



Laos

Country Reports on Human Rights Practices - [2006](#)

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The Lao People's Democratic Republic is an authoritarian, communist, one party state ruled by the Lao People's Revolutionary Party (LPRP). Based on the 2005 census, the country had an estimated population of 5.6 million. Although the 1991 constitution outlines a system composed of executive, legislative, and judicial branches, in practice the LPRP continued to control governance and the choice of leaders at all levels through its constitutionally designated "leading role." The most recent National Assembly election was held in April. In June the National Assembly elected the president and vice president and ratified the president's selection of a prime minister and cabinet. The LPRP generally maintained effective control of the security forces, but on occasion elements of the security forces acted outside the LPRP's authority.

The government's overall human rights record worsened during the year. Citizens continued to be denied the right to change their government. Government agents committed unlawful killings. Prison conditions were harsh and at times life threatening. Corruption in the police and judiciary persisted. The government infringed on citizens' right to privacy and did not respect the right to freedom of speech, the press, assembly, or association. Local officials at times interfered with religious freedom and restricted citizens' freedom of movement. There were no domestic nongovernmental human rights organizations. Trafficking in persons, especially women and girls for prostitution, remained a problem, as did discrimination against minority groups, such as the Hmong. Workers' rights were restricted. The government continued to deny ever holding a group of 27 Hmong, most of them children, who were deported from Thailand in December 2005.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

There were no confirmed reports of politically motivated killings by the government or its agents; however, human rights nongovernmental organizations (NGOs) reported that the government or its agents carried out several unlawful killings.

Amnesty International and the US based Fact Finding Commission alleged that on April 6 in Vientiane Province, Lao People's Army (LPA) troops killed 26 unarmed Hmong, 25 of them women and children, who were foraging for food. Despite evidence of the killing, the government dismissed the incident as a fabrication and refused to investigate.

On June 8, in the capital of the former Saisomboun Special Zone, two police officers allegedly killed a Hmong farmer who was a cousin of a Hmong insurgent leader. His six year old son was also shot and, despite suffering life threatening injuries, was refused treatment at the local hospital. The government reported that the incident was carried out by unknown assailants and was the result of a business dispute. Authorities did not investigate the killing.

In northeast Thailand, four foreign and two Thai citizens, all of Lao ethnicity and connected to the former Lao regime, were killed. On January 18, a husband and wife who claimed kinship to royalty under the former Lao regime were killed in Nongkai. On May 11, an ex-soldier under the former Lao regime and his wife were killed in Ubon Ratchathani. On December 13, another two men, one an ex-soldier and one an ex-policeman under the former Lao regime, were also killed in Ubon Ratchathani. Thai authorities were investigating all of these cases at year's end. Press reports and NGOs alleged Lao government complicity in these killings; however, the government denied any involvement and did not investigate the incidents.

There were no developments in the cases of persons allegedly killed by police in previous years, including the December 2005 death of Aloun Voraphom, a Protestant pastor who was killed in Pak Kading District; the 2004 killing of five ethnic Hmong children, allegedly committed by LPA members, in the former Saisomboun Special Zone; and the 2004 death of an ethnic Hmong man, Khoua Lee Her, who reportedly died while incarcerated in Houaphanh Province.

Clashes between insurgent and military forces resulted in an unknown number of deaths of civilians, insurgents, and military forces. During the year insurgents reported increased military pressure from LPA forces against their encampments in Bolikhamsai, Xieng Khouang, Luang Prabang, and Vientiane provinces as well as the former Saisomboun Special Zone. Much of the LPA's pressure was intended to starve the remnants of insurgent families from their jungle dwellings. According to insurgent reports, the attacks and starvation campaigns resulted in dozens of deaths and injuries of persons, mostly women and children (see section 1.c.).

b. Disappearance

The government continued to deny that it had detained 26 Hmong children deported from Thailand in December 2005. After Thai authorities provided evidence of the deportation to Laos' Bolikhamsai Province, government officials privately acknowledged that the government was holding the children but later denied that it ever had the children or knew of their whereabouts (see sections 1.d., 2.c., and 2.d.).

There were no developments in the 2004 disappearance of Cher Wa Yang, an ethnic Hmong schoolteacher from the former Saisomboun Special Zone.

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

The law prohibits the beating or torture of an arrested person. In practice members of the police and security forces sometimes abused prisoners, especially those suspected of associations with the insurgency; however, there were anecdotal reports that abuse decreased, and during the year there were no verifiable reports of prisoner abuse.

Detainees have sometimes been subjected to beatings and long term solitary confinement in completely darkened rooms, and in many cases they were detained in leg chains or wooden stocks for long periods. Former inmates reported that degrading treatment, the chaining and manacled of prisoners, and solitary confinement in small unlit rooms were standard punishments in larger prisons, while smaller provincial or district prisons employed manacles and chains to prevent prisoners from escaping. In April a Christian man was placed under house arrest in Salavan Province, reportedly for refusing the village chief's order to recant his faith, and was held in hand and ankle stocks for 10 days (see sections 1.d. and 2.c.).

During the year the government increased military pressure against insurgent encampments in Bolikhamsai, Xieng Khouang, Luang Prabang, and Vientiane provinces as well as the former Saisomboun Special Zone. Insurgents reported that such actions resulted in dozens of deaths and injuries of persons, mostly women and children (see section 1.a.).

Prison and Detention Center Conditions

Prison conditions varied widely but in general were harsh and occasionally life threatening. Prisoners in larger, state operated facilities in Vientiane generally fared better than those in provincial prisons. Food rations were minimal, and most prisoners relied on their families for subsistence. Most larger facilities allowed prisoners to grow supplemental food in small vegetable gardens. Prison wardens set prison visitation policies. Consequently, in some facilities families could make frequent visits, but in others visits were severely restricted. Credible reports indicated that ethnic minority prisoners and some foreign prisoners were treated particularly harshly. Former prisoners reported that incommunicado detention was used as an interrogation device and against perceived problem prisoners; however, there were fewer reports of its use. Although most prisons had some form of clinic, usually with a doctor or nurse on staff, medical facilities were extremely poor, and medical treatment for serious ailments was unavailable. In some facilities prisoners could arrange treatment in outside hospitals if they could pay for the treatment and the expense of police escorts.

Prisons held both male and female prisoners, although they were placed in separate cells. In some prisons juveniles were housed with adult prisoners. International organizations opposed the government's plan to construct a separate facility to serve juvenile detainees, arguing that juveniles would best be kept in segregated sections of adult prisons located close to their homes and families. Most juveniles were in detention for narcotics offenses or petty crimes. Rather than send juveniles to prisons, authorities used drug treatment facilities as holding centers for juvenile offenders. While conditions in treatment facilities were generally better than those in prisons, conditions were nevertheless Spartan and lengths of detention indefinite. During the year the UN Children's Fund (UNICEF) began counting child detainees, but the government stopped the organization's activities shortly after the project began. At the time the project was halted, UNICEF had counted more than 600 child detainees in various provincial prisons.

The government did not permit regular independent monitoring of prison conditions. The International Committee of the Red Cross (ICRC) continued its longstanding efforts to establish an official presence in the country to carry out its mandate of monitoring prison conditions, but at year's end the government had not granted the ICRC's request. The government at times provided UN and nongovernmental organization (NGO) personnel access to some juvenile detention facilities, but such access was strictly limited.

d. Arbitrary Arrest or Detention

The law prohibits arbitrary arrest and detention; however, in practice the government did not respect these provisions, and arbitrary arrest and detention persisted.

Role of the Police and Security Apparatus

The Ministry of Public Security (MoPS) maintains internal security but shares the function of state control with the Ministry of Defense's security forces and with LPRP and popular fronts. The Ministry of Foreign Affairs, with MoPS support, is responsible for oversight of foreigners, including ensuring that foreigners do not visit sensitive areas or have sexual relations with citizens. The MoPS includes local police, traffic police, immigration police, security police (including border police), and other armed police units. Communication police are responsible for monitoring telephone and electronic communications. The armed forces are responsible for external security but also have domestic security responsibilities that include counterterrorism and counterinsurgency activities as well as control of an extensive system of village militias.

Impunity was a problem, as was police corruption. Many police officers used their authority to extract bribes from citizens. Corrupt officials reportedly were rarely punished. There was no formal mechanism for investigating police abuse. In theory the government's National Audit Committee has responsibility for uncovering corruption in all government ministries, including the MoPS, but in practice the office's investigative activities were minimal. Lower level officials were on occasion arrested and punished for corruption. During the year several customs officials were reportedly dismissed for corruption.

Police are trained at the National Police Academy, but the extent to which the academy's curriculum discusses corruption was unknown. At the instruction of the LPRP, the government controlled press rarely reported cases of official corruption.

Arrest and Detention

Police and military forces both had powers of arrest, although normally only police carried out these powers. Police agents exercised wide latitude in making arrests, relying on exceptions to the requirement that warrants are necessary except to apprehend persons in the act of committing crimes or in urgent cases. Police reportedly sometimes used arrest as a means to intimidate persons or extract bribes. There were reports that military forces occasionally arrested or detained persons suspected of insurgent activities.

There is a one year statutory limit for detention without trial. The length of detention without a pretrial hearing or formal charges is also limited to one year. The Office of the Prosecutor General (OPG) reportedly made efforts to ensure that all prisoners were brought to trial within the one year limit, but the limit sometimes was ignored. The OPG must authorize police to hold a suspect pending investigation. Authorization is given in three month increments, and a suspect must be released after a maximum of one year if police do not have sufficient evidence to bring charges. There is a bail system, but its implementation was arbitrary and in practice often amounted to a bribe to prison officials for a prisoner's release. Prisoner access to family members and a lawyer was not assured. Incommunicado detention was a problem; however, it was used less frequently than in the past (see section 1.c.). A statute of limitations applies to most crimes. Alleged violations of criminal laws at times led to lengthy pretrial detentions without charge and minimal due process protection of those detained. Authorities sometimes continued to detain prisoners after they had completed their sentences, particularly in cases where prisoners were unable to pay court fines. In other cases prisoners were released contingent upon their agreement to pay fines at a later date.

On April 1, a Christian man in Salavan Province's Tabeng Village was placed under house arrest for several months, reportedly without charges, for refusing to recant his faith. During the first 10 days of his house arrest, he was reportedly placed in wrist and ankle stocks. He was reportedly released from house arrest in October (see sections 1.c. and 2.c.). On August 11, two ethnic minority Christians were arrested in Savannakhet Province's Xephone District, reportedly for being outspoken about their Christian faith and for their perceived prowestern views. At year's end the two remained in prison without charge.

On November 17, 11 ethnic Khmu Christians were arrested in Khon Kean Village, Vientiane Province, along with two foreign citizens. The foreigners were released after three weeks' detention and the reported payment of a \$9,000 fine. Two additional Khmu Christians from Khon Kean Village were subsequently arrested, and at year's end the 13 individuals remained incarcerated (see section 2.c.).

During the year authorities arrested, with no apparent charges or with questionable charges, a total of approximately 49 Christians due to their efforts to practice their religion, refusal to give up their religious beliefs, or suspicions that they were pro western or opposed to the government.

At year's end a group of 27 Hmong Christians, 26 of whom were children, were presumed to remain in detention. In December 2005 the government detained them after Thai authorities unofficially deported them to Bolikhamsai Province (see sections 1.b., 2.c., and 2.d.).

Early in the year authorities in Phine District, Savannakhet Province, released two ethnic Brou who, after refusing to cease their religious activities, were convicted in mid 2005 on charges of "illegal weapons trafficking."

There were no reports that police administratively overruled court decisions by detaining exonerated individuals. However, local police reportedly continued to detain persons who had been ordered released by higher authorities. There were no known instances of police being reprimanded or punished for such behavior. The OPG made efforts to encourage compliance with the law regarding detention of suspects but acknowledged that police widely continued to ignore the law's provisions.

e. Denial of Fair Public Trial

The law provides for the independence of the judiciary and the OPG; however, senior government and party officials influenced the courts, although to a lesser degree than in the past. Impunity was a problem, as was corruption. Reportedly, some judges could be bribed. The National Assembly may remove judges from office for "impropriety"; however, according to government sources, since 1991 only one judge at the district level has been removed for improper behavior.

The people's courts have four levels: district courts, municipal and provincial courts, a court of appeals, and the Supreme People's Court. In 2004 the Supreme Court established a commercial court, family court, and juvenile court. Decisions of the lower courts are subject to review by the Supreme Court, but military court decisions are not. Both defendants and prosecutors in civilian courts have the right to appeal adverse verdicts. There are instances in which civilians may be tried in the military courts, but this was rare.

Trial Procedures

Court judges, not juries, decide guilt or innocence. All judges were Communist Party members. Trials that involve certain criminal laws

relating to national security, state secrets, children under the age of 16, or certain types of family law are closed. The law provides for open trials in which defendants have the right to defend themselves with the assistance of a lawyer or other persons. Defense attorneys are provided at government expense only in cases involving children, cases for which there is the possibility of life imprisonment or the death penalty, and cases that are considered particularly complicated, such as those involving foreigners. The law requires that authorities inform persons of their rights and states that defendants may have anyone assist them in preparing written cases and accompany them at their trials; however, only the defendant may present oral arguments at a criminal trial. Defendants are permitted to question witnesses and can present witnesses and evidence on their own behalf. Court litigants may select members of the Lao Bar Association to represent them at trials. The association, with a membership of nearly 50 private attorneys, is nominally independent but receives some direction from the Ministry of Justice. For several reasons, including a lack of funds, shortage of attorneys, and the general perception that attorneys cannot affect court decisions, most defendants did not choose to have attorneys or trained representatives.

Under the law defendants enjoy a presumption of innocence. However, in practice judges usually decided guilt or innocence in advance, basing their decisions on the result of police or the prosecutor's investigation reports. Most trials, including criminal trials, were little more than pro forma examinations of the accused, with a verdict having been reached beforehand. Defendants have the right of appeal.

Most of the country's 450 judges had only basic legal training, and many provincial and district courts had few or no reference materials available to which judges could refer for guidance. The National Assembly's Legal Affairs Committee occasionally reviewed Supreme Court decisions for "accuracy" and returned cases to the court or the OPG for review when the committee believed decisions were reached improperly.

There were no developments in the 2003 arrest of three Hmong porters in Xieng Khouang Province. The three were arrested along with two foreign journalists and their foreign interpreter. The foreign journalists and interpreter were released, but the three porters were charged with having conspired with ethnic Hmong villagers in the killing of a local militia member and given long prison sentences. One later escaped, but at year's end the other two remained in custody.

Political Prisoners and Detainees

There were three known political prisoners. Colonel Sing Chanthakoumane, a former government official, was serving a life sentence after a 1990 trial that was not conducted according to international standards. Sing reportedly was very ill, but the government ignored numerous requests to release him on humanitarian grounds. He was the sole remaining reeducation camp inmate from the old regime. At least two persons, Thongpaseuth Keuakoun and Seng aloun Phengboun, who were arrested in 1999 for attempting to organize a prodemocracy demonstration in Vientiane, continued to serve 10 year sentences for antigovernment activities.

Other political prisoners may have been arrested, tried, and convicted under laws relating to national security that prevent public court trials. However, there was no reliable independent method to ascertain accurately their total number.

Based on information provided by former prisoners, a small but unknown number of persons, particularly Hmong suspected of insurgent activities, were detained for allegedly violating criminal laws concerning national security.

Civil Judicial Procedures and Remedies

The law provides for independence of the judiciary in both criminal and civil matters. If civil or political rights are violated, one may seek judicial remedy in a criminal court or pursue an administrative remedy from the National Assembly under the Law on Public Complaints. In regard to social and cultural rights, one may seek remedy in a civil court. Despite some improvement following the creation of the Department of Law Enforcement in 2000, enforcement of court orders remained a problem.

f. Arbitrary Interference With Privacy, Family, Home, or Correspondence

The law generally protects privacy, including that of mail, telephone, and electronic correspondence, but the government reportedly violated these legal protections in situations when there was a perceived security threat.

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

The MoPS regularly monitored citizens' activities through a vast surveillance network. An informal militia in urban and rural areas, operating under the aegis of the armed forces, had responsibility for maintaining public order and reporting "undesirable elements" to police. Militia units were usually more concerned with addressing petty crime, robberies, and instances of moral turpitude than with political activism, although in remote rural areas where the Hmong insurgency was active, the militia also played a role in providing security against insurgents. Members of the LPRP's many front organizations, including the Lao Women's Union, the Youth Union, and the Lao Front for National Construction (LFNC), served as watchdogs over the citizenry at all levels of society. The MoPS also maintained a network of secret police whose job was to monitor the citizenry in order to prevent acts threatening the government.

The government monitored the e mails of private citizens. All Internet service providers were licensed by the government and were required to report quarterly to the Prime Minister's Office regarding their activities (see section 2.a.).

The government continued its program to relocate highland slash and burn farmers, most of whom belonged to ethnic minority groups, to

lowland areas in keeping with its plan to end opium production by the end of 2005 and slash and burn agriculture by 2010. In some areas district and provincial officials used persuasion to convince villagers to move to relocation areas. In other areas villagers relocated spontaneously to be closer to roads, markets, and government services. Although the government's resettlement plan called for compensating farmers for lost land and providing resettlement assistance, this assistance was not available in many cases or was insufficient to give relocated farmers the means to adjust to their new homes and new way of life. Moreover, in some areas farmland allotted to relocated villagers was of poor quality and unsuited for intensive rice farming. The result was that some relocated villagers experienced increased poverty, hunger, malnourishment, susceptibility to disease, and mortality rates. The government relied on assistance from NGOs, bilateral donors, and international organizations to cover the needs of those recently resettled, but such assistance was not available in all areas.

Unlike in 2005, there were no reports of forced resettlement during the year.

Local officials confiscated lands of Christians in one area of Oudomsay Province in February but returned the land after a few months (see section 2.c.).

The government allowed citizens to marry foreigners only with prior approval. Premarital cohabitation was illegal. Although the government routinely granted permission to marry, the process was lengthy and burdensome and offered officials the opportunity to solicit bribes. Marriages to foreigners without government approval could be annulled, with both parties subject to arrest and fines.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law provides for freedom of speech and of the press; however, in practice the government severely restricted political speech and writing. The government also prohibited most criticism that it deemed harmful to its reputation. The law forbids slandering the state, distorting party or state policies, inciting disorder, or propagating information or opinions that weaken the state. Citizens who lodged legitimate complaints with government departments generally did not suffer reprisals; criticism of a more general nature or targeting the party leadership could lead to censure or arrest.

The state owned and controlled most domestic print and electronic media. Local news in all media reflected government policy. Television talk shows and opinion articles referred only to differences in administrative approaches. Although domestic television and radio broadcasts were closely controlled, the government made no effort to interfere with television and radio broadcasts from abroad. Many citizens routinely watched Thai television or listened to Thai radio, including news broadcasts. Citizens had 24 hour access to CNN and the BBC as well as other international stations accessible via satellite and cable television. The government required registration of receiving satellite dishes and payment of a one time licensing fee, largely as a revenue generating measure, but otherwise made no effort to restrict their use. A Chinese owned company provided cable television service to subscribers in Vientiane. This government registered cable service offered Thai and international news and entertainment programs without restriction from authorities.

The government permitted the publication of several privately owned periodicals of a nonpolitical nature, including periodicals specializing in business, society, and trade topics. While government officials did not review in advance all articles in these periodicals, they reviewed them after publication and imposed penalties on periodicals that carried articles that did not meet government approval. A few Asian and Western newspapers and magazines were available through private outlets that had government permission to sell them.

Foreign journalists were required to apply for special visas and were restricted in their activities. The authorities did not allow journalists free access to information sources, but journalists often were allowed to travel without official escorts. When escorts were required, journalists had to pay daily fees for their services.

Authorities prohibited the dissemination of materials deemed indecent, subversive of "national culture," or politically sensitive. Any person found guilty of importing a publication considered offensive to the national culture faced a fine or imprisonment for up to one year. Decree 92 on religious practice permits the publication of religious material with permission from the LFNC. Although several religious groups sought such permission, at year's end no Christian or Baha'i groups had received authorization to publish religious materials (see section 2.c.).

Internet Freedom

The government controlled all domestic Internet servers and occasionally blocked access to Internet sites that were deemed pornographic or were critical of government institutions and policies. The government also sporadically monitored e mail. Highly restrictive regulations regarding Internet use by citizens significantly curtailed freedom of expression. "Disturbing the peace and happiness of the community" and "reporting misleading news" are criminal acts. The Prime Minister's Office required all Internet service providers to submit quarterly reports and link their gateways to facilitate monitoring, but the government's ability to enforce such regulations appeared to be limited. Fearful of monitoring by the authorities, many citizens used the Internet services of a growing number of Internet cafes rather than personal computers for private correspondence.

Academic Freedom and Cultural Events

The law provides for academic freedom, but in practice the government imposed restrictions. The Ministry of Education tightly controlled curriculums in schools, including private schools and colleges, to ensure that no subjects were taught that might raise questions about the political system.

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 exercised control, via requirements for exit stamps and other mechanisms, over the ability of state employed academic professionals to travel for research or obtain study grants, but it actively sought such opportunities worldwide and approved virtually all such proposals.

Films and music recordings produced in government studios were required to be submitted for official censorship; however, uncensored foreign films and music were easily available in video and compact disc format. The Ministry of Information and Culture repeatedly attempted to impose restrictions aimed at limiting the influence of Thai culture in Lao music and entertainment, but these restrictions were widely ignored and appeared to have little effect.

The government did not interfere with cultural events unless it considered such events antigovernment. During the year there were no reports that the government forced the cancellation of cultural events.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law provides for freedom of assembly; however, the government restricted this right in practice. The law prohibits participation in organizations that undertake demonstrations, protest marches, or other acts that cause "turmoil or social instability." Participation in acts deemed to cause turmoil or social instability, such as protest marches, is punishable by prison terms of one to five years. Defendants tried for crimes against the state could face sentences of up to 20 years or execution.

Freedom of Association

The law provides citizens the right to organize and join associations, but the government restricted this right in practice. The government registered and controlled all associations and prohibited associations that criticized the government. Political groups other than popular front organizations approved by the LPRP were forbidden. Although the government restricted many types of formal professional and social associations, informal nonpolitical groups were able to meet without hindrance. The government permitted the creation of some associations of a business nature, such as allowing hotel owners and freight forwarders to create their own business associations. The government also began permitting the establishment of nonprofit organizations designed to promote science and agriculture. The Prime Minister's Office oversees the small but growing number of organizations that have registered to conduct activities in these areas.

c. Freedom of Religion

The constitution provides for freedom of religion; however, the authorities, particularly at the local level, interfered with this right.

Although the state is secular, the LPRP and the government supported Theravada Buddhism, which was followed by more than 40 percent of the population and was the faith of nearly all of the ethnic Lao population. The law does not recognize a national religion, but the government's support for and oversight of temples and other facilities and its promotion of Buddhist practices gave Buddhism an elevated status among the country's religions.

During the year local authorities arrested or detained approximately 49 Christians in Luang Namtha, Savannakhet, Salavan, Oudomsay, Bolikhamsai, and Vientiane provinces. Authorities detained a group of 27 Hmong Christians, including 26 children, who had been deported from Thailand in December 2005 (see sections 1.b., 1.d., and 2.d.). On April 1, a Christian man in Salavan Province was arrested and initially placed in ankle and wrist stocks after refusing the village chief's order to recant his faith. After 10 days the stocks were removed, but he remained under house arrest before being released in October (see section 1.c.).

On November 17, 11 ethnic Khmu Christians were arrested in Khon Kean Village, Vientiane Province, along with two foreign citizens. The Khmu Christians reportedly were arrested for collaborating with the two foreigners, who had preached at a Christian celebration and videotaped interviews with some church members. The two foreigners were released after three weeks' detention and the reported payment of a \$9,000 fine. Two additional Khmu Christians from Khon Kean Village were subsequently arrested. Among the 13 arrested, three pastors were imprisoned in Thongharb Prison, and 10 other church leaders remained in detention in Hin Heup, Vientiane Province, at year's end (see section 1.d.).

On December 20, five ethnic Yao Christians in Luang Namtha Province were arrested for building a church without proper authorization. On December 26, authorities arrested one additional member of the group. The six church leaders had received village approval for the church's construction, but when district officials ordered them to stop construction, they reportedly continued without district approval.

Ethnic minority Christians were sometimes arrested under what were alleged to be false charges because of their faith. In midyear a Christian in Oudomsay's Nam Heang Village reportedly was arrested for having ammunition at his home. He was held for two months and released contingent upon his agreement to pay a \$200 (two million kip) fine. Church leaders, noting the man had recently completed three years of military service, alleged that the village chief, known to be anti-Christian, used the ammunition as an excuse for the arrest. On August 11, two Christians in Savannakhet's Xephone District were imprisoned for being outspoken about their faith and for what the village chief regarded as prowestern views. The government reported that the men were sentenced to six months' imprisonment, to be followed by one year's probation for "dividing society and damaging solidarity." At year's end the men remained in prison.

Early in the year authorities reportedly released two ethnic Brou Christian men convicted of weapons trafficking in Savannakhet in 2005.

However, some in the religious community said the two were never convicted and were held at a police facility until their families were able to pay fines to the police. Members of the religious community believed the arrests were due to their religious beliefs and said that many non Christians in the community were also selling ammunition but were not arrested. Community members also believed that the men's arrest and detention was motivated by local officials' desire to force them to renounce their faith.

In August Lao Evangelical Church member Nyocht, sentenced in 1999 to 12 years' imprisonment for treason and sedition, died following a period of illness. Another church member, Thongchanh, sentenced to 15 years in prison at the same time, remained incarcerated. Some persons believed their conviction was due to their proselytizing activities.

The constitution prohibits "all acts of creating division of religion or creating division among the people." The LPRP and the government used this to justify restrictions on religious practice by all religious groups, including the Buddhist majority and animists. Although official pronouncements acknowledged the positive benefits of religion, they also emphasized its potential to divide, distract, or destabilize. The constitution notes that the state "mobilizes and encourages" Buddhist monks and novices as well as priests of other religions to participate in activities "beneficial to the nation and the people."

Authorities continued to be suspicious of non Buddhist religious communities, including some Christian groups. Local authorities, apparently in some cases with encouragement from government or LPRP officials, singled out Protestant groups, both those officially recognized by the LFNC and those that were not recognized, as a target of abuse.

Decree 92 permits minority religious groups to engage in a number of activities previously considered illegal, such as proselytizing and printing religious material; however, it requires religious groups or individuals to obtain permission in advance for these activities, in most cases from the LFNC. Although the intent of the decree was to clarify the rights and responsibilities of religious groups, many minority religious leaders complained that it was too restrictive in practice. The requirement that religious groups obtain permission, sometimes from several different offices, for a broad range of activities greatly limited the freedom of these groups.

The LFNC has recognized two Protestant groups: the Lao Evangelical Church (LEC), which is the umbrella Protestant church, and the Seventh day Adventist Church. The LFNC refused to recognize congregations such as the Methodists, who operated independently.

The government's tolerance of religion varied by region. In most parts of the country, members of long established congregations had few problems in practicing their faith, although long time congregations in some parts of Savannakhet and Luang Prabang provinces continued to face restrictions from local authorities. Authorities sometimes advised new congregations to join the LEC, despite clear differences between the groups' beliefs. In some areas, such as Luang Prabang and Xieng Khouang provinces, independent congregations were ordered to join the LEC or face sanctions, including arrests of their leaders. In other areas, however, authorities allowed congregations not affiliated with the LEC or Seventh day Adventists to continue their worship unhindered.

The LFNC often sought to intervene with local governments in cases where minority religious practitioners, particularly Christians, had been harassed or mistreated; however, incidents of religious intolerance by local officials continued in some areas. Although officials in a few urban areas notably Vientiane City, Savannakhet, and Pakse were relatively tolerant of Christian religious practice, government authorities in many regions restricted the practice of properly registered religious groups. Officials in Savannakhet Province's Muang Phine District arrested and detained religious believers without charges, apparently as a means of forcing them to change their religious beliefs (see section 1.d.). Authorities in other areas used threats of arrest as a means of intimidating local religious communities. Local officials in some parts of the country also threatened to withhold government identification cards and household registration documents as well as deny educational benefits to those who did not give up their religious beliefs. Local officials confiscated lands of Christians in one area of Oudomsay Province in February but reportedly returned them after a few months.

The Roman Catholic Church was unable to operate effectively in the northern part of the country, and church members had only intermittent contact with the bishop of Luang Prabang, who lived in Vientiane. The small Catholic communities in Luang Prabang, Sayaboury, and Bokeo provinces sporadically held services in members' homes, but there were no priests in the areas, and pastoral visits from Vientiane were infrequent.

On June 18, the government allowed the Catholic Church to ordain the country's first new priest in 30 years, after forcing a cancellation of the event in 2005. The government allowed the Catholic Church to ordain two additional priests on December 9 and another on December 30.

In contrast with 2005, there were no reports that authorities arrested or detained persons bringing Bibles into the country.

Followers of the Baha'i Faith were able to practice their religion without hindrance in Vientiane City and in Savannakhet and Khammouane provinces. Small Baha'i groups faced fewer restrictions from local authorities than in the past. The small Muslim community in Vientiane was able to practice its religion without hindrance.

Animists generally experienced no interference from the government in their religious practices, which varied extensively among the approximately 70 identified ethnic groups and tribes in the country. However, the government actively discouraged animist practices that it regarded as outdated, unhealthful, or illegal, such as the practice in some tribes of infanticide of those with birth defects or of keeping the bodies of deceased relatives in homes.

Officials in Savannakhet Province continued to refuse requests by the Christian congregation in the village of Khamsan for the return of their church building, seized by authorities many years earlier. In several areas authorities continued to deny requests by local congregations to construct permanent church buildings, but in other areas officials permitted the construction or renovation of churches. Authorities in some

regions used intimidation or threats of expulsion to force Christians to renounce their religious faith, particularly in parts of Savannakhet, Salavan, and Oudomsay provinces (see section 1.f.).

Officials in some areas were suspicious of persons who converted to Christianity. Two Christians arrested in Savannakhet Province on August 11 were said to be relatively new converts and among the most vocal Christians in the community (see section 1.d.).

The government strictly prohibited foreigners from proselytizing, although it permitted foreign NGOs with religious affiliations to work in the country. Foreign persons who distributed religious material were subject to arrest or deportation. Although Decree 92 permits proselytizing by religious practitioners provided they obtain permission for such activities from the LFNC, the LFNC did not grant such permission, and persons found evangelizing risked harassment or arrest. In May authorities arrested two foreign citizens in Bokeo Province for proselytizing and, after holding them for two days, expelled them from the country.

The government permits the printing, import, and distribution of Buddhist religious material, but it made no such concessions to the printing or import of religious material and literature by non Buddhist faiths. Decree 92 authorizes the printing of religious material, provided permission is obtained from the LFNC, but the LFNC did not grant permission to Christian congregations. The government required and usually granted permission for formal links with coreligionists in other countries for all recognized religions; however, in practice the distinction between formal and informal links was unclear, and relations with coreligionists generally were established without difficulty.

Societal Abuses and Discrimination

For the most part, the various religious communities coexisted amicably. There was no known Jewish community in the country, and there were no reports of anti Semitic acts.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The law provides for these rights, but in practice the government restricted some of them. Citizens who traveled across provincial borders are not required to report to authorities; however, in designated security zones officials occasionally set up roadblocks and checked travelers' identity cards. Citizens who sought to travel to contiguous areas of neighboring countries could do so with travel permits that generally were easily obtained from district offices. Those wishing to travel farther abroad were required to apply for passports and exit visas. While the government usually issued these documents for a fee, officials at the local level sometimes denied some persons permission to apply for passports and exit visas. Authorities restricted access by foreigners to certain areas, such as the former Saisomboun Special Zone, an area previously administered by military forces, or remote districts in Xieng Khouang and Bolikhamsai provinces, where antigovernment insurgents continued to operate.

The government did not use forced exile; however, a small group of persons, who fled the country during the 1975 change in government and were tried in absentia for antigovernment activities, did not have the right of return.

Protection of Refugees

The country is not a signatory to the 1951 UN Convention relating to the Status of Refugees or its 1967 protocol, but the Nationality Law provides for asylum and the protection of stateless persons. In practice the government did not provide protection against refoulement, the return of persons to a country where they feared persecution, and did not routinely grant refugee or asylum status. However, the government showed some flexibility in dealing pragmatically with individual asylum cases.

In the years following their return, citizens who had temporarily sought refuge abroad were subject to greater scrutiny by the authorities than were other citizens. However, these returnees have largely reintegrated and no longer received unusual attention from officials. Many who fled after the 1975 change of government have returned to visit relatives, some have stayed and gained foreign resident status, and some have reclaimed citizenship successfully.

The government continued to refuse the request from the Office of the UN High Commissioner for Refugees (UNHCR) to reestablish a presence in the country to monitor the reintegration of former refugees who returned under UNHCR's resettlement program. The government stated that the UNHCR's mandate expired in 2001 and all former refugees had been successfully reintegrated. However, there were estimates that since June 2005 more than 2,000 Hmong had surrendered, mainly in the provinces of Xiang Khouang, Bolikhamsai, and Vientiane (part of which composed the former military-administered Saisomboun Special Zone).

During the year the government continued to deny that it had detained 26 Hmong children, but many sources indicated the children had been held in various government detention facilities since December 2005. In November 2005 Thai authorities in Petchaboon Province arrested a group of ethnic Hmong, most of them girls, who had fled to Thailand and were living in a holding camp in Petchaboon Province. The Thai government later confirmed that it had unofficially deported the group of 27 persons, 26 of whom were children, to Laos in early December 2005. Lao authorities initially refused to acknowledge the presence of the group but then privately indicated that they were holding them; however, later they denied that they ever held the group or knew of its whereabouts. At year's end the case remained unresolved.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Citizens do not have the right to change their government. Although the constitution outlines a system composed of executive, legislative,

and judicial branches, the LPRP controlled governance and the leadership at all levels through its constitutionally designated "leading role."

Elections and Political Participation

The law provides for a representative National Assembly, elected every five years in open, multiple candidate, fairly tabulated elections, with voting by secret ballot and universal adult suffrage. However, the constitution legitimizes only a single party, the LPRP; all other political parties are outlawed. Election committees, appointed by the National Assembly, must approve all candidates for local and national elections. Candidates do not need to be LPRP members, but in practice almost all were.

The National Assembly chooses a Standing Committee, generally based on the previous Standing Committee's recommendation. Upon the committee's recommendation, the National Assembly elects or removes the president and vice president. The committee has the mandate to supervise all administrative and judicial organizations and the sole power to recommend presidential decrees. It also appoints the National Election Committee, which has powers over elections, including approval of candidates. Activities of the Standing Committee were not fully transparent.

The National Assembly, upon the president's recommendation, elects the prime minister and other ministers of the government. The 115 member National Assembly, elected in April under a system of universal suffrage, approved the LPRP's selection of the president at its inaugural session in June, when it also ratified the president's selection of a new prime minister and cabinet. The National Assembly may consider and amend draft legislation, but only permanent subcommittees of the Assembly may propose new laws. The law gives the right to submit draft legislation to the Standing Committee and the ruling executive structure.

There were 29 women in the 115 member National Assembly and four women in the 55 member LPRP Central Committee, one of whom was also a member of the seven member Standing Committee. There was one woman in the 11 member Politburo and one in the Prime Minister's Office, who also served as minister of the civil service and public administration authority. The minister of labor and social welfare was a woman.

There were seven Lao Soung (members of highland dwelling tribes) and 16 Lao Theung (from midslope dwelling tribes) in the National Assembly. Most Assembly members were ethnic Lao, who also dominated the upper echelons of the LPRP and the government. Three of the 28 cabinet ministers were members of ethnic minority groups.

Government Corruption and Transparency

There was a widespread public perception that many officials within the executive and judicial branches of the government were corrupt. Wages of all government officials were extremely low, and many officials, such as police members, had broad powers that they could easily abuse. Early in the year there reportedly was some action taken against corrupt customs officials. The LPRP's measures to suppress all information that would lead citizens to conclude the party was flawed ensured that there was no public censure of corrupt officials who were party members.

There are no laws providing for public access to government information, and in general the government closely guarded the release of any information pertaining to its internal activities, deeming such secrecy necessary for "national security."

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

There were no domestic human rights NGOs, and the government does not have a formal procedure for registration of such groups. Any organization wishing to investigate and publicly criticize the government's human rights policies would face serious obstacles, if it were permitted to operate at all.

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

The government maintained contacts with the ICRC. The government continued to translate international human rights and humanitarian law conventions with ICRC support. Since the 2001 closing of the UNHCR office, the government has not permitted UNHCR personnel to conduct monitoring visits to the country.

A human rights division, established in 2005 in the Ministry of Foreign Affairs' Department of International Treaties and Legal Affairs, has responsibility for investigating allegations of human rights violations. However, in practice the division appeared to be a correspondence unit with responsibility for answering letters of inquiry regarding alleged human rights abuses and apparently had no authority to perform or request investigations. The Foreign Ministry on occasion responded to inquiries from the UN regarding its human rights situation.

The government at times permitted limited access by international organizations and NGOs to provide food and other material assistance to former insurgents who had accepted government resettlement offers.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The constitution provides for equal treatment under the law for all citizens without regard to sex, social status, education, faith, or ethnicity.

The 1990 Family Law also includes provisions providing for equal treatment without regard to social status. The government at times took action when well documented and obvious cases of discrimination came to the attention of high level officials, although the legal mechanism whereby citizens may bring charges of discrimination against individuals or organizations was neither well developed nor widely understood among the general population.

Women

There were reports that domestic violence against women occurred, but such violence did not appear to be widespread. There was no evidence of police or judicial reluctance to act on domestic abuse cases. Spousal abuse is illegal. Rape reportedly was rare. In rape cases that were tried in court, defendants generally were convicted with penalties ranging from three years' imprisonment to execution. Spousal rape is not illegal. Penalties for domestic abuse may include both fines and imprisonment.

Prostitution is illegal, with penalties ranging from three months to one year in prison. However, in practice antiprostitution laws generally were not enforced, and in some cases officials reportedly were involved in the trade. Trafficking in women and girls for prostitution, both to Thailand and internally, was a problem (see section 5, Trafficking). Sexual relations with foreigners are forbidden under what the government refers to as a "special law," and police occasionally arrested both citizens and foreigners for having sexual relations outside of marriage.

Sexual harassment was rarely reported, and the actual extent was difficult to assess. Although sexual harassment is not illegal, "indecent sexual behavior" toward another person is illegal and punishable by six months' to three years' imprisonment.

The law provides for equal rights for women, and the Lao Women's Union operated nationally to promote the position of women in society. The law prohibits legal discrimination in marriage and inheritance. Discrimination against women did not appear common; however, varying degrees of traditional, culturally based discrimination persisted, with greater discrimination practiced by some hill tribes. Many women occupied responsible positions in the civil service and private business, and in urban areas their incomes were often higher than those of men.

During the year the prime minister issued a decree making the 2004 Law on Women fully enforceable. The law establishes penalties for crimes against women that are significantly more severe than those contained in the criminal code. The law defines trafficking and violence against women and children as criminal actions and provides for the protection of victims internally and by international agencies.

Children

Although the government has made children's education and health care a priority in its economic planning, funding for children's basic health and educational needs remained inadequate, and the country had a very high rate of infant and child mortality. Education is free and compulsory through the fifth grade; however, high fees for books and supplies and a general shortage of teachers in rural areas prevented many children from attending school. Although not reliable, 2005 census data claimed that 67 percent of primary school age children, 81 percent of junior high school age children, and approximately 41 percent of high school age children were enrolled in school. In contrast, the UN Development Program estimated that almost 40 percent of children did not attend primary school and only 10 percent entered secondary school. There was a significant difference in the educational opportunities offered to boys and girls. While figures were not reliable, literacy rates for girls were approximately 10 percent lower than for boys in general. However, according to government policy an equal number of men and women were accepted by the national university.

The law prohibits violence against children, and violators were subject to stiff punishments. Reports of the physical abuse of children were rare.

Trafficking in girls for prostitution and forced labor was a problem (see section 5, Trafficking). Other forms of child labor generally were confined to family farms and enterprises (see section 6.d.).

Trafficking in Persons

The law prohibits abduction and trade in persons as well as detaining persons against their will, procuring persons for commercial sex, and prostitution; however, trafficking in persons, particularly women and girls, was a problem. The 2004 Law on Women includes provisions protecting women and children from trafficking and domestic violence and imposes stiff penalties on traffickers (see section 5, Women).

The country was primarily a country of origin for trafficking in persons, including girls ages 13-16, and, to a much lesser extent, a country of transit. The primary destination country was Thailand. There was almost no effective border control. There was little reliable data available on the scope and severity of the problem until recently, when studies conducted between 2004 and year's end indicated that the scale of economic emigration, mostly by young persons between the ages of 15 and 30, was far greater than previously supposed. Approximately 7 percent of the total sample population in three southern provinces migrated, primarily to Thailand, either seasonally or permanently, and approximately 55 percent of the migrants were female. Thai authorities estimated that at least 180,000 undocumented Lao worked in Thailand, while other estimates suggested the number was higher. An unknown number of these persons were actually trafficked in some sense of the term. Internal trafficking of mostly minority girls and women increased, with many minority victims working in the sex services trade in the northern part of the country. According to one study, a very small number of female citizens also were trafficked to China to become brides for Chinese men.

Most trafficking victims were lowland Lao, although small numbers of minority women also were victimized by traffickers, and the number of minority trafficking victims was increasing. Minority groups were particularly vulnerable because they did not have the cultural familiarity or linguistic proximity to Thai that Lao speaking workers could use to protect themselves from exploitative situations. A much smaller number of

trafficked foreign nationals, especially Burmese and Vietnamese, transited through the country.

Many labor recruiters in the country were local persons with cross border experience and were known to the trafficking victims. For the most part, they had no connection to organized crime, commercial sexual exploitation, or the practice of involuntary servitude, but their services usually ended once their charges reached Thailand, where more organized trafficking operations operated.

There were few reports of official involvement in trafficking; however, anecdotal evidence suggested that local officials knew of trafficking activities, and some may have profited from them.

Before the antitrafficking provisions in the 2004 Law on Women went into effect, the government had prosecuted only a handful of traffickers, according to available information. All were prosecuted under other criminal statutes. The Law on Women became enforceable in February when the prime minister issued implementing regulations. While the government worked to publicize the law, at year's end it had not been fully disseminated. Based on reports provided by the Lao Anti People's Trafficking Unit (LAPTU), the primary law enforcement unit responsible for investigating human trafficking cases, the government prosecuted five persons for human trafficking related offenses, and eight cases were pending court action. The average penalty of the five that were convicted was six-and-a-half years' imprisonment and fines ranging from \$500 (five million kip) to \$3,500 (35 million kip). Only one person, arrested in August, was charged under the amended penal code that specifically addresses human trafficking. LAPTU officers participated in joint investigations with their Thai counterparts from northeast Thailand.

The government became more involved in countering the worst forms of trafficking and the exploitation of underage persons, chiefly through cooperation with international NGOs working on trafficking problems. In August the government hosted a meeting of the Coordinated Mekong Ministerial Initiative Against Trafficking and also held its first national workshop on antitrafficking.

The Ministry of Labor and Social Welfare (MLSW) had a unit devoted to children with special needs, including protection of trafficking victims and prevention of trafficking. The MLSW also maintained two small scale repatriation assistance centers for returned victims of trafficking, but their effectiveness was limited by a small budget, inadequate international assistance, and a lack of trained personnel. The centers also served victims of domestic violence. The MLSW and the Lao Women's Union conducted pilot studies on antitrafficking information campaigns and began to pursue antitrafficking efforts more actively in conjunction with NGOs. Financial constraints limited the cash contributions the government could make, but it offered the services of ministerial personnel and meeting venues to NGOs doing antitrafficking work.

In October the NGO Assistance for Women in Distressing Situations (AFESIP) established a shelter in Vientiane Municipality to aid victims of human trafficking and sexual exploitation, particularly those in need of long term counseling and assistance.

The Lao Women's Union and the Youth Union, both party sanctioned mass organizations, offered educational programs designed to inform girls and young women about the schemes of recruiters for brothels and sweatshops in neighboring countries and elsewhere. These organizations were most effective in disseminating information at the grassroots level.

In the past some trafficking victims were punished for improper documentation or for crossing the border illegally. In July the government reissued a 2004 order to stop the practice of fining returnees and followed up with training for local immigration officials in some areas. With support from UNICEF, the National Commission for Mothers and Children continued an active program of support for victims.

Persons with Disabilities

The constitution provides citizens protection against discrimination but does not specify that these protections apply to persons with disabilities. Regulations promulgated by the MLSW and the Lao National Commission for the Disabled protect such persons against discrimination; however, the regulations lack the force of law. The law does not mandate accessibility to buildings or government services for persons with disabilities, but the MLSW has established regulations regarding building access and built some sidewalk ramps in Vientiane.

National/Racial/Ethnic Minorities

The law provides for equal rights for all minority citizens, and there is no legal discrimination against them; however, societal discrimination persisted. Moreover, critics charged that the government's resettlement program for ending slash and burn agriculture and opium production adversely affected many ethnic minority groups, particularly in the north. The program requires that resettled persons adopt paddy rice farming and live in large communities, ignoring the traditional livelihoods and community structures of these minority groups. The program has led to an active debate among international observers about whether the benefits of resettlement promoted by the government access to markets, schools, and medical care for resettled persons outweigh the negative impact on traditional cultural practices (see section 1.f.).

The government encouraged the preservation of minority cultures and traditions; however, due to their remote location and inaccessibility, minority tribes had little voice in government decisions affecting their lands and the allocation of natural resources from their areas.

The Hmong are one of the largest and most prominent highland minority groups. There were a number of Hmong officials in the senior ranks of the government and LPRP, including at least five members of the LPRP Central Committee. However, societal discrimination continued against the Hmong (as well as other ethnic minorities), and some Hmong believed their ethnic group could not coexist with the ethnic Lao population. This belief has fanned separatist or irredentist beliefs among some Hmong. In recent years the government focused limited assistance projects in Hmong areas to address regional and ethnic disparities in income. The government also provided for Hmong and Khmu language radio broadcasts but reportedly denied Khmu requests to use the Lao script as their official written language. The Khmu language does not have its own writing system.

There were no substantiated reports of attacks by Hmong insurgent groups during the year. Nonetheless, the government leadership maintained its suspicion of Hmong irredentist desires, which resulted in increased efforts by security forces to eliminate scattered pockets of insurgents and their families in remote jungle areas (see section 1.a.).

There were reports of scattered surrenders of groups associated with the insurgency, often consisting of one or two families but also including a group of 350 ethnic Hmong in October in Vientiane Province. On December 13, another group of more than 400 Hmong surrendered to authorities in Xiang Khouang Province. While there were no reports of violence against those who surrendered, the government did not handle the surrenders in a transparent manner and refused to allow international observers. At year's end the status and welfare of these groups remained unknown.

For several years the government has had a vaguely defined policy of giving resettlement assistance and "amnesty" to insurgents who surrender to authorities. At least partially in response to charges that it was trying to kill all insurgent elements, the government used family members of insurgents living in the forest and former insurgents to approach these groups to urge them to surrender. Throughout the late 1990s and early 2000s, small groups accepted this offer and received small amounts of resettlement assistance from the government, especially in Vientiane, Bolikhamsai, and Xieng Khouang provinces and in the Saisomboun Special Zone. In some areas, such as in Bolikhamsai, the program included job training, land, and equipment for farming. However, in some cases the assistance was less than had been promised. Moreover, because of their past activities, amnestied insurgents continued to be the focus of government suspicion and scrutiny.

The government generally refused offers from the international community to assist surrendered insurgents directly, but it allowed some aid from the UN and other international agencies to reach them as part of larger assistance programs (see section 2.d.). The government continued to refuse international observers permission to visit the 170 insurgents who surrendered in June 2005 or to provide them with promised food and assistance.

The constitution states that foreigners and stateless persons are protected by "provisions of the laws," but in practice they did not enjoy such protection.

Other Societal Abuses and Discrimination

Within lowland Lao society, despite wide and growing tolerance of homosexual practices, societal discrimination persisted against such practices.

There was no official discrimination against persons with HIV/AIDS, but social discrimination existed. The government actively promoted tolerance of those with HIV/AIDS, and during the year it conducted awareness campaigns to educate the population and promote understanding toward such persons.

Section 6 Worker Rights

a. The Right of Association

Under the law workers may form unions in private enterprises without previous authorization as long as they operate within the framework of the officially sanctioned Federation of Lao Trade Unions (FLTU), which in turn is controlled by the LPRP. However, most of the FLTU's approximately 99,000 members worked in the public sector.

The government employed the majority of salaried workers, although this situation was changing as the government privatized state enterprises and otherwise reduced the number of its employees. Subsistence farmers made up an estimated 85 percent of the work force.

b. The Right to Organize and Bargain Collectively

There is no right to organize and bargain collectively. The law stipulates that disputes be resolved through workplace committees composed of employers, representatives of the local labor union, and representatives of the FLTU, with final authority residing in the MLSW. According to NGOs and embassies based in Vientiane, the law generally was not enforced by the MLSW, especially in dealings with joint ventures in the private sector. Labor disputes reportedly were infrequent. According to labor activists, the FLTU needed government permission to enter factories and had to provide advance notice of such visits, rendering it powerless to protect workers who filed complaints. The government sets wages and salaries for government employees, while management sets wages and salaries for private business employees.

Strikes are not prohibited by law, but the government's ban on subversive activities or destabilizing demonstrations (see section 2.b.) made strikes unlikely, and none were reported during the year.

The law stipulates that employers may not fire employees for conducting trade union activities, lodging complaints against employers about law implementation, or cooperating with officials on law implementation and labor disputes, and there were no reports of such cases. Workplace committees were one mechanism used for resolving complaints, but there was no information on how effective these committees were in practice.

There was one export processing zone under development. It was part of the Savan Seno Special Economic Zone in Savannakhet Province. Three companies signed agreements to rent land in the zone, but at year's end the zone was not operational. Labor laws apply to the zone.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced labor except in time of war or national disaster, during which time the state may conscript laborers. The law also prohibits forced or compulsory labor by children; however, there were reports that such practices occurred (see sections 5 and 6.d.).

d. Prohibition of Child Labor and Minimum Age for Employment

Under the law children under age 15 may not be recruited for employment except to work for their families, provided the work is not dangerous or difficult. Many children helped their families on farms or in shops, but child labor was rare in industrial enterprises. Some garment factories reportedly employed a very small number of underage girls. The Ministries of Public Security and of Justice are responsible for enforcing these provisions, but enforcement was ineffective due to a lack of inspectors and other resources.

e. Acceptable Conditions of Work

The daily minimum wage was approximately \$2.90 (29,000 kip), which was insufficient to provide a decent standard of living for a worker and family. Most civil servants received less than the minimum wage but often received other government benefits and housing subsidies. 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) and at least one day of rest per week.

The law provides for safe working conditions and higher compensation for dangerous work. Employers are responsible for compensating a worker injured or killed on the job, or the worker's family. This requirement was generally fulfilled by employers in the formal economic sector. The law also mandates extensive employer responsibility for those disabled while at work, and this provision appeared to be enforced adequately. Although workplace inspections reportedly have increased over the past several years, the MLSW lacked the personnel and budgetary resources to enforce the law effectively. The law has no specific provision allowing workers to remove themselves from a dangerous situation without jeopardizing their employment.

There were a number of illegal immigrants in the country, particularly from Vietnam and China, and they were vulnerable to exploitation by employers. Unlike in 2005, there were no reports that children from illegal immigrant Vietnamese families sold goods on the streets of Vientiane.