

**Decree of the President  
of the Lao People's Democratic Republic  
On the Promulgation of the Law  
on Anti-Trafficking in Persons**

- Pursuant to Chapter 6, Article 67, Section 1 Constitution of the Lao People's Democratic Republic, 2015 Amendment;
- Pursuant to the Resolution of the National Assembly, No. 022/NA, dated 17 December, 2015; and
- Pursuant to the Letter of Proposal by the Standing Committee of the National Assembly, No. 01/STC, dated 15 January, 2016.

**The President of the Lao People's Democratic Republic  
Decrees:**

Article 1: The Law on Anti-Trafficking in Persons is hereby promulgated.

Article 2: This Decree comes into force as from the date of signature.

The President of Lao PDR

(Signature and Sealed)

Choummaly Sayasone

Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity

National Assembly

Ref. 022/NA

**Resolution of the National Assembly  
of the Lao People's Democratic Republic  
on the Adoption of the Law  
on Anti-Trafficking in Persons**

- With reference to Art. 53, 1 of the National Constitution (2015 Amendment) and Art. 11, 1 of the Law on the National Assembly (2015 Amendment) of the Lao People's Democratic Republic;
- After in-depth and broad Deliberation and Consideration of the contents of the Law on Anti-Trafficking in Persons by the National Assembly in 10<sup>th</sup> Ordinary Session of its 7<sup>th</sup> Legislature, on 17 December 2015,

**The National Assembly Agrees that:**

Article 1      The Law on Anti-Trafficking in Persons is adopted.

Article 2      This Resolution comes into force as from the date of signature.

Vientiane Capital, Date: 17 December 2015  
President of the National Assembly

(Signature and sealed)

Pany Yathotu

Lao People's Democratic Republic  
Peace Independence Democracy Unity Prosperity

National Assembly

Ref. 73/NA  
Vientiane Capital, Date: 17 December 2015

## **The Law on Anti-Trafficking in Persons**

### **PART I General Provisions**

#### **Article 1 Purpose**

This law defines the principles, rules and measures regarding the administration, monitoring, supervision, inspection of anti-trafficking in persons activities in order for them to be systematic and effective with a view to protect the rights, interests, lives, health, dignity, freedom of the citizens and fine national traditions and customs aiming at keeping the society safe and secure, in good orders and contributing to the national development and protection.

#### **Article 2 Trafficking in Persons**

Trafficking in persons shall mean recruitment, abduction, movement, transportation or transfer, harbouring or receipt of persons, by means of persuasion, recommending, deception, payment or giving benefit, inducement, incitement or abuse of power, the use of threat or other forms of coercion, debt bondage, concealed child adoption, concealed engagement, concealed marriage, pregnancy for other, forced bagging, producing, showing and publishing pornographic materials or by other forms for the labour exploitation, sexual exploitation, slavery, prostitution, involuntary prostitution, removal of organs for purpose of trade and other forms of unlawful conducts contradicting to the national fine culture and traditions or for other purposes to gain benefits.

#### **Article 3 Anti-Trafficking in Persons**

Anti-trafficking in person shall mean the prevention, prosecution against the offenders of trafficking in persons, protection of and assistance to the victims of trafficking in persons by collaborating and cooperating between relevant organizations and other national and international sectors at regional and international levels.

#### **Article 4 Explanatory Notes**

The terms using in this law shall have the following meanings:

1. **Slavery** shall mean the status of a person who does not have his or her fundamental human rights as a result of being under the dominance and control of a person exploiting him/her;
2. **Labour exploitation** shall mean forced labour, excessive workload or overtime working without remuneration or with inadequate remuneration as agreed;
3. **Sexual exploitation** shall mean forcing another person into sexual slavery, prostitution, pornography activities or to provide other forms of sexual services;
4. **A victim** shall mean any natural person who has directly been suffered in his or her physical or mental health, dignity, freedoms or his/her property resulting from all forms of trafficking in persons;
5. **A target** shall mean a person who is targeted to become the victim;
6. **Protection of Victims** shall mean the rescue, referral, maintenance of the safety and confidentiality of the victim of trafficking in persons;
7. **Victim Assistance** shall mean the provision of a temporary safe shelter and necessary items for daily use, medical treatment, legal assistance, education and vocational training, economic support and reintegration services;
8. **At-risk group** shall mean any group of people who are vulnerable to trafficking in persons such as poor people, those who are suffered from domestic violence, orphans, unemployed persons, including children of unemployed parents, guardians and relatives;
9. **Vulnerable person** shall mean any person who is vulnerable to trafficking in persons at the initial stage of trafficking in person process such as in the stage of persuasion, movement or transportation;
10. **Persons who are in close relationship with the** victim of trafficking in persons shall mean any person who is in the vertical and horizontal relative structures of the victim of trafficking in persons;
11. **Recruitment** shall mean the search for, contact to and communication with the targeted person or group at risk to trafficking in persons;
12. **Abduction** shall mean the capture, or detention of any person for the purpose of trafficking in persons ;
13. **Harbouring** shall mean the provision of a place to stay for and hide any person whereby the owner of such place knows by doing so it is for the purpose of trafficking in persons;
14. **Transportation or transfer** refers to escorting or transferring or asking someone to escort or assist in travelling in order to move any person from one to another point within the country or from the Lao PDR to a foreign country or from a foreign country to the Lao PDR or using the territory of the Lao PDR as transit route for the purpose of trafficking in persons;
15. **Receipt of persons** refers to recruitment of any person to work by deception, abuse of power, coercion, threat, detaining or other means for the purpose of trafficking in persons;
16. **Persuasion** refers to propaganda, persuasion or convincing in order to make the targeted person or at-risk group believe and follow;
17. **Recommending** shall mean telling, providing of information to the targeted person(s) or at-risk group;
18. **Deception** refers to use of trickery, any other similar practices to make the targeted person or vulnerable group believe;

