



COUNTRY BASELINE UNDER THE 1998 ILO DECLARATION ANNUAL REVIEW (2000-2008)¹: LAO PEOPLE'S DEMOCRATIC REPUBLIC

THE ELIMINATION OF DISCRIMINATION IN RESPECT OF EMPLOYMENT AND OCCUPATION (DISC)

SOUSSION DES RAPPORTS	Fulfillment of Government's reporting obligations	YES Except for the 2005 Annual Review (AR).	
	Involvement of Employers' and Workers' organizations in the reporting process	YES , according to the Government: Involvement of the Lao National Chamber of Commerce and Industry (LNCCI) and the Lao Federation of Trade Union (LFTU) through consultations.	
OBSERVATIONS BY THE SOCIAL PARTNERS	Employers' organizations	2008 AR: Observations of the LNCCI comprised of 23 affiliates. 2006 AR: Observations of the LNCCI.	
	Workers' organizations	2008 AR: Observations of the LFTU. 2006 AR: Observations of the LFTU.	
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Ratification	Ratification status	The Lao People's Democratic Republic (PDR) has neither ratified the Equal Remuneration Convention, 1951 (No. 100) (C.100) nor the Discrimination (Employment and Occupation) Convention, 1958 (No. 111) (C.111)
		Ratification intention	YES, since 2004 for C.100 and C.111. 2008 AR: The Government confirmed its intention to ratify C.100. The LNCCI and the LFTU expressed their support to the ratification of C.100 and indicated that a tripartite consultation would accelerate the process. 2006 AR: The Government confirmed its intention to ratify in a near future C.100. The LNCCI and the LFTU supported the ratification of all the Fundamental Conventions by Lao PDR, particularly C.100. 2001 AR: Based on information in GB.282/LILS/7 and GB.282/8/2 (Nov. 2001): the Government intends to ratify C.100.

¹ Country baselines under the ILO Declaration Annual Review are based on the following elements to the extent they are available: governments' reports, observations by employers' and workers' organizations, case studies prepared under the auspices of the country and the ILO, and observations/recommendations by the ILO Declaration Expert-Advisers and by the ILO Governing Body. For any further information on the realization of this principle and right in a given country, in relation with a ratified Convention, please see: www.ilo.org/ilolex

	Recognition of the principle and right (prospect(s), means of action, basic provisions)	Constitution	YES The Constitution (Article 6) guarantees the right to freedom and democracy that is inviolable and any national legislation should prohibit discrimination based on sex. 2006 AR: According to the Government, the principle and right (PR) is expressly recognized in the Labour Code, which prohibits any forms of discrimination in respect of employment and occupation.	
		Policy, legislation and/or regulations	2008 AR: a new Labour Code was adopted in 2006 with specific provisions on the prohibition of discrimination in respect to employment and occupation. 2005 AR: The Labour Code expressly prohibits any forms of discrimination in respect of employment and occupation.	
		Grounds of discrimination	According to Article 2 of the Labour Code, no worker will be subject to discrimination in respect of employment based on race, colour, nationality, sex, religious belief, political conviction or social origin.	
		Judicial decisions	NIL	
		Special attention to particular situations	YES 2005 AR: The Government wishes to protect selected categories of workers from any forms of discrimination.	
		Information/Data collection and dissemination	NIL	
		Exercise of the principle and right	2005 AR: According to the Government: in cases of non-compliance to the PR, local authorities apply the law and sanctions that range from warnings up to penalties may be imposed.	
EFFORTS AND PROGRESS MADE IN REALIZING THE PRINCIPLE AND RIGHT	Monitoring, enforcement and sanctions mechanisms	NIL		
	Promotional activities	Institutions to promote equality	NIL	
		Other activities	2006 AR: According to the Government: several national seminars on C.100, C.111 and the other fundamental conventions are organized in collaboration with the ILO. According to the LNCCI: it stated that it had initiated its awareness raising activities in 2003 with the support of the ILO and the Australian Chamber of Commerce, and particularly activities on the national legislation and international labour standards (ILS) have been undertaken for the members of the LNCCI since 2004.	
	Special initiatives/Progress			

CHALLENGES IN REALIZING THE PRINCIPLE AND RIGHT	According to the social partners	Employers' organizations	NIL
		Workers' organizations	NIL
	According to the Government	2005 AR: According to the Government: the main difficulties in realizing the PR are the following: (i) lack of awareness of support of the public; (ii) lack of data and information; (iii) social values, cultural tradition; (iv) political conjuncture and (v) loopholes in the law.	
TECHNICAL COOPERATION	Request	2008 AR: According to the Government: ILO technical assistance is needed for conducting a country assessment and seminars on the PR and the Declaration follow-up. The Government and the LFTU also requested ILO support for the translation of national legislations into English. The LNCCI requested ILO technical assistance for additional training on the PR, particularly on C.100 and C.111.	
		2006 AR: The Government called for ILO technical assistance for the realization of the PR and ILO fundamental conventions in Lao PDR. It supported moreover the requests mentioned by the LNCCI and the LFTU. The LNCCI requested ILO support for the strengthening of sensitization activities on the national legislation and international labour standards (ILS). The LFTU requested ILO technical cooperation for the realization of the PR among the workers.	
	Offer	2005 AR: According to the Government: There is a need for ILO technical cooperation to facilitate the realization of this PR in Lao PDR, in particular in the following areas, in order of priority: (1) awareness-raising, legal literacy and advocacy, strengthening data collection and capacity for statistical analysis, legal reform (labour law and other relevant legislation), Sharing of experiences across countries/regions, developing labour market policies that promote equality of opportunity, Strengthening capacity of employers' and workers' organizations, training of other officials (e.g. police, judiciary, social workers, teachers), (2) strengthening capacity of labour inspection and administration for example. OIT/IPEC, NGOs.	
EXPERT-ADVISERS' OBSERVATIONS/ RECOMMENDATIONS	<p>2008 AR: The ILO Declaration Expert-Advisers (IDEAs) noted the intentions expressed by most governments, including the Government of Lao PDR, to ratify or consider ratification of Conventions Nos.100 and/or 111. They encouraged the governments to accelerate this process so as to make an important step forward towards universal ratification. Given that many countries have requested ILO technical cooperation in the ratification process (on the content of Conventions Nos. 100 and 111, labour law review, ratification process, etc.), the IDEAs requested the Office to strengthen its assistance in this regard (Cf. Paragraphs 66 and 67 of the 2008 Annual Review Introduction – ILO: GB.301/3).</p> <p>2005 AR: The IDEAs complimented the Government of Lao PDR (and four other governments) for having given special attention to specific categories of workers or enterprises and encouraged the country to enhance its efforts in reducing and eliminating this type of discrimination (Cf. Paragraph 270 of the 2005 Annual Review Introduction – ILO: GB.292/4).</p> <p>2004 AR: The IDEAs noted that additional support should be provided to countries like Lao PDR that were not able to fulfil on a regular basis their obligation under the ILO Declaration Annual Review (Cf. Paragraph 30 of the 2004 Annual Review Introduction – ILO: GB.289/4).</p> <p>2003 AR: The IDEAs noted that the Lao PDR had a chequered record in reporting 14 in been reporting under the ILO Declaration Annual Review (Cf. Paragraph 14 of the 2003 Annual Review Introduction – ILO: GB.286/4).</p> <p>2001 AR: The IDEAs recommended that the Office initiate a dialogue with the Lao PDR and other countries that had never reported under the Declaration Annual Review (Cf. Paragraph 30 of the 2001 Annual Review Introduction – ILO: GB.280/3/1).</p>		
GOVERNING BODY OBSERVATIONS/ RECOMMENDATIONS	NIL		

