



Civil Society in the Lao PDR

- **Historically**, the Lao PDR is a country of remarkable ethnic, linguistic and geographic diversity. Until recently, most communities, particularly in rural areas, were largely self-sustaining and locally-governed. A strong, **traditional civil society** still exists.
- Substantially supported through development aid, **state-building** is quickly replacing these traditional codes and customs. Most often, local populations have less understanding of, and **reduced access** to the newer, more centralised laws and mechanisms.
- **Mass organisations**, including the National Front for Reconstruction, the Federation of Trade Unions, and the Women's and Youth Unions, are often portrayed by the Lao government as civil society organisations, although they exist primarily to represent the state to the population. **Non-Profit Associations** (NPAs) are seen in a similar vein, as mechanisms to extend governmental agenda, policies and programmes.
- NPAs were first authorised by Prime Ministerial **Decree 115** in 2009. From names to by-laws, and from membership to regular work plans and budgets, all aspects of the registration and operations of NPAs are strictly controlled by the Ministry of Home Affairs and other line ministries. Three UN Special Rapporteurs have raised **serious concerns** about an even stricter draft decree circulated in 2014.
- Many groups are choosing to instead operate as **social enterprises** with private business licenses to avoid these registration and operational restrictions.
- There are currently some **150 NPAs in Laos**, with about two-thirds registered at provincial levels. Most are business associations formed to promote the interests of members. Many are established at the request or direction of government authorities, or by **retired officials** themselves.
- **Sombath Somphone** started what is widely recognised as the first civil society organisation in Laos when he registered the Participatory Development Training Centre (PADETC) as a private, non-profit school with the Ministry of Education in 1996.
- Significant **donor support**, particularly from the EU and Switzerland, has targeted the strengthening of civil society. Most focus is on capacity-building for CSOs in the capital city, with little space for policy advocacy, and critical analysis or reporting of field conditions is prohibited. In some cases, collaboration between International Non-Government Organisations (**INGOs**) and **NPAs** is being forbidden.
- The approximately 140 International Non-Governmental Organisations (**INGOs**) also face strict controls through extensive approval processes for program MOUs, projects and international staff. **Human rights groups** are not allowed to function in Laos.

I first began to understand few years back, when I had my first encounter with members of Laos' civil society at an international conference. My overriding impression from these individuals was the profound and all-encompassing fear that engulfed them. Their lack of trust was palpable. They did not want to talk to me with others present. They did not even want to be seen with me.

Maina Kiai, UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association



- Other mechanisms requisite to a functional and vibrant civil society, such as **freedom of the press** and an independent judiciary, are also non-existent or strictly controlled. In 2016, Freedom House gave the Lao PDR its **lowest ranking** of 7 out of 7 for political rights, and 6 out of 7 for civil liberties.
- The ninth **Asia-Europe People's Forum** (AEPF9), held in Vientiane in October 2012, was the first major international civil society event to be held in Laos. Government officials intervened on many levels, including the seizure of documents and **intimidation of Lao participants**. Sombath Somphone, the co-chair, became a victim of enforced disappearance soon afterwards. These events led to a climate of fear and self-censorship among civil society actors that persists to this day.
- This year, for the first time in its history, the **ASEAN People's Forum**, or ASCS/APF, was not held in the country holding the ASEAN Chair. Contradictory reasons have been given for this, but from the 2015 event in Kuala Lumpur and throughout subsequent planning activities, it became increasingly clear that a **suitably open and secure space** would not be available in Laos, especially for local civil society actors wishing to raise their voice on sensitive topics. Hundreds of Asian and global CSOs signed petitions voicing concerns about these risks and restrictions.
- Representatives of Lao civil society at the recent AEPF held in Ulaanbataar and the ACSC/APF held in Dili were appointed by the Lao government, and some carried **Lao government passports**.
- In Laos' second-cycle **Universal Periodic Review** at the UN Human Rights Council in 2015, 11 countries made specific calls regarding civil society and the freedoms of expression and assembly. The Lao government did not accept many of these, noting these rights were already guaranteed in the **constitution**.

5.150. Remove all restrictions in law and practice which infringe upon the work of civil societies and to ensure that all legal provisions on the rights to freedom of expression, association and peaceful assembly are in line with international human rights standards.

UPR Recommendation from Poland

Further information:

- <http://www.sombath.org/en/tag/lao-civil-society-en/>
- <http://www.lao-cso-network.org>
- <http://www.directoryofngos.org/ingo2/home>