19. **Payment or giving of benefit** refers to any kind of giving or offering benefits to the targeted person or vulnerable group such as money, gold, materials, and other benefits;
20. **Inducement** shall mean using the words to attract the targeted person or vulnerable group to believe and follow;
21. **Incitement** shall mean instigating or encouraging the targeted person or vulnerable group believe and follow;
22. **Abuse of power** shall mean the abuse of power, position, function or duty to take the advantages from the trafficking in persons;
23. **Coercion** refers to the use of force, weapon or threat to make the targeted person or vulnerable group follow;
24. **Threat** shall mean any acts or use of words to intimidate the targeted person or vulnerable group and follow the threatening person;
25. **Debt bondage** refers to giving or offering money, gold, materials or other benefits to targeted person or vulnerable group for trafficking purpose;
26. **Concealed purpose** refers to intention to hide, or conceal the real purpose of any act such as the concealed adoption, concealed engagement, concealed marriage for the trafficking purpose, sexual exploitation, labour exploitation or any unlawful benefits;
27. **Pregnancy for other** shall mean the threatening or deceiving other person to be pregnant for other or voluntarily getting pregnant for other for the purpose of trafficking;
28. **Forced Begging** shall mean forcing, threatening or coercing other person to begging in order to gain benefits;
29. **Producing, showing and publishing of pornographic materials** shall mean forcing, threatening or coercing other person to be subject to pornography involuntarily to gain benefits;
30. **Child** shall mean any person below the age of 18;
31. **Organizations** shall mean ministry-equivalent organizations, Lao Front for National Construction, and mass organizations.

## **Article 5 Policy of the Government on Anti-Trafficking in persons Activities**

The Government considers anti-trafficking in person activities as one of the most important works by paying attention to the dissemination and education of people nationwide in various forms and methods in order to raise awareness on the danger of trafficking in persons and to take definitive measures against traffickers.

The Government allocates the budget, recruits personnel, provides means and equipment to carry out the anti-trafficking in persons activities, encourage and promote individuals, legal entities, organizations, families and the society to participate in the anti-trafficking in persons activities by contributing their efforts, wisdoms, financial supports, materials and other forms of contribution.

## **Article 6 Principles of Anti-Trafficking Activities**

Anti-trafficking in persons activities shall be based on the following principles:

1. Ensuring compliance with the Constitution, laws and regulations of the Lao PDR;
2. Prosecuting trafficking in person cases in accurate, objective and just manner;
3. Respecting the rights, legitimate interest of the victims of trafficking in persons without discrimination;
4. Inclusivity of all stakeholders including organizations and individuals;
5. Protecting confidentiality of victims of trafficking in persons and informants;
6. International cooperation on anti-trafficking in persons activities shall be based on equality, mutual respect of independence, territorial integrity and sovereignty and compliance with treaties which Lao PDR is a party to.

#### **Article 7      Scope of Application**

This law is applicable to all individuals, legal entities, government organizations, either private domestic or international organization located or run their activities within and outside the territory of the Lao PDR.

#### **Article 8      International Cooperation**

The Government promotes international relations and cooperation with foreign countries at the regional and international levels in fighting against trafficking in persons by various means, such as exchange of lessons learnt, information and technology, building and upgrading of capacity and knowledge for the relevant officials, competing for technical and financial assistance and implementation of the international treaties and agreements which the Lao PDR is the party to.

## **Part II**

### **Trafficking in Persons**

#### **Chapter 1**

#### **Elements of Trafficking in Persons**

#### **Article 9      Elements of Trafficking in Person**

Trafficking in persons consists of following elements:

1. Act;
2. Means; and
3. Purposes.

For the case that the victim is a child, any act and purpose of exploitation shall be sufficient to constitute trafficking in persons even if this involves consent or voluntary of the child.

#### **Article 10      Act**

Act shall means the recruitment, abduction, movement, transportation or transferring or receipt of persons in the country or abroad, harbouring, or other acts relating to trafficking in persons as prescribed in Art. 2 of this law.

## **Article 11 Means**

Means shall mean persuasion, recommending, deception, payment or giving benefit, inducement, incitement or abuse of power, the use of threat or other forms of coercion, debt bondage, concealed child adoption, concealed engagement, concealed marriage, pregnancy for other, forced bagging, producing, showing and publishing pornographic materials or other forms.

## **Article 12 Purposes**

The purposes shall include labour and sexual exploitations, slavery, prostitution, involuntary prostitution, removal of organs for the purpose of trade and other form of unlawful conduct contradicting to the laws and national culture and traditions.

## **Chapter 2 Impacts of Trafficking in Persons**

### **Article 13 Impacts of Trafficking in Person**

Trafficking in persons has following adverse impacts on the victims of trafficking in persons:

1. Physical impact;
2. Psychological impact;
3. Sexual impact;
4. Economy or property impact;
5. Social impact.

### **Article 14 Physical impact**

Trafficking in persons may include physical internal or external injuries and mental injuries, physical disability, infected diseases, mental illness, or death resulted from trafficking in persons.

### **Article 15 Psychological impact**

Trafficking in Persons refers to emotional changes such as being despaired or worried, nightmare, fury, depression, anxiety, fear, paranoid, being delusional, losing self-control, having difficulty in adaptability, dependency on others, feeling of inferiority, self-blaming, feeling of being villain or worthless, unfriendly, self-isolation, being dissociated from and discriminated by society, shame, being disappointed, indignity, inappropriate sexual behavior, lost memory, no respect for him or herself, self-destructive behavior may lead to committing suicide.

## **Article 16 Sexual impact**

Sexual impact includes damage of reproductive organs, high risk of being infected by sexual transmitted diseases such as HIV/AIDS, hepatitis, unintended and unsafe pregnancy, inappropriate sexual behavior, abnormal physical growth and sexual maturation which are caused by acts of trafficking in persons.

## **Article 17 Property or economic impact**

Property or economic impact are the damages of property of victims, such as the loss of future, the loss of opportunity to generate the incomes or other benefits such as working without remuneration, unfair wage or salary, no social welfare supports, causing over debt, non-permanent profession, losing personal and family's property; causing lost of the man power in the national economic development which are caused by trafficking in persons.

## **Article 18 Social impact**

Social impact is undesirable phenomenon for the society and serious crimes causing damages to national culture and traditions, the public security and order resulting from trafficking in persons.

### **Part III Anti-Trafficking in Persons Chapter 1 Prevention of Trafficking in Persons**

## **Article 19 Prevention of Trafficking in Persons**

Prevention of trafficking in persons refers to the use of educational, economic, legal and regulatory methods and measures to prevent trafficking in persons from occurrence.

Prevention includes the following activities:

1. Raising public awareness on trafficking in persons;
2. Strengthening capacities for relevant organizations;
3. Collecting and researching information;
4. Preventing trafficking in persons by individuals;
5. Preventing trafficking in persons by families;
6. Preventing trafficking in persons by organizations and society;
7. Preventing trafficking in persons by the State.

## **Article 20 Raising Public Awareness on Trafficking in Persons**

Raising public awareness on trafficking in persons is one of important tasks of the state, individuals, legal entities, and all organizations in the society in order to ensure knowledge and understanding in the public aiming at changing people's behaviors, cultural and traditional practices, believes, attitudes which are considered as discrimination and disrespect to the human; to raise awareness of the public on dangers and adverse impacts of trafficking in persons as to avoid becoming victim of this crime.

Raising public awareness on the trafficking in persons shall be conducted in various forms and approaches such as integration into general educational curriculums, dissemination of information on trafficking in persons in deep and wide scopes and carrying out various anti-trafficking in person activities.

#### **Article 21     Strengthening capacities for relevant organizations**

Strengthening capacities for relevant organizations working in the area of anti-trafficking in person is conducted in the forms of trainings, seminars, workshops, exchange of lessons learnt and information about these activities; including reporting on anti- trafficking in person activities to vertical and horizontal organizational structures within scope of responsibilities on regular basic;

The State and society shall allocate and contribute budgets, funds, materials, equipments and means and recruit staff to support anti-trafficking in person activities as appropriate.

#### **Article 22     Collecting and researching Information**

Collecting and researching information and data shall provide baseline for formulating policies, drafting or amending laws and regulations and developing action plans on anti-trafficking in person.

#### **Article 23     Preventing Trafficking in Persons by Individuals**

All citizens shall be aware of not becoming victims of trafficking in persons; and all citizens must take ownership themselves to take part in the fight against trafficking in persons.

#### **Article 24     Preventing Trafficking in Persons by Families**

Each family is obliged to educate, take care of, and provide information to its family members to be alert and aware of not becoming victims of trafficking in persons; each family shall be cooperative with all government agencies concerned, collective or individual organizations and private sectors in anti-trafficking in person activities.

#### **Article 25     Preventing Trafficking in Persons by Organizations and the Society**

Organizations and the society have the duty to disseminate information, to educate and raise awareness for the people in their organizations and societies on anti-trafficking in persons activities; to coordinate, cooperate and implement policies, laws and regulations in effective manner.

#### **Article 26     Preventing Trafficking by the State**

The State systematically defines policies, enacts laws and regulations, develops mechanism and measures, as well as allocates budgets, recruits personnel, provides equipments and means for the purpose of anti-trafficking in person activities.

## **Chapter 2 Combating Trafficking in Persons**

### **Article 27 Combating Trafficking in Persons**

Combating trafficking in persons refers to the use of educational, economic, legal or regulatory methods and measures to suppress activities which may cause trafficking in persons.

Combating trafficking in persons includes the following activities:

- Control;
- Monitoring the targeted persons; and
- Prohibition.

### **Article 28 Control**

The relevant officials shall apply methods and measures as provided for in the laws and regulations to control individuals, legal entities and organizations not to commit trafficking in persons, as well as to control the target groups not to fall into victims of trafficking in persons, or victims of trafficking in persons not to be re-victimized.

### **Article 29 Monitor and inspection of targeted persons**

Relevant authorities shall monitor and inspect individuals, legal entities and organizations which are targeted groups of trafficking in persons from time to time.

In case of strong evidences, the authorities can take preventive measures as provided for in the law on criminal procedures and timely provide assistance to the victims.

### **Article 30 Prohibition**

Relevant authorities shall apply the methods and take measures as provided for in the laws and regulations in order to forbid individuals, legal entities and organizations to remain from any act of trafficking in persons.

## **Chapter 3 Trafficking in Persons Case Proceedings**

### **Article 31 Trafficking in Persons Case Proceedings**

Trafficking in persons cases shall be proceeded as follows:

1. Case reporting;
2. Receiving of case reporting;
3. Documentation of case reporting;
4. Proceedings against offenders;

5. Request for civil compensation.

### **Article 32 Case Reporting**

A report on trafficking in persons case can be made in oral or writing form. The persons who have right and obligation to report are the followings:

1. Victims of trafficking in persons;
2. Family members of victims of trafficking in persons;
3. Close relatives, neighbors, other persons, domestic and international organizations that know, see or receive information or source of information on trafficking in persons.

### **Article 33 Receiving of Case Reporting**

The persons who have authority to receive case reporting are police officers. In case of necessity and urgency, individuals, legal entities or other organizations can receive the reports and then submit to the police officers immediately in order to rescue and assist the victims of trafficking in persons and initiate the criminal proceedings against the offenders in accordance with the laws.

