

Laos

Country:

Laos

Year:

2016

Freedom Status:

Not Free

Political Rights:

7

Civil Liberties:

6

Aggregate Score:

12

Freedom Rating:

6.5

Overview:

The Lao government in 2015 continued to pursue an economic opening while tightening its control over political space. Although the country has achieved high growth rates overall, inequality is growing sharply as well, fueling public discontent.

The authorities appeared increasingly attentive to criticism on social media during the year. Officials detained citizens for contentious posts and seemed concerned about the country's image ahead of its 2016 chairmanship of the Association of Southeast Asian Nations (ASEAN). Laos refused to host a meeting of ASEAN civil society groups as part of its chairmanship.

No information was released during 2015 on the whereabouts of Laos's most prominent activist, Sombath Somphone, who disappeared in 2012. Another high-profile case, the suspicious death of a Canadian man at Vientiane's airport in January, remained unsolved at year's end.

Political Rights and Civil Liberties:

Political Rights: 1 / 40 [Key]

A. Electoral Process: 0 / 12

The National Assembly is elected every five years, and its members choose the president and prime minister. However, the 61-member Central Committee and 11-member Politburo of the ruling Lao People's Revolutionary Party (LPRP) make all major decisions. The party vets all candidates for the elections, which international observers are not permitted to monitor. In the 2011 polls, the legislature increased in size from 115 members to 132. The LPRP won 128 seats, with the remainder going to independents. Choummaly Sayasone, the general secretary of the LPRP, was

chosen for a second term as president, and Thongsing Thammavong, the prime minister since 2010, was confirmed in his post. The next party congress and national elections were set for 2016.

B. Political Pluralism and Participation: 0 / 16

The 1991 constitution makes the ruling LPRP the sole legal political party and grants it a leading role at all levels of government. National Assembly candidates are not required to be members of the LPRP, but all candidates have to be approved by assembly-appointed committees; in practice, almost all are members of the party.

Ethnic minorities are represented in the Politburo, Central Committee, and National Assembly, but they are unable to engage in independent political activity.

C. Functioning of Government: 1 / 12

The National Assembly has grown slightly more responsive to the public in recent years. The 2012 Law on Making Legislation increases legislative transparency by requiring bills proposed at the central and provincial levels to be published for comment for 60 days and, once passed, to be posted for 15 days before coming into force. The government is increasingly using laws, rather than decrees, to govern, though there is still little room for the public to influence policy.

Corruption by government officials is widespread. Senior officials in government and the military are sometimes involved in logging, mining, and other extractive enterprises. Laws aimed at curbing graft are rarely enforced, and government regulation of virtually every facet of life provides many opportunities for bribery. According to a state auditor who spoke anonymously to foreign media in 2015, high-ranking government officials have profited from “ghost projects” in which companies received public funds for construction plans that were never implemented. In May and June, the state-run *Vientiane Times* published articles highlighting the punishment of lower-level officials for graft.

Laos was ranked 139 out of 168 countries and territories surveyed in Transparency International’s 2015 Corruption Perceptions Index.

Civil Liberties: 11/40

D. Freedom of Expression and Belief: 4 / 16

Self-censorship is extremely common, as authorities use legal restrictions and intimidation tactics against critics of the state. The state owns nearly all media, though some nongovernmental outlets, primarily Chinese entertainment magazines, have appeared in recent years, as have a few independent local-interest radio shows. Journalists who criticize the government or discuss controversial issues risk punishment under the criminal code. Some Lao can access Radio Free Asia and other foreign broadcasts.

Internet access and use of social media have expanded in recent years, with an estimated 18 percent of the population going online in 2015 and more than half a million people accessing Facebook. In response, the government enacted a restrictive cybercrime law in September 2014 that criminalizes the posting of vaguely defined types of content, including criticism of the LPRP and information that “distorts the truth.” The law also prohibits the use of anonymous social-media

accounts and requires internet service providers to terminate access for users who violate official decrees. In addition, the government must be provided with user information upon request.

