy prison sentences. The government occasionally allows demonstrations that pose little threat to the LPRP.

In 2017, Laos's government arrested 14 villagers in Sekong Province protesting alleged land grabs, and since then reports have emerged that some have been subject to severe mistreatment in custody. Three of the protesters were released in June.

**E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 0 / 4**

Alongside LPRP-affiliated mass organizations, there are some domestic nongovernmental welfare and professional groups, but they are prohibited from pursuing political agendas. Registration and regulatory mechanisms for NGOs are onerous and allow for arbitrary state interference. A new decree on associations, which came into force in 2017, mandates that NGOs secure government approval for their initiatives and funding, among other new restrictions. NGOs report that this law has made it more difficult for them to register and launch new initiatives.

The 2012 disappearance of prominent antipoverty activist Sombath Somphone remained unsolved in 2018.

**E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4**

Most unions belong to the official Lao Federation of Trade Unions. Strikes are not expressly prohibited, but workers rarely stage walkouts. Collective bargaining is legally permitted, but rarely exercised by workers.

**F. RULE OF LAW: 2 / 16****F1. Is there an independent judiciary? 0 / 4**

The courts are wracked by corruption and subject to LPRP influence. Major decisions are often made secretly.

**F2. Does due process prevail in civil and criminal matters? 0 / 4**

Due process rights are outlined in the law, but these rights are routinely denied. Defendants are often presumed guilty, and long procedural delays in the judicial system are common. Appeals processes are often nonexistent or delayed, sometimes indefinitely. Searches without warrants occur and arbitrary arrests continue, particularly those arrested for drug use or activism. Villagers are encouraged to settle noncriminal disputes in local mediation units, which are outside the formal judicial system.

In January, Zhao Wei, a China-born business tycoon who controls a casino complex in northern Laos, was identified by the US Treasury Department as being a kingpin of an allegedly massive illegal trade in wildlife, narcotics, and people. There was no apparent reaction to the US statement by Lao authorities.

**F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4**

Security forces often illegally detain suspects. Prison conditions are substandard, with reports of inadequate food and medical facilities. Torture of prisoners is occasionally reported, as with the group of fourteen villagers detained in 2017 for protesting land grabbing, many of whom were still being held in 2018. One of the detainees died in January 2018, and his relatives disputed official claims that he had committed suicide. Three others, including two minors, were released in June.

**F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4**

Equal rights are constitutionally guaranteed, but are not upheld in practice. Discrimination against members of ethnic minority tribes is common. The Hmong, who fielded a guerrilla army allied with US forces during the Vietnam War, are particularly distrusted by the government and face harsh treatment. Asylum for refugees is protected by law, but not always granted.

There have been multiple violent attacks, including murders, of Chinese nationals in Laos in recent years. A prominent Chinese businessperson was murdered in a home invasion in Vientiane in August 2018.

While same-sex sexual acts are legal and violence against LGBT (lesbian, gay, bisexual, and transgender) is rare, no legislation provides explicit protection against discrimination based on sexual preference or gender identity.

Gender-based discrimination and abuse are widespread. Discriminatory traditions and religious practices have contributed to women's limited access to education, employment opportunities, and worker benefits.

**G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 6 / 16 (+1)****G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4 (+1)**

The dominance of the LPRP over most aspects of society can effectively restrict individuals' ability to choose their place of residence, employment, or education. Freedom of movement is sometimes restricted for ethnic Hmong. Security checkpoints in central Laos can hamper travel, though the military has in recent years reduced controls in the region.

*Score Change: The score improved from 1 to 2 because the military has reduced controls on movement in the central part of the country.*

**G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4**

All land is owned by the state, though citizens have rights to use it. However, in recent years land rights have become an increasing source of public discontent. Construction began on a high-speed rail line from China through Laos at the end of 2016, resulting in the displacement of over 4,000 families, and many villagers remain uncertain of what kind of compensation they will receive.

Villagers who live on or near the sites of planned dams on the Mekong River are also increasingly caught up in land disputes. Apparent deficiencies revealed by the catastrophic dam collapse in southern Laos in July 2018, which killed dozens of people and left thousands homeless, have not prompted the government to reevaluate its dam-building projects. Observers have charged that the Laotian government has been developing dam

projects with investors in the absence of appropriate oversight. Still, Laos has announced plans for a fourth dam on the Mekong River.

Foreign investors are subject to expropriation of joint ventures without due process in Laotian courts.

**G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4**

Social freedoms can be restricted, especially for women and children. Marriage to foreign citizens requires approval by the government. In 2016, a survey supported by the United Nations and the World Health Organization (WHO) revealed that close to one third of women in Laos had experienced domestic violence. Abortion is illegal and only permitted when the mother's life is at risk. Underage marriage is permitted with parental permission.

**G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4**

Trafficking in persons, especially to Thailand, is common, and enforcement of antitrafficking measures is hindered by a lack of transparency and weak rule of law. The building of new roads through Laos in recent years has aided trafficking operations. There are no penalties for facilitating child prostitution.

Children as young as 12 years old may be legally employed in Laos. Inspections of workplaces, including those for industries considered hazardous, are required by law but do not take place regularly. Public workers are not always paid on time.