### **Article 34 Documentation of Case Reporting**

Police officer that receives a case report shall prepare a record that should contain the following key information:

1. Place, date, time, name and surname, and position of the person receiving the case report;
2. Name and surname, age, occupation, place of residence or workplace of the victim, victim's parents and the reporter;
3. Name and surname, age, occupation, place of residence or workplace of the accused person;
4. Description of the incidence as reported by reporter, such as: time, date and place of incidence, witnesses, clues, relevant photos, and other evidences.

When a report has been recorded, the receiver must read all contents of the records to the reporter and other participants sign and put their fingerprints in that record.

### **Article 35 Case Proceedings against Offenders**

When a report on trafficking in persons is given by individuals, legal entities or organizations or the offender had reported him or herself or a suspicious incidence about trafficking in persons was found, relevant officers shall inspect, verify information, take statements from the victims or the reporter, including witnesses, and apply investigation-interrogation methods and measures in accordance with the law on criminal procedures, while maintaining confidentiality and safety of those who are involved.

## **Article 36 Request for Civil Compensation**

The victim or civil plaintiff have the right to claim for civil compensation during criminal proceedings.

Apart from civil compensation, relevant organizations shall provide necessary protection and assistance to the victim as provided for in Art. 44 of this law and in accordance with the court decision.

## **Chapter 4**

### **Victim Protection**

#### **Article 37 Victim Identification**

Victim identification refers to the act of verification of the victim of trafficking in persons by anti-trafficking in persons officers.

#### **Article 38 Categories of the Victims**

The victims of the trafficking in persons may be classified in three following categories:

1. Lao citizens, aliens, stateless persons, and foreigners who live in the Lao PDR and become victims of the trafficking in persons in the Lao PDR;
2. Lao citizens, aliens, stateless persons, and foreigners who live in the Lao PDR and at the same time, become victims of the trafficking in persons in a foreign country;
3. Foreigners living in a foreign country who become victims of the trafficking in persons in the Lao PDR.

#### **Article 39 Rights of Victims**

Victims of the trafficking have the following rights:

1. To request for assistance from individuals, legal entities or organizations;
2. To report to the relevant authorities;
3. To testify the case;
4. To present the evidences;
5. To submit complaints;
6. To be compensated;
7. To be exempted from the criminal liability and shall not be detained for prostitution offence and illegal immigration;
8. To be protected and assisted to ensure the safety and security;
9. To be protected from photography, video recording for the purpose of publication that could be harmful to the dignity and reputation of the victim.
10. To receive assistance such as safe shelter, legal aid, medical treatment, education and vocational training, economic support, reintegration;

11. To access to documents in case file, make copies and take note of important contents of documents in case file after completion of the investigation;
12. To participate in the court hearings;
13. To object to the officers who will undertake criminal proceedings;
14. To complain, appeal against the court's decision or request to cancel the actions or the order of anti-trafficking in persons officers, chief of the prosecutor's office, prosecutors, and presiding judge or judges, if the victim finds that something is not accurate;
15. To request for an interpreter, lawyer or other guardians to defend the case;
16. To have other rights as provided for in the laws and regulations.

In case that the victim is dead, his or her close relatives shall have rights to take actions on behalf of the victim as provided for in this Art..

#### **Article 40 Victim Rescue**

When a report on a case of trafficking in person is received or there is any information about a person or group of persons are trafficked, police officers, border officials, diplomatic or consular officers shall take the ownership to collaborate with the relevant sectors to take the measures and apply the methods and to rescue those victims together with information and data, necessary evidences for further criminal proceedings; in case such victim is injured or his or her life, health are at danger, or his or her rights and freedoms, dignity, and property are infringed that person must be protected and receive appropriate assistance promptly by officials as mentioned above.

In case of necessity, the receiver of the report as described in Art. 33 of this law shall also rescue the victim of the trafficking in persons.

#### **Article 41 Victim Referral Service**

When a victim of trafficking in person is identified, he or she must be referred to the temporary safe shelter in order to provide necessary assistance services.

The methods or process of referral service are regulated separately.

#### **Article 42 Safety of the Victims**

The safety of victims of the trafficking in persons and his or her close relatives are protected as follows:

1. Protection of residence, workplace, studying place, places to go and come, court where the hearing takes place and other places as necessary;
2. Management and supervision of the activities and communications with other people;
3. Provision of temporary safe shelter;
4. Provision of new residence, workplace, studying place if the victims cannot return to their families because of necessary reasons;
5. Application of approaches in order to prevent and suppress any act that could infringe or threats to the life, freedoms, dignity, and property of the victim of trafficking in persons in accordance with the laws.

### **Article 43 Confidentiality**

Individuals, legal entities, relevant organizations must keep confidentiality of the following information about the victim and his or her close relatives:

1. Information, evidence relating to the case;
2. Biography identity and special physical appearance;
3. Temporary safe shelter, residence, work and studying places;

## **Chapter 5 Victim Assistance**

### **Article 44 Victim Assistance**

The victims of the trafficking in persons shall have rights to access to the following necessary assistances:

1. Temporarily shelter;
2. Legal assistance;
3. Medical treatment;
4. Education and vocational training;
5. Economic support;
6. Reintegration.

Individuals, legal entities and relevant organizations providing assistances to the victims shall be protected in accordance with the laws.

### **Article 45 Temporary Shelter Service**

The provision of temporary safe shelter service includes shelter, foods, clothes, medicines, and necessary items for daily use for the victims.

### **Article 46 Legal Assistance**

Legal assistance includes legal counseling, legal advices, verification of nationality, application for identity card, family registration, travel documents, the claim for civil compensation, participation in the legal proceedings, assignment of lawyer or other guardians to represent the victims in legal proceedings for free of charge in order to protect their rights and legitimate benefits [and] help the victims to prepare for hearings in the court.

Where the victim cannot speak Lao language, an interpreter must be provided and all necessary documents must also be translated.

### **Article 47 Medical Treatment Assistance**

Victims of trafficking in persons have right to the following medical treatment services:

1. Medical counseling, psychological and mental treatment services;
2. Medical checkup and treatment, health and age certificates.

In case the physician has found or is suspicious that a person who is receiving the medical treatment might be a victim of trafficking, he or she must promptly report to anti-trafficking in persons officers or refer this person to specific medical unit being responsible for provision of service to victims of trafficking in persons.

In case the victim is seriously suffered, in particular, physically disabled, handicapped, infected with HIV/AIDS he or she must be referred to relevant organizations for further assistance.

Medical test results, other information about the victims shall be kept confidentially and presented to relevant investigation organizations and State organizations whose works are related to victim assistance.

#### **Article 48      Education and Vocational Training Assistances**

Any child victim of trafficking in persons or any child accompanying any victim or any child victim in school age shall have the right to continue to learn in the school or educational institution where he or she has been attending or in other school or educational institution.

Those victims who do not have conditions for further studying, they shall be provided with an opportunity for any professional or vocational training in order to have access to employment, to gain incomes and to improve living conditions.

#### **Article 49      Economic Support**

Any victim of trafficking in persons who is poor or economically disadvantaged shall be provided with financial support by relevant organizations, sectors and local authorities such as initial financial assistance, access to fund or assistance to find any employment or work in order to support the victim to gain incomes and be economically self-reliant.

#### **Article 50      Reintegration Assistance**

Before transferring the victim back to his or her family and the society, the secretariat of the national committee on anti-trafficking in persons shall take actions as follows:

1. Coordinate and cooperate with the local authorities where the victim lives to find out the family, parents, relatives and assess conditions and preparedness for takeover the victim, including preparedness of the victim itself to return to his or her family and the society;
2. Encourage his/her family, parents, or relatives, village administration or relevant agencies to continue to monitor and provide further assistance.

In case the victim cannot return to his or her family due to any necessary reasons, the secretariat of the national committee on anti-trafficking in persons shall collaborate with relevant sectors to continue finding other options for further assistance.

## Chapter 6

### International Cooperation in Anti-Trafficking in Persons Activities

#### Article 51 International Cooperation in Anti-Trafficking in Persons Activities

The State organizations have the right to cooperate with relevant foreign organizations and international organizations in building capacities of the officials, exchanging lessons learnt, information and technology in the area of anti-trafficking in persons.

The cooperation between relevant agencies of the Lao PDR and the foreign organizations to combat trafficking in persons shall be based on treaties and agreements which the Lao PDR is party to.

In case the Lao PDR is not a party to an agreement or a treaty, the cooperation shall be based on mutual legal assistance but it shall not be contradict to the Constitution and laws of the Lao PDR.

#### Article 52 Cooperation in Protection of and Assistance to the Victim repatriated to the home country

The government of the Lao PDR cooperates in the protection of and assistance to the victims of trafficking in persons **repatriated to the home country by the following means:**

1. Creating favorable conditions for enabling relevant organizations to cooperate with the relevant foreign organizations in providing protection and assistance services to victims of trafficking in persons;
2. Providing protection of and assistance to the Lao citizens who become victims of trafficking in persons in the foreign countries in order to be repatriated; ensuring safety to lives, health, dignity, freedoms and properties of the victims in accordance with treaties and agreements which the Lao PDR is party to.
3. Creating favorable conditions for facilitating foreigners who become victims of trafficking in persons in the Lao PDR to be repatriated to their home countries based on their nationalities or their last countries of residence in accordance with treaties and agreements which the Lao PDR is party to.

#### Article 53 Mutual Legal Assistance

The mutual legal assistance between the Lao PDR and relevant foreign countries shall be conducted in accordance with treaties and agreements which the Lao PDR is party to and in accordance with the laws of the Lao PDR and rules and other international customary laws;

The Lao PDR will grant priority for mutual legal assistance to any country based on treaties and agreements in the area of anti-trafficking in persons.

The focal point for cooperation shall be based on the provisions as prescribed in relevant agreements and treaties.

## **Part IV**

### **Agencies Responsible for Anti-Trafficking in Persons Activities**

#### **Chapter 1**

##### **Anti-Trafficking in Persons Committees**

###### **Article 54 Anti-Trafficking in Persons Committees**

The anti-trafficking in persons committee consist of:

- The National Committee on Anti-Trafficking in Persons; and
- The Committees on Anti-Trafficking in Persons of provinces and Vientiane Capital.

In case of necessity, district and municipal/city anti-human trafficking committees may be established accordingly.

###### **Article 55 The National Committee on Anti-Trafficking in Persons**

The National **Committee** on Anti-Human Trafficking is a state body with non-standing function appointed by the Prime Minister and serves as the secretariat to the Government by supervising, monitoring, inspecting, encouraging and supporting relevant ministries, organizations, and other sectors to research and study policies, strategic plans and laws relating to anti-trafficking in persons issues and take a central role in campaigning, mobilizing and competing for financial and technical support, in coordinating and cooperating with all relevant national and international sectors in the aspect of implementation of anti-trafficking in persons work of the Lao PDR.

National Committee on Anti-Trafficking in Persons is abbreviated as “NCATIP”.

###### **Article 56 Organizational Structure of the National Committee on Anti-Trafficking in Persons**

**The National Committee on Anti-Trafficking in Persons** consists of the following members:

1. Deputy-Prime Minister as Chairman;
2. Minister of the Ministry of Public Security as Vice-Chairman with standing function;
3. Vice-Minister of the Ministry of Labour and Social Welfares as Vice-Chairman;
4. Vice-President of the Lao Women Union as Vice-Chairperson;
5. Vice-Minister of the Ministry of Foreign Affairs as Vice-Chairman;
6. Vice-Minister, Deputy Permanent Secretary of the Prime Minister’s Office as Member;
7. Vice-Minister of the Ministry of Justice as Member;
8. Vice-Minister of the Ministry of Public Health as Member;
9. Vice-Minister of the Ministry of Education and Sport as Member;
10. Vice-Minister of the Information, Culture and Tourism as Member;
11. Deputy Secretary of the Lao Revolutionary Youth Union as Member;

12. Vice-President of Lao Federation of Trade Union as Member;
13. Deputy Director General of the General Police Department, Ministry of Public Security, supervising anti-trafficking in persons activities, as member and head of Secretariat to this Committee.

**Article 57 Rights and Duties of the National Committee on Anti-Trafficking in Persons**

The National Committee **on Anti-Trafficking in Persons** has following rights and duties:

1. To formulate policies, strategic plans, programs, plans and projects relating to anti-trafficking in persons activities to propose to the government for consideration;
2. To disseminate policies, laws and regulations, provide information on anti-trafficking in persons activities to the general public and relevant national sectors and international stakeholders;
3. To guide, supervise and monitor Committees on Anti-Trafficking in Persons of Provinces and Vientiane Capital;
4. To guide, encourage, monitor and collaborate with ministries, organizations, local authorities and other stakeholders with regard to anti-trafficking in persons activities;
5. To organize meetings to review anti-trafficking in persons activities and take lessons learnt therefrom;
6. To maintain foreign relation and regional and international cooperation in anti-trafficking in persons activities;
7. To summarize anti-trafficking in persons activities and report to the government on regular basis; and
8. To exercise other rights perform duties as stipulated in the laws and regulations.

**Article 58 Secretariat to the National Committee on Anti-Trafficking in Persons**

A Department under the General Police Department, Ministry of Public Security takes the central role as Secretariat to the National Committee on Anti-Trafficking in Persons in coordination and cooperation with relevant domestic and foreign organizations with regard to the anti-trafficking in persons activities as prescribed in Art. 57 of this law.

Secretariat to the National Committee on Anti-Trafficking in Persons is appointed by the Chairman of the National Committee on Anti-Trafficking in Persons.

**Article 59 Committees on Anti-Trafficking in Persons of Provinces and Vientiane Capital**

Committees on Anti-Trafficking in Persons of Provinces and Vientiane Capital are governmental agencies with non-standing bodies which are appointed by provincial governors or Vientiane Capital Mayor. Their roles and functions are to implement strategic plans, programs, projects and activities with regard to anti-trafficking in persons activities,

perform a central role for coordination and cooperation with relevant stakeholders within their responsibilities.

A division under the Public Security office of the Provinces and Vientiane Capital takes the role as secretariats to Committees on Anti-Trafficking in Persons of Provinces and Vientiane Capital respectively.

Organizational structures, rights and duties of the Committees on Anti-Trafficking in Persons of Provinces and Vientiane Capital as well as of the secretariats thereof are defined in a separate regulations.

#### **Article 60     Anti-Trafficking in Persons Officers**

Anti-trafficking in persons officers are police officers who are appointed according to the related laws and regulations. Their roles and duties are to implement strategic plans, to know and comprehensively understand situations and the tricks to be used by the traffickers in order to take measures to prevent, suppress trafficking in persons and rescue the victims in timely manners and initiate criminal proceedings in accordance with the laws.

### **Chapter 2**

#### **Sectors Responsible for Anti-Trafficking in Persons Activities**

#### **Article 61     Sectors Responsible for Trafficking in Persons Activities**

The following sectors have responsibilities in anti-human trafficking activities:

1. The Public Security Sector;
2. The Labour and Social Welfare Sector;
3. The Lao Women's Union;
4. The Public Health Sector;
5. The Foreign Affairs Sector;
6. The Justice Sector;
7. The Education and Sports Sector;
8. The Information, Culture, and Tourism Sector;
9. The Lao Revolutionary Youth Union;
10. Lao Federation of Trade Union.

Apart from the responsibilities in anti-human trafficking activities based on their rights and duties as defined in Part III, these sectors mentioned above shall also have responsibilities in accordance with Art. 62 to 71 of this law.

#### **Article 62     The Public Security Sector**

The public security sector is responsible for directing, leading, delegating, administrating, supervising, monitoring, and inspecting the implementation of anti-trafficking in persons activities to be effective and efficient.

### **Article 63     The Labour and Social Welfare Sector**

The labour and social welfare sector is responsible for long-term vocational trainings, development of the labour skills, and provision of employment opportunity for victims of the trafficking in persons, including provision of social welfare to the victims such as safe shelters, rehabilitation, care, counseling, reintegration into family and society within its responsibilities.

### **Article 64     Lao Women’s Union**

Lao Women’s Union is responsible for the provision of temporary safe shelters, physical rehabilitation, basic care services, short-term vocational trainings, counseling, legal advice, protection of legitimate rights and benefits of victims of trafficking in persons, preparing the victims for legal proceedings, and acting on behalf of victims in legal proceedings, reintegration services within its responsibilities.

### **Article 65     The Public Health Sector**

The public health sector is responsible to conduct the medical checkup and tests, medical verification, treatments and age verification; it is also responsible to provide the victims with physiological counseling and therapies free of charge.

### **Article 66     Foreign Affairs Sector**

The foreign affairs sector is responsible for coordinating and cooperating with relevant national and international organizations in verification of the nationality of victims, facilitating issuance of travel documents, providing necessary assistances, participating in conduct of interviews and collection of primary information on the Lao citizens, foreigners, and stateless persons with permanent residence in the Lao PDR which become the victims of trafficking in persons in foreign countries; coordinating with the foreign countries to exchange information for the purpose of criminal proceedings; handing over and repatriating the victims to their home countries, including supervising international organizations and non-governmental organizations whose activities are related with anti-trafficking in persons.

### **Article 67     The Justice Sector**

The justice sector is responsible for coordinating and collaborating with the Ministry of Public Security and other relevant sectors in studying, researching, developing, amending and organizing, guiding the campaign and dissemination of relevant laws and regulations relating to anti-trafficking in persons issues; directing, considering and registering the adoption of Lao children by foreigners; providing advice and legal assistance; supervising and enforcing the court’s decisions in complete, correct, speedy and fair manners.

### **Article 68     The Education and Sports Sector**

The education and sport sector is responsible for creating conditions which enable Lao citizens, notably women and children living remote areas, to have access to basic general education; directing, administering, guiding, supervising and monitoring educational institutions ,in particular, schools in order to prevent the school boys and girls, students including the Lao students studying abroad from becoming the victims of trafficking in

persons; incorporating the activities on anti-trafficking in persons into educational curriculums; creating favorable conditions for the victims to continue their education in different levels free of charge.

#### **Article 69 The Information, Culture and Tourism Sector**

The information, culture, and tourism sector is responsible for campaigning and disseminating information on anti-trafficking in persons activities; supervising, administrating and monitoring the mass media, electronic media, printed media, publications, tourism businesses, hotels and entertainment businesses in order to prevent the trafficking in persons from occurrence and other undesirable social phenomenon.

#### **Article 70 Lao Revolutionary Youth Union**

The Lao Revolutionary Youth Union is responsible for campaigning, educating and awareness raising to the Lao youths of all ethnic groups on danger and effect of trafficking in persons by various forms and methods in order to prevent themselves from becoming victims of trafficking in persons; encouraging and promoting young people to get education, to have vocational professions and get employment opportunity and to gain incomes.

#### **Article 71 Lao Federation of Trade Union**

The Lao Trade Union is responsible for protecting of legitimate benefits of workers and laborer in various labor units; organizing campaigns and educating the workers and laborer in order to avoid becoming the victims of trafficking in persons.

### **PART V Prohibitions**

#### **Article 72 Prohibitions for Relevant Government Officials**

It is prohibited for government officials to undertake any following acts:

1. Receiving or demanding for bribery, abusing power or position to gain personal benefits;
2. Disclosing information on the victims without permission;
3. Ignoring, being bias or unfair, discriminating when performing duties;
4. Inciting or creating conditions to facilitate any act of trafficking in persons;
5. Undertaking any other act violating laws and regulations.

#### **Article 73 Prohibitions for Individuals, Legal Entities and other Organizations**

It is prohibited for individuals, legal entities and other organizations to undertake any following acts:

1. Recruiting, campaigning, transporting or transferring, threatening, forcing, coercing, abusing power or position, offering benefits, deceiving, inciting, guiding, assisting or facilitating others to commit trafficking in persons;
2. Receiving and giving bribery;
3. Revenging or threatening persons who provide assistance for and protection to the victims of trafficking in persons;
4. Preventing or obstructing witnesses from giving statements or cooperating in the fight against trafficking in persons;
5. Undertaking any form of propaganda or persuasion for the purpose of trafficking in persons;
6. Undertaking any other act violating laws and regulations.

## **PART VII**

### **Administration and Inspection**

#### **Chapter 1**

#### **Administration of Anti-Trafficking in Persons Activities**

#### **Article 74     Administrating Organizations**

The government administers uniformly and centrally anti-trafficking in persons activities by assigning Ministry of Public Security to be directly in charge thereof, coordinate and cooperate with relevant ministries, agencies, other sectors and local authorities.

Administrating organizations consist of:

1. Ministry of Public Security;
2. Public Security Offices of the Provinces and Vientiane Capital;
3. Public Security Offices of districts, municipalities and cities.

#### **Article 75     Rights and Duties of Ministry of Public Security**

In carrying out anti-trafficking in persons activities, Ministry of Public Security has following rights and duties:

1. To formulate and revise policies, strategic plans and laws relating to anti-trafficking in persons activities and submit them to the government for consideration;
2. To supervise development and implementation of the plans, projects and anti-trafficking in persons activities;
3. To disseminate policies, strategic plans and laws relating to anti-trafficking in persons activities including treaties which the Lao PDR is party to;
4. To set up and improve mechanisms responsible for implementation of anti-trafficking in persons activities at the central and local levels;
5. To supervise criminal proceedings carried out by police officers;
6. To coordinate, support, and monitor ministries, agencies, other sectors and local authorities working in the area of anti-trafficking in persons;
7. To cooperate with the foreign countries, regional and international organizations working in the area of anti-trafficking in persons;

8. To summarize their activities and report to superior authorities on regular basis;
9. To exercise other rights and perform duties as described in the laws and regulations.

**Article 76 Rights and Duties of Public Security Offices of the Provinces and Vientiane Capital**

In administrating anti-trafficking in persons activities, Public Security Offices of the Provinces and Vientiane Capital have the following rights and duties:

1. To implement policies, strategic plans and laws relating to anti-trafficking in persons activities;
2. To disseminate policies, strategic plans and laws relating to anti-trafficking in persons activities including treaties which the Lao PDR is party to;
3. To supervise development and implementation of the plans, projects and anti-trafficking in persons activities;
4. To set up and improve mechanisms responsible for implementation of anti-trafficking in persons activities;
5. To carry out criminal proceedings;
6. To coordinate, support, and monitor divisions, organizations, other sectors and local authorities in the areas of anti-trafficking in persons;
7. To cooperate with the foreign countries, regional and international organizations on issues relating to anti-trafficking in persons based on assignments;
8. To summarize their activities and report to superior authorities on regular basis;
9. To exercise other rights and perform duties as described in the laws and regulations.

**Article 77 Rights and Duties of the Public Security Offices of Districts, Municipalities and City**

In administrating anti-trafficking in persons activities, Public Security Offices of Districts, Municipalities and City have the following rights and duties:

1. To Implement policies, strategic plans and laws relating to anti-trafficking in persons activities;
2. To disseminate policies, strategic plans and laws relating to anti-trafficking in persons activities including treaties which the Lao PDR is party to;
3. To implement the plans, projects and anti-trafficking in persons activities;
4. To make proposal for establishing and improving their own mechanisms responsible for anti-trafficking in persons activities;
5. To initiate investigations in trafficking in persons cases;
6. To coordinate with offices, organizations, other sectors working in the areas of anti-trafficking in persons;
7. To summarize their activities and report to superior authorities on regular basis;
8. To exercise other rights and perform duties as described in the laws and regulations.

## **Article 78 Rights and Duties of relevant Ministries, Organizations, Sectors and Local Authorities**

In the administration of anti-trafficking in persons activities, relevant ministries, organizations, sectors and local authorities are responsible for administration, monitoring and inspection of activities in accordance with their roles, rights and duties by collaborating with the national committee for anti-trafficking in persons and the public security sectors in implementing anti-trafficking in persons activities.

## **Chapter 2**

### **Inspection of Anti-Trafficking in Persons Activities**

#### **Article 79 Inspection Agency**

Inspection Agency consists of the followings:

- Internal inspection agency which is the same managing and administering anti-trafficking in persons activities as described in Art. 74 of this law;
- External inspection agency which are the National Assembly, the Government Inspection and Anti-Corruption Agency, the State Audit Authority, the Front for National Construction, Mass Organizations, and the Provincial People's Assembly.

#### **Article 80 Contents of Inspection**

The contents of inspection are:

- Implementation of laws and regulations related to anti-trafficking in persons activities;
- Exercising the rights and performing the duties, including the use of legal measures against offenders;
- Protection of and assistance to the victims of trafficking in persons.
- Reintegration into family and society

#### **Article 81 Forms of Inspection**

The inspection consists of three forms as follows:

1. Inspection on regular basis;
2. Inspection with notice in advance;
3. Urgent Inspection.

The inspection on regular basis is to conduct in accordance with the fixed time-scheduled plan at least once per year.

The inspection with notice in advance is to conduct without the plan whenever if it deems necessary, the subject of inspection is however to be informed at least twenty four hours in advance.

The urgent inspection is to conduct when it deems necessary and urgently without notice in advance.

Inspection must be strictly conducted in accordance with the laws.

## **Part VII Budget**

### **Article 82 Budgets for Anti-Trafficking in Persons Activities**

The Government shall allocate budgets for anti-trafficking in persons activities. Apart from this, the budget can be also obtained from assistance and contribution by individuals, legal entities and national and international organizations.

Relevant sectors responsible for work on anti-trafficking in persons as described in Art. 61 of this law shall prepare the budget plan for anti- trafficking in persons activities and submit them to the Secretariat of the National Committee on Anti-Trafficking in Persons for the purpose of submission to the government for consideration.

### **Article 83 Management and Use of the Budget**

The Secretariat of the National Committee on Anti-Trafficking in Persons is a government unit with budget category level 2 under the Ministry of Public Security that manages and uses this budget for anti-trafficking in persons activities in accordance with the law on national budget.

## **Part XIII**

### **Policies towards Persons with Outstanding Performance and Measures Against Violators**

#### **Article 84 Policies towards Persons with Outstanding Performance**

Individuals, legal entities, organizations and families implementing this law with outstanding performance shall be rewarded and receive other incentives in accordance with relevant regulations. Officials of relevant sectors shall be rewarded with promotion and rank.

#### **Article 85 Measures against Violators**

Individuals, legal entities, organizations and families which violate this law, in particular the provisions of Art. 72 and 73 shall be subject to re-educational or disciplinary measures, payment of compensation or punishment depending on the degree of the violation.

## **Article 86 Re-educational Measures**

Individuals, legal entities, organizations and families which do not cooperate in the fighting against trafficking in persons notably in prevention, protection of and assistance to the victims and investigation shall be subject to re-educational measures and warning.

## **Article 87 Disciplinary Measures**

Any state or government official who violates any prohibition as prescribed in Art. 72 of this law in minor manner that is not considered as a criminal offence and hasn't caused serious consequences, but the violator does not faithfully report about his or her incidence or intentionally attempts to escape from the liability, shall be subject to disciplinary proceedings in accordance with the laws and regulations.

## **Article 88 Civil Measures**

Individuals, legal entities, organizations and families violating this law and causing damages to other persons shall be liable for such damages.

## **Article 89 Penal Measures**

Any person who has committed an offence of trafficking in persons shall be punished with five to fifteen years of imprisonment and shall be fined from 10,000,000 Kip to 100,000,000 Kip, and shall be subject to confiscation of property as stipulated in the Penal Law.

In cases this offence is committed in habitual manner, as part of organized crimes or by group of persons, where the victims are children, there are more than two victims, the victims are close relatives of the offenders, the victims are suffered from serious physical injury, becoming physically disabled or mentally disordered, the offender shall be punished with fifteen to twenty years of imprisonment and shall be fined from 100,000,000 Kip to 500,000,000 and shall be subject to confiscation of property as stipulated in the Penal Law.

In cases the victim has suffered a lifetime disability, or infected with HIV/AIDS as result of trafficking in persons, the offender shall be punished with life imprisonment and shall be fined from 500,000,000 Kip to 1,000,000,000 Kip, and shall be subject to confiscation of property as stipulated in the Penal Law, or shall be subject to capital punishment.

Preparation, attempts to commit an offence shall also be subject to punishment.

## **Part IX**

### **Final Provisions**

#### **Article 90 Implementation**

The Government of the Lao People's Democratic Republic is assigned to implement this law.

#### **Article 91 Effectiveness**

This law shall enter into force from the date President of the Lao PDR issues decree promulgating it and fifteen days after this law has been published in the an official Gazette.

Other regulations and provisions which contradict this law shall be void.

The President of the National Assembly

(Signature and Sealed)

Pany Yathotu