

NATIONAL ASSEMBLY**[SUPREME PEOPLE'S ASSEMBLY]****Decision No. 01/SPA, dated August 14, 1991, on the adoption of the Constitution of the Lao People's Democratic Republic.**

Only the title is translated. The full text is published in the Official Gazette special number, dated May 30, 1996, in Lao language.

THE CONSTITUTION OF THE LAO PEOPLE'S DEMOCRATIC REPUBLIC**PREAMBLE**

For thousands of years, the multi-ethnic Lao People lived and grewed on this beloved land. More than six centuries ago, during the time of Chao Fa Ngum our ancestors founded the unified Lane Xang country and built it into a prosperous and glorious land.

From the 18th century A.D. onwards, the Lao land had been repeatedly threatened and invaded by outside powers. Our people had united to develop the heroic and unyielding traditions of their ancestors and continually and persistently fought to regain independence and freedom.

Over the past 60 years, under the correct leadership of the former Indochinese Communist Party and the present Lao People's Revolutionary Party, the multi-ethnic Lao people had carried out a difficult and arduous

struggle, filled with great sacrifices, until they managed to crush the yoke of domination and oppression of the colonialist and feudalist regimes, completely liberated the country and established the Lao People's Democratic Republic on 2 December 1975; thus opening a new era, an era of genuine independence for the country and true freedom for the people.

In the recent years, our people have together implemented the two strategic tasks of safeguarding and building the country, and have initially achieved satisfactory results.

And now in this new period, the society requires that the State must have a Constitution. This Constitution is the Constitution of the People's Democratic Regime in our country. It recognizes the great achievements gained by our people in the struggle for national liberation and development; it defines the political regime, the socio-economic system, the

fundamental rights and duties of citizens and the system of organisation of the state apparatus in this new period. This is the first time in the history of our nation that the people's right to mastery is defined in the fundamental law of the nation.

This Constitution is the product of the process of discussion by the people throughout the country. It reflects the long-term aspirations and strong determination of the national community to strive together to fulfill the objective of building the Lao nation into a country of peace, independence, democracy, unity and prosperity.

CHAPTER 1 THE POLITICAL REGIME

Article 1. The Lao People's Democratic Republic is an independent and sovereign country with territorial integrity covering both territorial waters and airspace. It is a unified and indivisible country belonging to all ethnic groups.

Article 2. The Lao People's Democratic Republic is a People's Democratic State. All power is of the people, by the people and for the interests of the multi-ethnic people of all strata in society with workers, farmers and intellectuals as the core.

Article 3. The right of the multi-ethnic people to be the masters of the country is exercised and ensured through the functioning of the political system, with the Lao People's Revolutionary Party as its leading nucleus.

Article 4. The National Assembly is the representative organ of the people. The election of members of the National Assembly shall be carried out through the principles of universal, equal and direct suffrage, and secret ballot. Voters have the right to propose the dismissal of their own representatives if they are found to be unworthy and lose the people's confidence.

Article 5. The National Assembly and all other state organizations are established and function in accordance with the principle of democratic centralism.

Article 6. The state protects the inviolable rights and democratic freedoms of the people. All state organizations and functionaries must inform the people of and educate them in the policies, regulations and laws, and together with the people, to implement them in order to guarantee the legitimate rights and interests of the people. All acts of bureaucratism and harassment that can be detrimental to the honour, body, lives, conscience and property of the people are prohibited.

Article 7. The Lao Front for National Construction, the Lao Federation of Trade Unions, the Lao People's Revolutionary Youth Union, the Lao Women's Union and other social organizations are the organs that unite and mobilize all strata of all ethnic groups in order to

take part in the tasks of national defence and development; to develop the right to mastery of the people and to protect the legitimate rights and interests of their members.

Article 8. The State pursues the policy of unity and equality among all ethnic groups. All ethnic groups have the right to protect, preserve and promote their fine customs and culture as well as those of the nation. All acts of division and discrimination among ethnic groups are prohibited.

The State takes every measure to upgraded the socio-economic development of all ethnic groups.

Article 9. The State respects and protects all lawful activities of Buddhists and of followers of other religions, mobilises and encourages the Buddhist monks, novices and priests of other faiths to participate in those activities which are beneficial to the country and its people. All acts of fomenting division among

religions and among the people are prohibited.

Article 10. The State manages the society by the provisions of the Constitution and the law. All party and state organizations, mass organizations, social organizations and all citizens must comply with the Constitution and the law.

Article 11. The State implements a policy of national defence and security with the participation of the entire people and in all aspects. The national defence and security forces must enhance their loyalty to the country and the people; carry out their duties to safeguard the gains of the revolution, the lives, property and labour of the people; and must contribute to the tasks of national development.

Article 12. The Lao People's Democratic Republic pursues a foreign policy of peace, independence, friendship and cooperation; and promotes relations and cooperation with all

countries based on the principles of peaceful coexistence; respect for each other's independence, sovereignty and territorial integrity; non-interference in each other's internal affairs; equality and mutual benefit.

The Lao People's Democratic Republic supports the struggle of the world people for peace, national independence, democracy, and social progress.

CHAPTER II
THE SOCIO-ECONOMIC
SYSTEM

Article 13. The economic system of the Lao People's Democratic Republic is a multi-sectoral economy having as objectives the expansion of production and increase of goods circulation, and the transform glean of the subsistence economy into a commodities economy in order to develop the national economic base and improve the material and spiritual living conditions of the multi-ethnic people.

Article 14. The state protects and promotes all forms of state, collective and individual ownerships, as well as the private ownerships of both domestic investors and foreigners who invest in the Lao People's Democratic Republic.

The State encourages all economic sectors to compete and cooperate with one another in expanding their production and business activities. All economic

sectors are equal before the law.

Article 15. The State protects the rights of ownership (right to possess, right to use, right to transfer) and organizations' and individuals' right to inherit property. As for the land which is owned by the national community, the State ensures the right to use, transfer, and inherit it in accordance with the law.

Article 16. Economic management is carried out according to the mechanism of the market with the adjustment by the State, and is implemented by the principle of the centralized, unified management of branches at central level in combination with a reasonable delegation of the responsibility to local authorities.

Article 17. All organizations and citizens must protect the environment and natural resources: land, underground, forests, fauna, water sources and atmosphere.

Article 18. The State promotes and advises on the development of economic relations with foreign countries in many forms, on the basis of the principle of respect for each other's independence, sovereignty, equality, and mutual benefit.

Article 19. The State strives to develop education in combination with raising the new generation to be good citizens. The objectives of the educational, cultural and scientific activities are to augment levels of knowledge, the spirit of patriotism, the spirit of cherishing the People's Democratic Regime, the spirit of maintaining unity and harmony among the people of various ethnic groups; and to enhance the peoples' sense of being masters of the country. The State implements a compulsory education system at primary levels. The State authorizes the operation of private schools which utilize the curricula of the State.

The State, together with the people, builds schools at all levels in order to assure a comprehensive system of education, and to pay attention to develop education in the areas where the ethnic minority people reside.

The State develops the fine, traditional culture of the nation in combination with promoting the progressive culture of the world and eliminating any regressive phenomena in the ideological and cultural spheres. The State promotes culture, art, literature and information activities, including in mountainous areas. The State protects the nation's antiquities and shrines.

Article 20. The State strives to expand public health services and authorizes the private sectors to provide medical services in accordance with state regulations. The State promotes the expansion of sports, physical education and tourism and provides care for disabled veterans, families of those who have sacrificed their lives and

who have performed good deeds for the nation, as well as for pensioners.

The State pursues a policy which favors mothers and children.

CHAPTER III FUNDAMENTAL RIGHTS AND DUTIES OF THE CITIZENS

Article 21. Lao citizens are the persons who hold Lao nationality as prescribed by law.

Article 22. Lao citizens, irrespective of their sex, social status, education, faith and ethnic group are all equal before the law.

Article 23. Lao citizens 18 years of age and over have the right to vote, and those 21 years of age and over have the right to be elected, except for insane persons and persons whose rights to vote and to be elected have been revoked by a court.

