

Laos - Human Rights Scorecard¹

The Lao People's Democratic Republic is a Southeast Asian landlocked country. Most of the country is mountainous and covered by thick forests. The Mekong river at the West serves as a border with Thailand.²

Official language: Lao

Ethnic groups: Lao 54.6%; Khmou 10.9%; Hmong 8%; Tai 3.8%; Phuthai 3.3%; Leu 2.2%; Katang 2.1%; Makong 2.1%; Akha 1.6%; other 10.4%.

Government: Communist republic

- President: Saignason Choummali
- Prime Minister: Thammavong Thongsing

Death penalty: Abolitionist in practice

Population: 6.9 million

Life expectancy: 56.9 years

Under-5 mortality: 53 per 1000

Adult literacy: 63.9 percent



Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

Freedom from arbitrary or unlawful deprivation of life



Respected³

There were no credible reports of unlawful killings.

Freedom from disappearance



Largely disrespected⁴

There have been reports of forced disappearances during the past years, including the disappearance of a prominent human rights activist, Sombath Sopphone in 2012. The government made no progress on investigations of at least 10 other cases of forced disappearances⁵.

Freedom from torture and other cruel, inhuman or degrading treatment or punishment



Largely disrespected⁶

Although the law prohibits the use of torture, police forces routinely use degrading treatment as punishment against prisoners. Violations of the freedom from torture or other cruel treatment of punishment are common in the 8 existing drug detention centers across the country⁷.

Freedom from arbitrary arrest or detention



Partially respected⁸

The law authorizes arrests without warrants in urgent cases or for persons in the act of committing a crime. The police use this loophole to justify arbitrary arrests and detentions, especially of alleged drug users, beggars, homeless people and persons with mental disabilities⁹.

Freedom from denial of fair public trial



Partially respected¹⁰

Although the law provides for an independent judiciary, corruption remains a problem. The presumption of innocence is not always respected by the judges and the law does not make it mandatory for the defendant to know promptly and in detail the charges pending against him.

Freedom from arbitrary interference with privacy, family, home or correspondence



Largely disrespected¹¹

Although the law generally protects privacy, the authorities violate these legal protections when there is a "security" threat, notably in rural areas. Security laws allow monitoring of individuals' movements and private communications.

Section 2: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)¹²



Score: 71.25% Rank: 171 / 180 – Highly controlled, limited or intimidated¹³

Although the law provides citizens with the freedom of speech and press, the penal code forbids any criticism of the authorities. A decree adopted in 2014 severely restricts freedom of expression on the Internet and in social media. The media are tightly controlled by the government.¹⁴

Freedom from academic censorship



Partially respected¹⁵

Although the law provides for academic freedom, it is greatly restricted. Academics are subject to restrictions on their movements, and their access to information. The Ministry of Education controls curricula in schools.

Freedom of peaceful assembly and association



Largely disrespected¹⁶

The law provides for freedom of peaceful assembly and association, but the authorities restrict these freedoms in practice. Any participation in a protest causing “social unrest” is punishable by imprisonment for up to 5 years. The authorities impose great scrutiny over NGOs¹⁷.

Freedom of religion



Partially respected¹⁸

The law officially recognizes 4 religions, and all religious organizations need to register. Even though there is no official religion, non-Buddhist religious groups face forced renunciation and detention in certain provinces, and generally more restrictions on their lives than Buddhist groups.

Protection of refugees and stateless persons



Partially respected¹⁹

The law provides for asylum and protection of stateless persons, but Laos refused to renew the UNHCR in-country presence. The government denies a right of return to persons who left the country during the 1975 change of regime to communism.

Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)²⁰



6 / 7 – Not free²¹

Freedom of speech and of the press is highly restricted, and the government owns nearly all media. Freedom of assembly and association is non-existent as almost all public gatherings are forbidden. Two prisoners of conscience have been detained since 1999. All land is owned by the state.

Section 3: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..

Overall protection of political rights (*FreedomHouse Political Rights Index*)²²



7 / 7 – Not free²³

The constitution only allows one party: the Lao People’s Revolutionary Party (LPRP) which controls governance at all levels. Legislative elections in 2011 were declared not free and fair by international observers. The LPRP Central Committee and Politburo make all major decisions²⁴.

Section 4: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)²⁵



Score: 25%, Rank: 145 / 175 – Highly corrupt²⁶

Although the law officially criminalizes corruption, the government does not implement these laws effectively. As a result corruption is endemic among officials, judges and in the police. Corruption cases are rarely prosecuted²⁷.

Section 5: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



Largely disrespected²⁸

The law allows a tight control of national and international human rights organizations and the authorities highly restrict their work on human rights violations²⁹.

Section 6: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

Rights of women (World Economic Forum Gender Gap Index)³⁰



Score: 70.4%, Rank: 60 / 142 – Somewhat unequal rights³¹

The constitution provides for equal treatment under the law regardless of gender, but the law does not prohibit discrimination based on gender. Women in rural areas face gender stereotypes and encounter difficulties accessing skilled birth attendants or maternity wards³².

Rights of Children (KidsRights Index Overall Score)³³



Score: 53.7%, Rank: 124 / 165 – Slightly vulnerable³⁴

The law provides for free, universal and compulsory education; however children in rural areas are often prevented from attending school. The main reasons are a shortage of teachers and the parents' economic dependence on the labour of their children³⁵.

Rights of persons with disabilities



Largely disrespected³⁶

The law does not specifically protect persons with disabilities against discrimination, but the Ministry of Labour and Social Welfare is charged with protecting their rights. Discrimination against persons with disabilities in employment, public transport, and health facilities is widespread.

Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



Partially respected³⁷

The law prohibits discrimination against minority citizens but societal discrimination remains. Some have criticized the forced resettlement of ethnic minority groups from the North in order to end opium production as endangering traditional livelihoods and community structures.

Freedom from abuse and discrimination based on sexual orientation or gender identity



Partially respected^{38 39}

The law does not criminalize same-sex sexual relations, but at the same time does not prohibit discrimination based on sexual identity. Even if there are no reports of such discriminations, it is likely that they occurred. The authorities discourage LGBT groups' formation⁴⁰.

Section 7: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

Rights to freedom of association and to collective bargaining



Largely disrespected⁴¹

The law provides for the rights of all workers to conduct strikes, and join unions. However these rights are highly restricted, and cannot be exercised, as all unions need to register to an umbrella organization tightly controlled by the government and the LPRP, whose role is to enforce "labour discipline"⁴².

Freedom from forced or compulsory labour



Partially respected⁴³

Although the law prohibits forced or compulsory labour, such practices are frequent throughout the country especially in the agricultural sector for farmers who have been forced to resettle. Due to a lack of inspectors and resources, the authorities do not implement such laws effectively.

Freedom from forced labour for children, and a minimum age of employment



Largely disrespected⁴⁴

The law sets a minimum age of employment at 12, and only allows light work between the ages of 12 to 14. However, these laws are not effectively enforced in the informal sectors and for the self-employed, especially in the forestry, fishing and agricultural sectors.

Right to acceptable conditions of work



Largely disrespected⁴⁵

Although the law provides for a minimum wage and work time regulations, these laws are generally not respected and the government regularly does not pay civil servants on time. Health and safety standards are not respected. Immigrant workers from China and Vietnam are particularly vulnerable.

Right to employment



1.4% - Reasonable unemployment⁴⁶

The unemployment rate is low, and is expected to remain stable for the coming years.

¹ A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

² Commonly-known information on the country is drawn from various Internet sources, including Google country pages, the CIA World Factbook and Amnesty International. For death penalty see: "Death sentences and executions in 2013." Amnesty International. March 24, 2014. Accessed December 7, 2015.

³ <https://www.amnesty.org/en/documents/act50/001/2014/en/>

³ "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 7, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>

⁴ "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 7, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

⁵ "Human rights watch concerns on Laos". Human Rights Watch. January 1, 2015. Accessed December 7, 2015. <https://www.hrw.org/news/2015/11/05/human-rights-watch-concerns-laos>

⁶ "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 7, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>

⁷ "Human rights watch concerns on Laos". Human Rights Watch. January 1, 2015. Accessed December 7, 2015. <https://www.hrw.org/news/2015/11/05/human-rights-watch-concerns-laos>

⁸ "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 7, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>

⁹ "Human rights watch concerns on Laos". Human Rights Watch. January 1, 2015. Accessed December 7, 2015. <https://www.hrw.org/news/2015/11/05/human-rights-watch-concerns-laos>

¹⁰ Ibid. U.S Department of State.

¹¹ Ibid. U.S Department of State.

¹² The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 180 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (25 countries), Largely free, diverse and independent; 15 – 24.99 (29 countries), Mostly free, diverse and independent; 25 – 29.99 (32 countries), Partially free, diverse and independent; 30 – 39.99 (49 countries), Partially controlled, limited or intimidated; 40 & higher (42 countries), Highly controlled, limited or intimidated.

¹³ "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. January 1, 2015. Accessed December 7, 2015. <http://index.rsf.org/#/>

¹⁴ "Human rights watch concerns on Laos". Human Rights Watch. January 1, 2015. Accessed December 7, 2015. <https://www.hrw.org/news/2015/11/05/human-rights-watch-concerns-laos>

¹⁵ "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 7, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>

¹⁶ Ibid. U.S Department of State.

¹⁷ "Human rights watch concerns on Laos". Human Rights Watch. January 1, 2015. Accessed December 7, 2015. <https://www.hrw.org/news/2015/11/05/human-rights-watch-concerns-laos>

¹⁸ "Laos 2014 International Religious Freedom Report". US Department of State. January 1, 2015. Accessed December 7, 2015.

<http://www.state.gov/documents/organization/238520.pdf>

¹⁹ "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 7, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>

²⁰ Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed December 7, 2015 <https://freedomhouse.org/report/freedom-world-2015/methodology>.

²¹ "Freedom in the world-2015-Laos". Freedom House. January 1, 2015. Accessed December 7, 2015. <https://freedomhouse.org/report/freedom-world/2014/laos>

²² See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed December 1, 2015 <https://freedomhouse.org/report/freedom-world-2015/methodology>.

²³ "Freedom in the world-2015-Laos". Freedom House. January 1, 2015. Accessed December 7, 2015. <https://freedomhouse.org/report/freedom-world/2014/laos>

²⁴ "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 7, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>

²⁵ Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial secrecy. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt.

²⁶ "Laos" Corruption by Country. January 1, 2015. Accessed December 8, 2015. <http://www.transparency.org/country#LAO>

²⁷ "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 7, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>

²⁸ Ibid. U.S Department of State.

²⁹ "Human rights watch concerns on Laos". Human Rights Watch. January 1, 2015. Accessed December 7, 2015. <https://www.hrw.org/news/2015/11/05/human-rights-watch-concerns-laos>

³⁰ This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

³¹ "Laos PDR" World Economic Forum. January 1, 2014. Accessed December 8, 2015. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=LAO>

³² "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 7, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>

³³ This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-60% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable.

³⁴ "The KidsRights Index: Overall Score." The KidsRights Index. January 1, 2014. Accessed December 8, 2015.

<http://www.kidsrightsindex.org/Portals/5/Users/034/34/34/The%20KidsRights%20Index%20-%20Total%20view%20-%20may%202015.pdf>.

³⁵ "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 7, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>

³⁶ Ibid. U.S Department of State.

³⁷ Ibid. U.S Department of State.

³⁸ "State homophobia" International Lesbian Gay and Intersex Association. January 1, 2015. Accessed December 9, 2015.

http://old.ilga.org/Statehomophobia/ILGA_State_Sponsored_Homophobia_2015.pdf. See also Ibid. U.S Department of State.

³⁹ ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

⁴⁰ "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 9, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>

⁴¹ Ibid. U.S Department of State.

⁴² "Human rights watch concerns on Laos". Human Rights Watch. January 1, 2015. Accessed December 9, 2015. <https://www.hrw.org/news/2015/11/05/human-rights-watch-concerns-laos>

⁴³ "Laos 2014 Human Rights Report." U.S Department of State. January 1, 2015. Accessed December 9, 2015.

<http://www.state.gov/documents/organization/236664.pdf>, or
<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm?year=2014&dliid=236452#wrapper>

⁴⁴ Ibid. U.S Department of State.

⁴⁵ Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at
http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country

⁴⁶ "Global Employment Trends." International Labour Organization. January 1, 2013. Accessed December 9, 2015. http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm.