

- Mr. **Od Sayavong**, a Thailand-based Lao activist who was involved in activities promoting respect for human rights and democratic principles in the Lao PDR, disappeared in Bangkok on 26 August 2019.³ As part of his work, Mr. Od briefed Philip Alston, then-UN Special Rapporteur on extreme poverty and human rights in March 2019 in Bangkok, ahead of his official visit to the Lao PDR.⁴
- Mr. **Anousa Luangsouphom**, aka “Jack,” a youth activist who used social media to report on a wide range of social, environmental, and economic issues in the Lao PDR, survived an assassination attempt after being shot multiple times at close range by an unknown individual in a coffee shop in Vientiane on 29 April 2023. He is currently undergoing medical treatment abroad.⁵
- Three former Lao migrant workers, Mr. **Somphone Phimmasone**, Mr. **Soukan Chaithad**, and Ms. **Lodkham Thammavong**, were sentenced to 20, 16, and 12 years in prison respectively for “treason” and “anti-state propaganda” on 22 March 2017. The charges stemmed from the numerous messages the three had posted on Facebook while they were working in Thailand, which criticized the Lao PDR government in relation to alleged corruption, deforestation, and human rights violations.⁶
- Ms. **Houayheuang Xayabouly**, aka “Mouay,” a social media user, was sentenced to five years in prison for “anti-state propaganda” on 22 November 2019. The charges stemmed from messages she posted on Facebook which were critical of the Lao PDR government’s response to floods that hit the country’s southern provinces in late August and early September 2019. In 2018, Ms. Houayheuang was summoned by local police after she repeatedly used Facebook to denounce instances of corruption among Lao PDR authorities.⁷

To date, the fate or whereabouts of Mr. Somphone Khantisoouk, Mr. Sombath Somphone, and Mr. Od Sayavong remain unknown, and no one has been held accountable over their enforced disappearance. Similarly, no accountability has been established to identify the individual who attempted to assassinate Mr. Anousa Luangsouphom. Mr. Somphone Phimmasone, Mr. Soukan Chaithad, Ms. Lodkham Thammavong, and Ms. Houayheuang Xayabouly remain incarcerated.

These emblematic and well-known examples have sent a chilling message to Lao civil society and effectively discouraged its members from conducting any work to contribute to the respect of economic, social, and cultural rights in the country.

Over the past decade, concerns over this ongoing trend have been repeatedly expressed by United Nations (UN) human rights monitoring mechanisms - including treaty bodies⁸ and special procedures⁹ - and UN member states during the Universal Periodic Review (UPR) of the Lao PDR.¹⁰

³ FIDH, *Investigate disappearance of Lao activist seeking asylum*, 6 September 2019

⁴ OHCHR, *Thailand/Lao PDR: UN experts concerned by disappearance of Lao human rights defender*, 1 October 2019

⁵ FIDH, *Laos: Attempted murder of 25-year-old activist Anousa “Jack” Luangsouphom*, 16 May 2023

⁶ FIDH, *UN body says detention of government critics is “arbitrary” and urges their release*, 7 September 2017

⁷ FIDH, *Woman jailed for five years for criticizing the government online*, 22 November 2019

⁸ CEDAW, *Concluding observations on the combined eighth and ninth periodic reports of the Lao People’s Democratic Republic*, 14 November 2018; UN Doc. CEDAW/C/LAO/CO/8-9, para 19; Human Rights Committee, *Concluding observations on the initial report of the Lao People’s Democratic Republic*, 23 November 2018; UN Doc. CCPR/C/LAO/CO/1, paras 19 and 33.

⁹ Human Rights Council, 40th session, *Visit to the Lao People’s Democratic Republic - Report of the Special Rapporteur on the sale and sexual exploitation of children, including child prostitution, child pornography and other child sexual abuse material*, 21 January 2019, UN Doc. A/HRC/40/51/Add.1, paras 4 and 41; Human Rights Council, 41st session, *Visit to the Lao People’s Democratic Republic Report of the Special Rapporteur on extreme poverty and human rights*, 20 June 2019; UN Doc. A/HRC/41/39/Add.2, para 8, 73, and 76.

¹⁰ Human Rights Council, 15th session, *Report of the Working Group on the Universal Periodic Review - Lao People’s Democratic Republic*, 15 June 2010; UN Doc. A/HRC/15/5; Human Rights Council, 29th session, *Report of the Working Group on the Universal Periodic Review - Lao People’s Democratic Republic*, 23 March 2015, UN Doc. A/HRC/29/7; Human Rights Council, 44th session,

Engagement with regional civil society obstructed

The government also successfully isolated Lao civil society from its regional counterparts. For example, the government decided not to host the 2016 ASEAN Peoples' Forum/ASEAN Civil Society Conference (APF/ACSC). The APF/ACSC is an annual gathering of members of civil society from across Southeast Asia, held just before the Association of Southeast Asian Nations (ASEAN) Summit. This was the first time the APF/ACSC was not held in the country holding the ASEAN Chair since the meeting's inception in 2005.

Chair of the government-backed Lao CSO Committee Maydom Chanthanasinh said that among the reasons for the cancellation of APF/ACSC were that "foreigners" would use the event to criticize ASEAN governments and that the government could not guarantee the safety of "extremist" activists whom he claimed had planned to attend the meeting.¹¹ In mid-April 2015, information surfaced that the government had pressured Lao civil society organizations to omit key concerns, such as land rights, the impact of hydropower dams, and enforced disappearances, from the list of human rights issues that could have been discussed during the APF/ACSC.¹²

The Lao PDR will again hold the ASEAN Chair in 2024, and the government has not indicated whether it would allow the APF/ACSC to take place in the country.

Repressive legislation enacted

Repressive legislation has also been enacted to severely restrict the operations of civil society organizations, including those whose work relates to economic, social, and cultural rights.

The most relevant example of this type of legislation is the Decree on Associations that came into effect on 15 November 2017. This Decree applies to all domestic associations, commonly known as Non-Profit Associations (NPAs), and further tightens restrictions that were already contained in the previous Decree on Associations that had been enacted in 2009.¹³

The most problematic provisions of the 2017 Decree are those that: 1) impose an intrusive and mandatory registration process for NPAs (Articles 16, 20, 23, and 48); 2) effectively outlaw human rights organizations (Article 8); prescribe restrictive criteria for the establishment of NPAs (Article 7); impose a sweeping ban on activities (Articles 29, 31, and 48); establish tight government controls over NPAs' operations (Articles 55, 59-75); limit access to foreign funds (Articles 55 and 64); and bar foreigners from membership and employment in NPAs (Articles 31 and 38).

In November 2017, Laos' European Development Partners (the European Union, its member states, together with Switzerland) revealed that "almost no NPAs" had been registered since 2013.¹⁴

Questions for the government

Report of the Working Group on the Universal Periodic Review - Lao People's Democratic Republic, 17 March 2020, UN Doc. A/HRC/44/6

¹¹ RFA, *Laos Refuses to Host Meeting of ASEAN Civil Society Groups*, 12 October 2015

¹² RFA, *Lao Civil Society Pressured to Drop Rights Issues From ASEAN Forum*, 22 April 2015

¹³ FIDH, *New Decree on Associations is the last nail in the coffin for civil society*, 21 November 2017

¹⁴ EEAS, *European Development Partners' Statement at the Lao PDR's 2017 Round Table Implementation Meeting*, 23 November 2017

- What concrete and specific measures have the authorities taken to investigate the enforced disappearances of Mr. Somphone Khantisouk, Mr. Sombath Somphone, and Mr. Od Sayavong, and the attempted murder of Mr. Anousa Luangsouphom, and to hold the perpetrators of these crimes accountable?
- How is the long and arbitrary deprivation of liberty of Mr. Somphone Phimmasone, Mr. Soukan Chaithad, Ms. Lodkham Thammavong, and Ms. Houayheuang Xayabouly consistent with the Lao PDR's obligations under the ICESCR?
- Will the authorities allow the APF/ACSC to be held in the Lao PDR in 2024 and ensure participants can freely and actively participate in the event without being subjected to restrictions or acts of reprisal?
- Why are human rights organizations not listed by Article 8 of the 2017 Decree on Associations among the types of NPAs that are allowed to register and operate in the Lao PDR?
- Could you please provide disaggregated statistical information about the number of NPAs that: 1) were in existence under the 2009 Decree on Associations; 2) ceased to exist for failure to re-register under the 2017 Decree on Associations; 3) have registered under the 2017 Decree on Associations; and 4) are currently registered under the 2017 Decree on Associations?

Insufficient minimum wage

The monthly minimum wage for workers in the Lao PDR continues to be insufficient to ensure an adequate standard of living amid soaring inflation in the country.

In June 2022, the government announced that the minimum monthly wage would be increased by 9%, from 1.1 million kip (about US\$74) to 1.2 million kip (about US\$81), starting in August.¹⁵ In May 2023, the minimum wage was increased by another 8%, to 1.3 million kip (about US\$85).¹⁶ Meanwhile, according to official statistics, year-on-year inflation reached 12.81% in May 2022 and progressively surged to 41.3% in March 2023 - the highest rate ever recorded since 2000.¹⁷

Due to the rapidly rising cost of living, including food, daily necessities, and gasoline, more Lao national workers have crossed the border to Thailand in search of better paying jobs.¹⁸

Question for the government

- What measures are being considered by the government to provide an adequate minimum wage for workers?

Unfavorable working conditions

Workers employed by Chinese companies, or joint ventures in which Chinese companies have a significant holding, have been subjected to unsafe conditions and unfair practices.

For instance, on 10 May 2020, four miners (two Lao and two Chinese) were killed in an explosion at a coal mine operated by a Chinese company in Ta Oy District, Salavan Province.¹⁹

¹⁵ RFA, *Low wages and soaring inflation push Laotians to Thailand*, 19 June 2022

¹⁶ RFA, *Laos to increase minimum wage starting Aug. 1 in response to inflation*, 12 July 2022

¹⁷ Vientiane Times, *Inflation hits new high of 41.3 percent*, 7 March 2023

¹⁸ RFA, *Low wages and soaring inflation push Laotians to Thailand*, 19 June 2022

¹⁹ RFA, *Five Miners Killed in Blast at Chinese Coal Mine in Laos*, 14 May 2020

On 26 July 2020, an ethnic Hmong worker was subjected to electric shocks, had his hands and feet tied, and was severely beaten at a Chinese-run banana plantation in Hin Heuap District, Vientiane Province, after he complained of long work hours.²⁰

In April and May 2021, two Lao workers at China's VS Company-owned banana plantation in Borikhan District, Borikhamxay Province, died after experiencing severe breathing difficulties. Co-workers suspected their illness was caused by prolonged exposure to chemicals used on the farm.²¹

In April 2021, it was reported that the owner of a cement plant operated by the Chinese company Guestown-Lao in Nam Bak District, Luang Prabang Province, failed to pay a month's wages to more than 200 workers following the plant's closure in late November 2020.²²

In September 2021, it was reported that more than 100 Lao workers working on the China-backed Boten-Vientiane in Dong Phosy and Dong Phonhae Villages, Hatxayphong District, Vientiane Prefecture, had not received any pay for almost two months.²³

In addition, there have been consistent reports of human rights violations committed with impunity in the Chinese-run Golden Triangle Special Economic Zone (SEZ) in Tonpheung District, Bokeo Province.

Women, in particular, have been generally lured into working in the SEZ by deceptive ads that promised well-paying jobs and good working conditions in the SEZ. In reality, they became victims of human traffickers and forced to work long hours as "chat girls" who use social media and messaging apps to contact potential customers to try to convince them to invest or buy shares in the infamous Kings Romans Casino.²⁴ When the women could not meet their sales quotas, they were detained against their will and, in many cases, forced into prostitution.²⁵

Between its establishment in 2007 and the end of August 2022, Lao PDR authorities rescued more than 1,680 victims of human trafficking from the SEZ. Victims included Lao workers and foreign nationals from more than 20 countries.²⁶

In early August 2021, it was reported that workers were prevented from leaving the SEZ during a prolonged lockdown triggered by an outbreak of COVID-19.²⁷ Workers at the SEZ's Kings Romans Casino said that because of the economic downturn caused by the pandemic they had not been paid for months and could no longer afford food or rent.²⁸

²⁰ RFA, *Lao Farm Worker Beaten, Tied Up, in Dispute at Chinese Banana Plantation*, 3 August 2020

²¹ RFA, *Two Lao Workers Die From Suspected Chemical Use at Chinese-Owned Banana Farm*, 24 May 2021

²² RFA, *Chinese Employer Detained in Laos for Not Paying Workers*, 2 April 2021

²³ RFA, *Lao Workers on China-Backed Railway Project Go Unpaid for Almost Two Months*, 23 September 2021

²⁴ RFA, *Debt-trapped Lao 'chat girls' forced to sell sex in China-run economic zone*, 19 December 2021; RFA, *Last of 15 Thais trapped in Laos' Golden Triangle SEZ are rescued*, 15 March 2022; RFA, *Another 3 Thais rescued from Laos' Golden Triangle*, 18 March 2022

²⁵ RFA, *Debt-trapped Lao 'chat girls' forced to sell sex in China-run economic zone*, 19 December 2021; RFA, *Hundreds of Lao women trapped in Chinese-run SEZ, unable to pay off debt*, 8 March 2022; RFA, *Lao authorities rescue nearly 500 workers from Golden Triangle SEZ*, 21 June 2022

²⁶ RFA, *Nearly 1,700 human-trafficking victims rescued from Lao SEZ since 2007*, 19 December 2022

²⁷ RFA, *Migrant Workers Stranded by COVID-19 Lockdown Desperate to Leave Laos SEZ*, 4 August 2021

²⁸ RFA, *Migrant Workers Stranded by COVID-19 Lockdown Desperate to Leave Laos SEZ*, 4 August 2021

Questions for the government

- What measures has the government taken against business entities that failed to address and health and safety issues for their workers?
- What measures are being considered by the government to provide workers with better conditions?
- How many individuals have faced criminal charges in connection with human trafficking and other abuses within the Golden Triangle SEZ, and what punishment, if any, has been imposed on them?

Negative impacts of infrastructure and investment projects

The government has regularly failed to comply with its obligations under Article 11 of the ICESCR to respect and fulfill the right to an adequate standard of living, including adequate housing, of individuals and communities affected by infrastructure and investment projects. The negative impacts of such projects have involved land confiscation, forced relocation, and resettlement.

The construction of the 417km high-speed railway connecting the Laos-China border town of Boten to Vientiane that began in December 2016 affected over 3,830 hectares of land and 3,346 buildings along with active crop cultivation and forest lands in 167 villages in 13 districts encompassing five provinces.²⁹ According to Lao PDR authorities, 4,411 families were forced to relocate to make way for the project.³⁰ The compensation by the Lao government for land confiscation, damages, and resettlement was slow and inadequate. As of January 2019 – more than two years after the start of the project – many of the affected villagers and families had not received any compensation for their loss of land, livelihood, and income, forcing some dispossessed farmers to migrate to neighboring Thailand in search of jobs.³¹ While the railway was inaugurated in December 2021, as late as October that year, approximately 100 families living in Dong Phosy and Dong Phonhae Villages, Hatxayphong District, Vientiane Prefecture, were still awaiting compensation for the loss of land despite their repeated requests to the authorities.³² In March 2022, then-Deputy Prime Minister Sonexay Siphandone visited a resettlement village, where he instructed local authorities to resolve issues related to compensation and stated that those in resettlement villages should be provided with adequate sanitation and infrastructure.³³

The government has also failed to address the negative impacts of large hydropower dams, the design and implementation of which were regularly carried out without proper consultation with affected communities. Since 2020, there have been numerous reports of insufficient compensation for villagers displaced by the construction of dams across the country, including: the Xe La Nong 1 dam in Savannakhet Province;³⁴ the Nam Khan 2 and Nam Khan 3 dams and the Nam Ou 3 dam in Luang Prabang Province;³⁵

²⁹ Vientiane Times, *Compensation payments for Laos-China railway slated for completion in 2019*, 15 November 2018

³⁰ RFA, *High-speed Rail Project Will Force Thousands of Lao Families to Relocate*, 22 November 2017

³¹ RFA, *Chinese Railway Project in Laos Leaves Farmers in the Lurch*, 10 January 2019; Nikkei Asian Review, *China's Belt and Road rail project stirs discontent in Laos*, 15 March 2018; RFA, *Chinese Railway Project in Laos Leaves Farmers in the Lurch*, 10 January 2019

³² RFA, *Lao Villagers Not Yet Paid For Land Lost to China-Backed High-Speed Rail Project*, 5 October 2021; RFA, *As first Chinese high-speed train reaches Laos, villagers demand overdue compensation*, 19 October 2021

³³ KPL - Laos News Agency, *Deputy Prime Minister visits Oudomxay, Luang Namtha*, 3 March 2022; Vientiane Times, *Govt calls for resolution of problems relating to railway*, 3 March 2022

³⁴ RFA, *Still no Compensation for 88 Families Relocated for Laos' Xe La Nong 1 Dam*, 25 February 2020

³⁵ RFA, *Lao Villagers Displaced by Dams in Luang Prabang Still Wait for Promised Land*, 28 July 2020; RFA, *New Homes Built For Lao Flood Survivors Two Years After Dam Collapse*, 9 September 2020

the Nam Theun 1 dam in Bolikhamxay Province;³⁶ the Houay Lamphanh Lower dam in Sekong Province;³⁷ the Namtha 1 Dam in Luang Namtha Province;³⁸ the Nam Ngum 4 dam in Xieng Khouang Province;³⁹ the Pak Beng dam in Oudomxay Province;⁴⁰ and the Pak Lay dam and the Nam Hung 1 dam in Xayaburi Province.⁴¹

In addition, the right to an adequate standard of living has remained unfulfilled for survivors of the July 2018 deadly collapse of the Xe-Pian Xe-Namnoy dam in Attapeu Province and ensuing flooding, which killed at least 71 people and displaced more than 7,000 residents from their homes.⁴² Compensation and assistance offered by the government to survivors and families of the victims of the dam collapse has been thoroughly inadequate.⁴³ Construction of permanent houses for displaced survivors in Sanamxay District only began in July 2020, two years after the dam collapse.⁴⁴ However, by the end of 2022, the houses had yet to be completed. As a result, survivors of the disaster have had to live in temporary shelters with poor conditions, including lack of proper ventilation, absence of clean water, and unsanitary conditions.⁴⁵ Full compensation for survivors has also been subject to chronic delays. In November 2022, it was reported that about 100 families in Tamayod and Samong-Tai Villages were still waiting for their new homes and full compensation for their losses.⁴⁶

Land disputes trigger arrests

In some cases, villagers who resisted or protested against land confiscation without adequate compensation were arrested and/or harassed.

On 25 July 2017, police detained 14 residents of Ban Yeup Village, Thateng District, Sekong Province, for cutting down rubber trees on land the government had confiscated and leased to the Vietnamese-owned Lao-Vietnam Friendship Rubber Company in 2006.⁴⁷ Among the detained villagers were a boy and a girl, both aged 15.⁴⁸ On 29 January 2018, one of the detained villagers, Mr. Somsavanh, died in a jail in Lamam District, Sekong Province.⁴⁹ Prison authorities claimed Mr. Somsavanh committed suicide, a version of events disputed by an eyewitness, who accused authorities of torturing Mr. Somsavanh to death and reported having seen bruises on his chest.⁵⁰ As of October 2019, at least six villagers remained detained.⁵¹ No more recent information on their fate has emerged. Some of the villagers who had been detained in

³⁶ RFA, *Last Group of Families Displaced by Laos' Nam Theun 1 Dam Accept Compensation*, 15 September 2020

³⁷ RFA, *Lao Village Farmland, Paddies Destroyed by Work on Lao-China Railway Line*, 29 January 2021

³⁸ RFA, *Lao Villagers Relocated From China-Backed Dam Lack Land to Grow Crops*, 3 February 2021

³⁹ RFA, *Lao Village Farmland, Paddies Destroyed by Work on Lao-China Railway Line*, 29 January 2021

⁴⁰ RFA, *As Lao dam plans progress, farmers worry about compensation for lost land*, 13 April 2022

⁴¹ RFA, *Lao Villagers Displaced by Dam Are Left Without Farms, Money For New Land*, 18 August 2020; RFA, *As Lao dam plans progress, farmers worry about compensation for lost land*, 13 April 2022

⁴² Vientiane Times, *Attapeu calls for urgent provision of housing for flood victims*, 3 January 2019

⁴³ The government offered a meager 1.5 million kip (about US\$175) to each of the families of the 40 people authorities confirmed had died in the disaster to cover funeral expenses, and 500,000 kip (about US\$58) per household in emergency assistance, in addition to a monthly allowance of 100,000 kip (about US\$12) per person, a daily allowance of 5,000 kip (about US\$0.60) per person, and 20 kg of rice per month per person.

⁴⁴ RFA, *New Homes Built For Lao Flood Survivors Two Years After Dam Collapse*, 9 July 2020

⁴⁵ RFA, *Survivors of PNPC Dam Collapse in Laos Flee Deteriorating Relocation Centers*, 23 April 2020

⁴⁶ RFA, *4 years on, some survivors of Laos dam collapse still waiting for promised new homes*, 4 November 2022

⁴⁷ RFA, *Lao Police Beat Villagers Arrested in Lengthy Land Dispute in Sekong Province*, 27 September 2017

⁴⁸ RFA, *Lao Police Beat Villagers Arrested in Lengthy Land Dispute in Sekong Province*, 27 September 2017

⁴⁹ RFA, *Lao Detainee Dies in Custody, Relatives Doubt Official 'Suicide' Claim*, 21 February 2018

⁵⁰ RFA, *Lao Detainee Dies in Custody, Relatives Doubt Official 'Suicide' Claim*, 21 February 2018

⁵¹ RFA, *Two Jailed Lao Villagers Released After Serving Two Years For Land Dispute Protests*, 29 October 2019

July 2017 were also among a group of eight Ban Yeup residents who had been arrested in June 2012 and detained for several weeks for submitting a letter of complaint over the ongoing land dispute to the authorities a month earlier.⁵²

In late July 2022, five residents of Houay Nam Yen Village, Naxaithong District, Vientiane Prefecture, were released after more than three months of detention in connection with a land dispute. The five were detained at a military facility in Nong Kheng, in Vientiane's Sayathany District.⁵³

In December 2022, it was reported that authorities had arrested and later released five residents of Nong Bok District, Khammouane Province, for protesting against a 35-square kilometer potash mine operated by Sino Agri International Potash, a subsidiary of China's Asia Potash company. The residents said they had not been properly compensated by the company for the loss of their homes and farms.⁵⁴

Questions for the government

- Could you please provide up-to-date statistics about the number of individuals affected by the development of infrastructure and investment projects who have yet to receive full compensation for their losses, disaggregated by types of projects?
- Could you please provide an update on the measures that have been taken to ensure that survivors of the Xe-Pian Xe-Namnoy dam collapse receive full compensation for their losses?
- Could you please provide information about the fate or whereabouts of six residents of Ban Yeup Village, Thateng District, Sekong Province, who, as of October 2019, remained detained in connection with a land dispute involving a Vietnamese company?

⁵² RFA, *Lao Police Beat Villagers Arrested in Lengthy Land Dispute in Sekong Province*, 27 September 2017

⁵³ RFA, *Lao military releases five land dispute protesters on condition of silence*, 5 May 2022

⁵⁴ RFA, *Lao villagers arrested for protesting potash mine, later released*, 30 December 2022