The government has begun detaining people who disseminate critical information online. In May 2015, police arrested a woman who took photos of officers allegedly trying to extort money from her brother during a traffic stop; the photos had been posted to Facebook by a friend, sparking criticism of the police by other users. The woman was fined and released in August. In June, police detained a state employee who posted information on her Facebook account that raised questions about plans to develop land around the Khouangxi waterfalls, a popular tourist attraction. She was released in August but apparently lost her job.

Religious freedom is constrained. The religious practice of the majority Buddhist population is somewhat restricted through the LPRP's control of clergy training and supervision of temples. Other religious organizations are tightly regulated, and discrimination against non-Buddhists does occur. There have been multiple cases in recent years of Christians being briefly detained or sentenced to jail for unauthorized religious activities, or pressured by authorities to renounce their faith.

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

Government surveillance of the population has been scaled back over time, but security agencies and LPRP-backed mass organizations continue to monitor the public for dissent, curbing open and free private discussion.

E. Associational and Organizational Rights: 0 / 12

The government severely restricts freedom of assembly, prohibiting participation in organizations that engage in demonstrations or public protests. Protests are rare, and violators can receive sentences of up to five years in prison. Two democracy activists arrested in 1999 for participating in a peaceful protest remained behind bars in 2015, having been convicted of treason.

In addition to LPRP-affiliated mass organizations and foreign nongovernmental organizations (NGOs), there are some domestic welfare and professional groups, but they are prohibited from pursuing political agendas. Registration and regulatory mechanisms for NGOs are onerous and allow for arbitrary state interference. Two draft decrees that would reportedly impose new financial reporting requirements were awaiting approval at the end of 2015. Despite international pressure, the 2012 disappearance of prominent antipoverty activist Sombath Somphone remained unsolved in 2015 and continued to exert a chilling effect on civil society. The government reportedly pressured Lao civil society groups planning to attend an ASEAN forum in Malaysia in April not to discuss any topics deemed politically sensitive.

Most unions belong to the LPRP's Lao Federation of Trade Unions. Strikes are not expressly prohibited, but workers rarely stage walkouts; some disputes are reportedly resolved through informal negotiations. After a March 2015 protest by workers at a potash plant owned by a Chinese-Lao joint venture, managers and local officials agreed to some of the workers' demands regarding back pay.

F. Rule of Law: 2 / 16

The courts are generally corrupt and controlled by the LPRP. Long procedural delays are common, particularly for cases dealing with public grievances. Security forces often illegally detain suspects. Torture of prisoners is occasionally reported, and prisoners must bribe officials to obtain better food, medicine, family visits, and more humane treatment. Criminal cases often go unresolved. In January 2015, a Canadian traveler died of multiple stab wounds at a Vientiane airport under suspicious circumstances, but authorities claimed he had committed suicide.

Discrimination against members of ethnic minority tribes is common. The Hmong, who fielded a guerrilla army allied with U.S. forces during the Vietnam War, are particularly distrusted by the government and face harsh treatment. Although some Hmong who are loyal to the LPRP have been elected to the national legislature, poorer and more rural Hmong have been forced off their land to make way for extractive industries.

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

G. Personal Autonomy and Individual Rights: 5 / 16

All land is owned by the state, though citizens have rights to use it. On some occasions, the government has awarded land to citizens with government connections, money, or links to foreign companies. Dam construction, industrial expansion, and other development projects have often displaced residents without proper compensation, stoking public resentment. In June 2015, government officials reportedly threatened a group of residents in the capital with detention if they did not accept a settlement and leave their land to make way for a politically connected development firm.

Marriage to foreign citizens requires approval by the government. Although laws guarantee women many of the same rights as men, gender-based discrimination and abuse are widespread. Village-level leaders are responsible for many of the decisions affecting daily life, and nearly all village chiefs are men. Discriminatory traditions and religious practices have contributed to women's inferior access to education, employment opportunities, and worker benefits.

Trafficking in persons, especially to Thailand, is common, and Lao migrants often face forced labor abroad. Prosecutions for trafficking-related offenses declined in 2015, and enforcement is hindered by a lack of transparency and weak rule of law, but the National Assembly passed Laos's first specific antitrafficking law in December. Also during the year, international media reports noted the presence of Lao men among those working in slavery-like conditions in the region's fishing industry.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology