

### The situation of Indigenous women

Indigenous women remain the most socially-disadvantaged group in Laos. Few are engaged in the formal economy and, as was revealed in a 2021 study, only a quarter are literate. They are less likely to speak the Lao language and are therefore less able to engage in markets, participate in public meetings and access information critical to their livelihoods. Their lower education status directly plagues Indigenous women's low levels of confidence, which strongly affects their willingness to aim for leading positions in their communities and be active change-makers in their families and villages.

Indigenous women are over-burdened with work: they are responsible for production, reproduction and community works; they are responsible for household water supply and energy for cooking, etc. This mental and emotional stress leads to their poor health condition and limits the time they can devote to performing leadership roles in the community.

In Lao PDR, Indigenous women usually spend more time in the forests than men and have a more detailed knowledge of the status of the forest resources. Indigenous women's knowledge tends to be linked more directly to household food and nutrition needs, as well as to health and culture, compared to men's knowledge. In Akha, Lahu and Tarieng communities, Indigenous women are also the most knowledgeable about traditional medicine.<sup>5</sup>

Although Indigenous women play significant roles in agriculture and forestry, they have less access to and control of land, farming and forestry-based inputs and outputs.

Indigenous women's rights are closely linked to customary gender-based power systems in their culture. Their rights and prerogatives are determined mainly by whether a village is matrilineal or patrilineal in social structure.<sup>6</sup> In patrilineal villages, men have more power and women only have access to land through marriage. In matrilineal villages, women have a higher status and more power and can therefore negotiate their customary and formal rights, including making final decisions. These social norms and cultural practices in turn influence women's visibility, mobility and behaviour, even when they are members of informal or formal groups.

Indigenous women also face cultural barriers or harmful practices, including polygamy, the ban on delivering children inside the village perimeter, or inside the house in Brou communities in the Annam Range, etc.<sup>7</sup>

Violence against Indigenous women and girls is prevalent and under-reported.<sup>8</sup> Indigenous women are also extremely vulnerable to human trafficking, which occurs in many forms including exploitation in domestic servitude, the sale of women as brides, and children being sent to work in the sex industry within and across borders into neighbouring countries including Thailand and China.<sup>9</sup>

### National legal framework, international and regional commitments

Lao PDR has a strong legal framework for promoting gender equality and is equipped with three solid women's institutions that complement each other: the National Commission for the Advancement of Women (NCAW), which supports the government in researching policies and strategies for women's advancement, the Lao Women's Union (LWU) and the National Assembly Standing Committee, the Women's Caucus.

Indigenous people and Indigenous women are politically represented at the highest level since the introduction of the Peoples' Provincial Assemblies (PPAs) in 2016. In the elections that took place in March 2021, 492 of the 789 assembly members were newly elected, and 150 of them are women. Indigenous women elected include 10 Khmu, 6 Hmong, 3 Phounoi, 8 Talieng, 5 Brue, 1 Akha, 1 Brao, 1 Krieng, 1 Katang, 1 Katou and 2 Pako.<sup>10</sup> However, women are still under-represented in senior government positions.<sup>11</sup>

The legal foundation for promoting gender mainstreaming into policies and regulations in Laos is strong. The country has demonstrated a clear interest in adhering to international agreements relevant to gender mainstreaming and has ratified and attempted to operationalise several international and regional conventions and treaties on gender, including the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

On 21 May 2021, the government officially agreed to endorse the Second National Plan of Action on Preventing and Elimination of Violence Against Women and Violence against Children (2021-2025) (NPA-VAWVAC) and the Fourth National Plan of Action on Gender Equality (2021-2025) (NPAGE).<sup>12</sup>

However, despite having a very advanced legal framework for gender equality, there is only very limited implementation of these laws due to lack of capacity, knowledge and budget. Because policies often do not consider gender or use data disaggregated by sex, the impacts of policies can at times differ from their intention: in reality, men and women do not enjoy equality.

### National development and the intersection of gender and ethnicity

The 9<sup>th</sup> Five-Year National Socio-Economic Development Plan 2021-2025 (NSED) was approved by the inaugural session of the Ninth National Assembly held from 22-26 March 2021 in accordance with Resolution No. 20/NA dated 26 March 2021. It aims to implement the Resolution of the 11th Party Congress as well as continue the imple-

mentation of the National Strategy on Socio-Economic Development 2016-2025 and Vision 2030 of the Lao PDR. The NSEDP commits to poverty reduction for all ethnic groups and to ensuring that people of all ethnic groups, ages and genders have access to quality education and health services. On the other hand, however, the unique culture of the nation – referring to the Lao-Tai Buddhist majority – is protected and consolidated.<sup>13</sup>

Lao PDR's rapid growth provides an opportunity to integrate principles of sustainability and gender equality into its development process and international actors have made strong efforts to ensure projects are ethnicity- and gender-sensitive. Many multilateral institutions are supporting the Lao government to mainstream gender equality upstream in their development plans.<sup>14</sup>

During July and August 2021, the Department of Ethnic and Religious Affairs (DOERA) conducted a series of workshops in eight provinces to disseminate the Decree on Ethnic Affairs, which aims to support ethnic people and, more specifically, women and children living in remote areas nationwide to fully participate, protect their rights and draw benefits from development schemes. Five hundred and thirty-eight (538) people participated in the workshops. Indigenous people (including customary leaders and village chiefs) accounted for 40% of the participants and Indigenous women 13%. The second objective of the workshops was to raise awareness of Indigenous Peoples among civil servants from various departments, of ces and mass organisations working in ethnic areas and develop their facilitation skills and capacities in a participatory approach to empower Indigenous people and women in the development process.<sup>15</sup>

Lao PDR is in the very early stages of developing its social protection system and 2021 witnessed progress in the implementation of the new National Social Protection Strategy benefiting Indigenous people and women. Laos is committed to Leaving No One Behind.<sup>16</sup> For instance, in Bokeo province, all Chinese-owned banana, watermelon and soybean plantations, which hire mostly Indigenous people, agreed to increase the daily wage, reduce standard working hours, provide safety equipment and undertake to pay wages on time and support women's welfare during illness and childbirth.<sup>17</sup>

Overall, international aid agencies and civil society organisations (CSOs) have made good progress in employing women over the last decades. However, despite a commitment to support Indigenous women from some INGOs and CSOs, they remain under-represented among these actors. Of the 561 staff included in a study assessing aid agencies and hiring policies conducted in 2014, Indigenous women accounted for just 16.4% of the women working for INGOs (half of them belong to Mon-Khmer speaking groups). Among the local Non-Profit Associations (NPAs), the situation was even worse: Indigenous women accounted for 8.6% of the women staff and 4.8% of total CSO staff. There were no women from the Sino-Tibetan ethno-linguistic family<sup>18</sup> working for any of the CSOs surveyed.<sup>19</sup>

In July 2021, the Lao Civil Society Coordination Committee (LCCC) upgraded its structure and the Gender Development Association (GDA), a leading CSO in Laos promoting gender has been nominated as leader of the Good Governance Working Group focusing on gender, law, etc. The GDA has been active in conducting research on Indigenous women,<sup>20</sup> presenting policy briefs and advocating to improve ethnic and gender awareness because the intersection of gender and ethnicity is the cornerstone of ensuring sustainability and that Indigenous women are not left behind in the development process.