Article 24. Lao citizens of both sexes enjoy equal rights in political, economic, cultural, social and family affairs.

Article 25. Lao citizens have the right to education.

Article 26. Lao citizens have the right to work and engage in occupations which are not forbidden by law. Working people have the right to rest, to receive medical treatment in time of ailment, to receive assistance in case of incapacity and disability, in old age and other cases as prescribed by law.

Article 27. Lao citizen have freedom of movement and residence as prescribed by law.

Article 28. Lao citizens have the right to lodge complaints and petitions and to propose ideas to relevant state organizations in connections with issues pertaining to the rights and interests of collectives or of their individuals.

Complaints, petitions and ideas of citizens must be considered for solutions as prescribed by law.

Article 29. The right of Lao citizens to be secure in their persons and houses shall not be violated. Lao citizens shall not be arrested or searched without warrant or approval by an authorized organization, except in the case as prescribed by law.

Article 30. Lao citizens have the right and freedom to believe or not to believe in religions

Article 31. Lao citizens have freedom of speech, press and assembly; of associations, and of demonstrations, which are not contrary to the law.

Article 32. Lao citizens have freedom to conduct research, to apply advanced sciences, techniques and technologies; to create artistic and literary works and to engage in cultural activities which are not contrary to the law.

Article 33. The State protects the legitimate rights and interests of Lao citizens residing abroad.

Article 34. Lao citizens have the duty to observe the Constitution and the law, and to implement labour discipline, rules of good conduct in society and the public order.

Article 35. Lao citizens have the duty to pay taxes and duties in accordance with the law.

Article 36. Lao citizens have the duty of defend their country, to maintain security and to fulfill their military obligations as prescribed by law.

Article 37. Aliens and persons having no nationality have the right to enjoy those rights and freedoms protected by the provisions of the laws of the Lao People's Democratic Republic. They have the right to lodge petitions with courts and other concerned organizations of the Lao People's Democratic Republic. They have the duty to observe the Constitution and the law of the Lao People's Democratic Republic.

Article 38. The Lao People's Democratic grants asylum

to foreigners who are persecuted for their struggle for freedom, justice, peace of for their scientific activities.

CHAPTER IV THE NATIONAL ASSEMBLY

Article 39. The National Assembly is the legislative organ, which has the right to decide the fundamental issues of the nation. It is the organ that supervises and overseas the functioning of the executive and judicial organs.

Article 40. The National Assembly has the following rights and duties:

1. To establish, approve or amend the Constitution;
2. To consider, approve, amend, or abrogate laws;
3. To determine, change, or abolish taxes and duties;
4. To consider and approve strategic plans of socio-economic development and budgets of the State;
5. To elect or remove the President of the Republic and the Vice-President of the Republic on the recommendation of the

National Assembly Standing Committee;

6. To consider and approve the appointment or removal of members of the Government on the recommendation of the President of the Republic;

7. To elect or remove the President of the People's Supreme Court and the Public Prosecutor-General on the recommendation of the National Assembly Standing Committee;

8. To approve the establishment or dissolution of the ministries, ministry-equivalent organizations provinces and municipalities and to determine the boundaries of provinces and municipalities on the recommendation of the Prime Minister;

9. To decide on granting general amnesties;

10. To decide on ratification or abolition of treaties and agreements signed with foreign countries in accordance with international law and regulations;

11. To decide on matters of war or peace;

12. To supervise the observance of the Constitution and the law;

13. To exercise other rights and execute other duties as prescribed by law.

Article 41. Members of National Assembly are elected by Lao citizens in accordance with the provisions prescribed by law.

The term of office of National Assembly is five years.

The election of a new National Assembly must be held not later than sixty days prior to the expiration of the term of office of the incumbent National Assembly.

In the event of war or any other circumstance that obstructs the election, the National Assembly may extend its term of office but it must carry out an election of a new National Assembly not later than six months after the situation has returned to normal.

Article 42. The National Assembly elects its own Standing Committee which consists of the President, Vice-President and a certain number of

members. The President and Vice-President of the National Assembly are also President and Vice-President of the National Assembly Standing Committee.

Article 43. The National Assembly Standing Committee has the following rights and duties:

1. To prepare for the National Assembly sessions and to ensure the implementation by the National Assembly of the program of activity it has set forth;

2. To interpret and explain the provisions of the Constitution and the various laws;

3. To supervise and oversee the functioning of the executive and judicial organs during the recess of the National Assembly,

4. To convene the National Assembly into session;

5. To exercise other rights and execute other duties as prescribed by law.

Article 44. The National Assembly convenes its ordinary session twice a year upon convocation by

the National Assembly Standing Committee.

The National Assembly Standing Committee may, if it deems it necessary, convene extraordinary session of the National Assembly.

Article 45. A National Assembly session shall be convened only with the presence of more than one-half of the total number of the National Assembly members.

Resolutions of the National Assembly shall be valid only when they are voted for by more than one-half to the total number of the National Assembly members present at the session, except in the cases prescribed in Article 54 and Article 80 of the Constitution.

Article 46. The organizations and persons that have the right to propose draft laws are as follows:

1. The President of the Republic;
2. The National Assembly Standing Committee;
3. The Government;

4. The People's Supreme Court;

5. The Public Prosecutor-General;

6. The mass organizations at the central level.

Article 47. Any law adopted by the National Assembly must be promulgated by the President of the Republic within thirty days following such adoption. During this period, the President of the Republic has the right to request to reconsider any such law. If the National Assembly affirms its initial decision, the President of the Republic must promulgate the law within fifteen days.

Article 48. Questions relating to the destiny of the nation and the vital interests of the people must be submitted for approval to the National Assembly or, between its two sessions, the National Assembly Standing Committee.

Article 49. The National Assembly establishes its own Committees to consider draft Laws, draft Decrees and draft Acts for submission to the National

Assembly Standing Committee and the President of the Republic; these Committees shall also assist the National Assembly and the National Assembly Standing Committee in exercising the right of supervision over the functioning of the executive and judicial organs.

Article 50. Members of the National Assembly have the right to question the Prime Minister or members of the Government, the President of the People's Supreme Court and the Public Prosecutor-General.

Organs or persons called for questioning must give verbal or written answers before a session of the National Assembly.

Article 51. Members of the National Assembly shall not be subject to prosecution or detention without the approval of the National Assembly or, between its two sessions, the National Assembly Standing Committee.

In cases involving gross and urgent offenses,

any organizations detaining a member of the National Assembly must immediately report the detention to the National Assembly or, between its two sessions, to the National Assembly Standing Committee for consideration and decisions. Inquiries and questioning are not valid reasons for causing the absence of a prosecuted member from any session of the National Assembly.

CHAPTER V THE PRESIDENT OF THE REPUBLIC

Article 52. The President of the Republic is the Head of State of the Lao People's Democratic Republic. He is the representative of the multi-ethnic Lao people both at home and abroad.

Article 53. The President of the Republic has the following rights and duties:

1. To promulgate the Constitution and the laws that have been duly approved by the National Assembly;
2. To issue Decrees and Acts on the

recommendation of the National Assembly Standing Committee;

3. To appoint or remove the Prime Minister and the members of the Government; such appointments and removals must be submitted to the National Assembly for approval;

4. To appoint, transfer or remove the Governors of the provinces and the Mayors of municipalities on the recommendation of the Prime Minister;

5. To decide on the promotion to or demotion from the rank of General Officer in the national defence and the security forces on the recommendation of the Prime Minister;

6. To be the Head of the People's Armed Forces;

7. To preside over meetings of the Government when necessary;

8. To decide on the conferment of the national gold medal, orders of merit, medals and highest honorific titles of the State;

9. To grant pardons;

10. To order general or partial military conscription and to declare a state of

emergency over the country or in any particular locality;

11. To promulgate the ratification or abolition of any treaties and agreements signed with foreign countries;

12. To appoint or recall plenipotentiary representatives of the Lao People's Democratic Republic to or from foreign countries, and to accept the plenipotentiary representatives of foreign countries accredited to the Lao people's Democratic Republic;

13. To exercise other rights and execute other duties as prescribed by law.

Article 54. The President of the Republic is elected by the National Assembly with two-thirds of votes of the total members of the National Assembly attending the session.

The term of office of the President of the Republic is five years.

Article 55. The President of the Republic may have a Vice-President to assist him and to act on his behalf during his absence.

The Vice-President of the Republic is elected by the National Assembly with the votes of more than one-half of total members of the National Assembly attending the session.

CHAPTER VI THE GOVERNMENT

Article 56. The Government is the executive organ of the State.

The Government manages in a unified manner the execution of state duties in all fields: political, economic, cultural, social, national defence and security, and foreign affairs.

Article 57. The Government has the following rights and duties:

1. To implement the Constitution and the laws, the resolutions of the National Assembly as well as Decrees and of the President of the Republic;
2. To submit draft laws to the National Assembly; draft Decrees and draft Acts to the President of the Republic;

3. To draw up the strategic plans on the socio-economic development and annual state budgets and submit them to the National Assembly for consideration and approval;

4. To issue Orders and Decisions on the management of socio-economic, scientific and technical fields, national defence and security; and foreign affairs;

5. To organize, guide and control the activities of the managerial organizations of all branches and of local administrative organizations;

6. To organize and control the activities of the national defence and security forces;

7. To sign treaties and agreements with foreign countries and guide their implementation;

8. To suspend or revoke decisions, orders of ministries, the ministry-equivalent organizations, organizations attached to the Government, and local administrative organizations if they are contrary to the law;

9. To exercise other rights and execute other duties as prescribed by law.

Article 58. The Government consists of the Prime Minister, Deputy Prime Ministers, Ministers and Chairmen of the ministry-equivalent committees.

The term of office of the Government is five years.

Article 59. The Prime Minister is appointed by the President of the Republic with the approval of the National Assembly.

Article 60. The Prime Minister is the Head of the Government. He guides and controls the work of the Government; represents the Government in guiding the work of ministries, the ministry-equivalent organizations and other organizations attached to Government; and guides the work of the Governors of provinces and the Mayors of municipalities.

The Prime Minister appoints Deputy Minister and Deputy Chairmen of the ministry-equivalent

committees, Deputy
Governors, Deputy Mayors
and district Chiefs.

Deputy Prime
Ministers are the assistants
of the Prime Minister. The
Prime Minister may assign a
particular Deputy Prime
Minister to act on his behalf
during his absence.

Article 61. The National
Assembly may pass a vote
of no confidence in the
Government or any
member of the
Government if either the
National Assembly Standing
Committee or at least one-
fourth of the total member
of the National Assembly
members raise the
question.

Within twenty-four
hours after the vote of the
no confidence in the
Government has been
adopted by the National
Assembly, the President of
the Republic has the right
to request the National
Assembly to reconsider the
question. This
reconsideration must be
held within the forty-eight
hours from the first
consideration. If a new
vote of no confidence is

adopted, the Government
must resign.

CHAPTER VII THE LOCAL ADMINISTRATIONS

Article 62. In the Lao
People's Democratic
Republic, there are
provinces, municipalities,
districts and villages.

Provinces and
municipalities have
Governors and Mayors
respectively. Districts have
district Chiefs and villages
have village Headmen.
Governors and Mayors
have Deputy Governors
and Deputy Mayors
respectively. District Chiefs
have deputy district Chief
as assistants. In densely
populated villages, village
Headmen have deputy
village Headmen as
assistants.

Article 63. The Governors,
the Mayors and the district
Chiefs have the following
rights and duties:

1. To ensure the
implementation of the
Constitution and the laws,
and to organize the strict

implementation of
decisions and orders issued
by higher levels;

2. To guide and supervise
the functioning of all
services at all levels within
the scope of their
responsibility;

3. To suspend
implementation or abolish
the decisions of all services
at their own or lower levels,
which are contrary to the
regulations and laws;

4. To consider and resolve
complaints, petitions and
proposals of the people
within the scope of their
jurisdiction as prescribed by
law.

Article 64. The village
Headmen are responsible
for implementing the
State's laws, decisions and
orders, for maintaining
peace and security of the
villages; and for developing
the villages in all aspects.

CHAPTER VIII THE JUDICIAL ORGANS

A. THE PEOPLE'S COURTS

Article 65. People's Courts
are the judicial organ of the
State consisting of the
People's Supreme Court,

the People's Courts of provinces, municipalities and districts and military courts.

Article 66. The People's Supreme Court is the highest judicial organ of the State.

The People's Supreme Court reviews the decisions of the people's local courts and the military courts.

Article 67. The Vice-Presidents of the People's Supreme Court and the judges of the people's courts at all levels are appointed or removed by the National Assembly Standing Committee.

Article 68. The People's courts make trials and pass sentence collectively. During the trials and sentence, judges are independent and must act only in accordance with the law.

Article 69. Court Proceedings must be conducted in public, except in cases as prescribed by law. The accused persons have the right to defend themselves.

The Board of legal Counsellors have the right to provide legal assistance to such accused persons.

Article 70. Representatives of social organizations have the right to take part in court proceedings as provided by law.

Article 71. Judgments made by the people's courts and having become legally effective must be respected by all party, State and social organizations and all citizens. Persons and organizations concerned must strictly implement them.

B. THE OFFICES OF PUBLIC PROSECUTION

Article 72. The Offices of Public Prosecution consist of the Office of Public Prosecutor-General, the Offices of Public prosecution of provinces, municipalities and districts, and the Office of military prosecution.

The Offices of Public Prosecution have the following rights and duties:

1. To control the correct and unified observance of laws by all ministries, organizations attached to the Government, mass organizations, social organizations, local administrative organizations, enterprises, state employees and all citizens.
2. To exercise the right of public prosecution.

Article 73. The Public Prosecutor-General directs the activities of all Offices of Public Prosecution in the Lao People's Democratic Republic.

The Deputy Public Prosecutor-General is appointed or removed by the National Assembly Standing Committee.

Public Prosecutors and Deputy Public Prosecutors of provinces, municipalities and districts and the military prosecutors are appointed or removed by the public Prosecutor-General.

Article 74. In carrying out their duties, the Offices of Public Prosecution are subject only to the law and

the instructions of the Public Prosecutor-General.

**CHAPTER IX
LANGUAGE, SCRIPT,
NATIONAL EMBLEM,
NATIONAL FLAG,
NATIONAL ANTHEM
AND CAPITAL CITY**

Article 75. The Lao Language and Lao script are the official language and script.

Article 76. The National Emblem of the Lao People's Democratic Republic is in the form of a circle, with its lower part depicting one-half of a cog-wheel and a red ribbon with the inscription "Lao People's Democratic Republic", framed on two sides with crescent-shaped ears of ripe rice with a red ribbon stretched between the middle of the rice ears with the inscription "Peace, Independence, Democracy, Unity, Prosperity". A picture of "That Luang" is located between the tips of the rice ears. A road, a paddy field, a forest, and a hydroelectric dam are

depicted in the middle of the form of a circle.

Article 77. The National Flag of the Lao People's Democratic Republic is a dark blue background with red borders and white moon. The width of the flag is two-thirds of its length. The area of each of the red borders on each side is one-half of the dark blue area. The area of the white moon is equal to four-fifths of the dark blue area.

Article 78. The National Anthem of the Lao People's Democratic Republic is "Xat Lao".

Article 79. The Capital city of the Lao People's Democratic Republic is "Vientiane".

**CHAPTER X
FINAL PROVISIONS**

Article 80. Only the National Assembly of Lao People's Democratic Republic in session has the right to amend the Constitution.

The amendment to the Constitution requires the votes of approval of at

least two-thirds of the total number of the National Assembly members.

PRESIDENT OF STATE**UNOFFICIAL SECTION**

Presidential decree No. 55/PDR, dated August 15, 1991 on the promulgation on the Constitution of the Lao People's Democratic Republic.

Notes and Comments**Notes**

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