## COVID situation update

Lao People's Democratic Republic was faced with a second wave of COVID-19 in April 2021. According to PMO 15/ PM on the Prevention and Control of COVID-19, a nationwide lockdown was put in place on 21 April and citizens living in red-zone villages were prohibited from leaving their homes except for essential purposes and tasks authorised by the government.<sup>21</sup> The highest number of COVID cases per day occurred on 11 December, with 1,898 cases reported nationwide.<sup>22</sup>

In terms of restrictions, as of December 2021, all forms of entertainment venues, as well as massage parlours, spas, beauty salons, barbershops, cinemas, restaurant gardens and tourist attractions, remained closed. A traffic curfew for private vehicles remained in place between 11:30 p.m. and 05:00 a.m. The COVID pandemic has had an impact on women's livelihoods, health, food security, access to edible forest products, income, etc. A survey conducted in Houayxay district of Bokeo province in December 2021 also revealed that Khmu women were reporting a noticeable increase in gender disparities compared to the beginning of the pandemic.<sup>23</sup>

Indigenous women also faced increased risks of being lured into sex work and trafficking in 2021 as police observed that the closure of the Laos-Thai border had created a local demand for commercial sex in close proximity to national borders, casinos and Special Economic Zones SEZs.<sup>24</sup>

## Notes and references

1. UNDP. Human Development Reports. "Lao People's Democratic Republic." <http://hdr.undp.org/en/countries/profiles/LAO> World Bank. "Country Profile: Lao PDR." [https://databank.worldbank.org/views/reports/reportwidget.aspx?Report\\_Name=CountryProfile&Id=b450fd57&tbar=y&dd=y&inf=n&zm=n&country=LAO](https://databank.worldbank.org/views/reports/reportwidget.aspx?Report_Name=CountryProfile&Id=b450fd57&tbar=y&dd=y&inf=n&zm=n&country=LAO)
2. Open Development Laos. "Ethnic minorities and indigenous people." Open Development Laos, June 3, 2019. <https://laos.opendevlopmentmekong.net/topics/ethnic-minorities-and-indigenous-people/>
3. United Nations. OHCHR. "Statement by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights on his visit to Lao PDR, 18-28 March 2019." Lao, Vientiane, 28 March 2019. <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=24417&LangID=E>
4. Gueye, Elisabeth. Gender Equality in Lao PDR. Internal document. LuxDev, Vientiane, Lao PDR. 2021. [https://luxdev.lu/files/documents/Genre\\_LAO\\_vF.pdf](https://luxdev.lu/files/documents/Genre_LAO_vF.pdf)

5. Daviau, Steeve.. Customary Forest Tenure in Akha, Lahu and Tarieng communities in Production Forest Areas (PFAs), Lao PDR. Special Assessment. (Vientiane, Lao PDR: SUFORD-SU, 2019).
6. Somphong Bouthakanh, P. and Loes Schenk-Sandbergen. Women and Land Rights in Lao PDR: Rural Transformation and a dream of secure tenure, Land Information Working Group (LIWG), 2020.
7. Final Evaluation of the Collaboration and Networking to Enhance Education and Nutrition (CANTEEN) Program in Nong District, Savannakhet Province. EuropeAid/151225/DD/ACT/LA.
8. Social Institutions & Gender Index. OECD dev – Lao PDR. <https://www.genderindex.org/wp-content/uploads/les/datasheets/2019/LA.pdf>
9. Asia Indigenous Peoples Pact (AIPP). Indigenous Women and Human Trafficking in the Mekong Region: Policy Overview and Community Response. AIPP, 2015. <https://aippnet.org/indigenous-women-and-human-trafficking-in-the-mekong-region-policy-overview-and-community-response/>
10. There are apparently also female Lamed, Hayee, Halak but there are no details available. Overview on the newly elected 2nd Legislatures of the 18 Provincial Assemblies in March 2021. International Cooperation and Project Management Secretariat (ICPMS) National Assembly, Lao PDR.
11. Gueye, Elisabeth. Gender Equality in Lao PDR. Internal document., Luxembourg Development (LuxDev), 2021. [https://luxdev.lu/les/documents/Genre\\_LAO\\_vF.pdf](https://luxdev.lu/les/documents/Genre_LAO_vF.pdf)
12. UNFPA - Lao People's Democratic Republic. "Lao PDR Agrees to Endorse Five- Year Plans To Advance Women's Right and Gender Equality." UNFPA, May 21, 2021. <https://lao.unfpa.org/en/news/lao-pdr-agrees-endorse-five-year-plans-advance-womens-right-and-gender-equality>
13. Lao People's Democratic Republic. Peace Independence Democracy Unity Prosperity. 9th Five-Year National Socio-Economic Development Plan (2021- 2025). (Approved by the inaugural session of the Ninth National Assembly on 22-26 March 2021 in accordance with the Resolution No. 20/NA, dated 26 March 2021).
14. UNFPA – Lao People's Democratic Republic. "Lao PDR integrates national policies for gender equality and ending violence against women and children into provincial, ministerial and sectoral plans." UNFPA, November 10, 2021. <https://lao.unfpa.org/en/news/lao-pdr-integrates-national-policies-gender-equality-and-ending-violence-against-women-and>
15. Daviau, Steeve. Dissemination of the Decree on Ethnic Affairs, Preliminary report. Ministry of Home Affairs, Department of Ethnic and Religious Affairs, September 2021.
16. Joint SDG Fund. "Leaving No One Behind: Establishing the Basis for Social Protection Floors in Lao PDR.", <https://www.jointsdgfund.org/programme/leaving-no-one-behind-establishing-basis-social-protection-floors-lao-pdr>
17. Oxfam in Laos. More inclusive and equitable social protection for informal workers Project. Oxfam Solidarity Belgium (OSB), Vientiane, Lao PDR.
18. Sino-Tibetan families accounted for 2.9% of the national population in 2019. Open Development Laos. "Ethnic minorities and indigenous people." Open Development Laos, June 3, 2019. <https://laos.opendevdevelopmentmekong.net/topics/ethnic-minorities-and-indigenous-people/>
19. Daviau, Steeve. Work Place Diversity in Aid Agencies in Laos – Indigenous Peoples Representation. Japan International Volunteer Center (JVC), IWGIA, Oxfam Novib, The McKnight Foundation, 2014. [https://www.iwgia.org/images/publications/0696\\_IP\\_and\\_ork\\_Place\\_Diversity\\_in\\_Aid\\_Agencies\\_in\\_Laos\\_2014.pdf](https://www.iwgia.org/images/publications/0696_IP_and_ork_Place_Diversity_in_Aid_Agencies_in_Laos_2014.pdf)
20. Asia Indigenous Peoples Pact (AIPP). Indigenous Women and Human Trafficking in the Mekong Region: Policy Overview and Community Response. (AIPP, 2015). <https://aippnet.org/indigenous-women-and-human-trafficking-in-the-mekong-region-policy-overview-and-community-response/>
21. International Organization for Migration (IOM). Lao People's Democratic Republic. "COVID-19 Situation Report #11." ReliefWeb, May 2021, [https://reliefweb.int/sites/reliefweb.int/les/resources/iom\\_laos\\_covid-19\\_response\\_sitrep11\\_may\\_2021.pdf](https://reliefweb.int/sites/reliefweb.int/les/resources/iom_laos_covid-19_response_sitrep11_may_2021.pdf)
22. Worldometer. "Total Coronavirus Cases in Laos." <https://www.worldometers.info/coronavirus/country/laos/>
23. Daviau, Steeve. Endline Report. Assessment and project impact survey for the trial of cash transfers project in Sangthong district in Vientiane and in Houayxay district in Bokeo Province. Oxfam Solidarity Belgium (OSB), 2022.
24. U.S. Department of State. "2021 Trafficking in Persons Report: Laos." <https://www.state.gov/reports/2021-trafficking-in-persons-report/laos/>

***Steeve Daviau, anthropologist, has been working on Indigenous Peoples' issues in Laos for over 20 years.***

[daviausteeve@gmail.com](mailto:daviausteeve@gmail.com)

*En cours de traduction par le GITPA*