



# Manual on the Diversity Promotion, Workplace Inclusion, and Attitudes of the Legal Practitioners to Gender Diversity (Workplace Experimental Handbook)



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## Acknowledgment

### *“Expression of Gratitude”*

I, on behalf of the implementer of the **“Handbook on the Diversity Promotion, Workplace Inclusion, and Attitudes of the Legal Practitioners to Gender Diversity (Workplace Experimental Handbook)”**, have achieved a significant milestone due to the support from the funding bodies; the bodies that supplied the information and other related organizations that have contributed to the implementation of this handbook. For these reasons, I would like to express my gratitude and appreciation to the administration of all levels that have dedicated their time and contribution in writing this handbook.

I would like to express the gratitude and thank you to Oxfam in Laos that has provided the funding to us. Again, I would like to express the gratitude and thank you to ‘Proud To Be Us Laos’ community that has sought the funding in writing this book; I would like to express the gratitude and thank you to the Faculty of Law and Political Science, National University of Laos in supporting the documents; I would like to express the gratitude and thank you to the business units of both public and private sectors that have supplied the information that are beneficial in the establishment of the policies.

We have nothing to give back when it comes to the expressing my gratitude but apart from wishing to those mentioned and not mentioned here the best of happiness and the best of luck in all aspects, successful in all matters, including the profession and wellbeing.

Again, I would like to express my gratefulness on this occasion.

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## **Comments from the Vice-Dean**

I, on behalf of the Vice-Dean of the Faculty of Law and Political Science, National University of Laos representing the Center for Legal Services to the People (CLE Center) have collaborated with the 'Proud To Be US Laos' in creating the legislation handbook of Lao PDR regarding the gender diversity in the workplace in Vientiane Capital. This type of handbook is attached with the rights and duties of the gender diversity group.

On this handbook, on behalf of the Vice-Dean of the Faculty of Law and Political Science, I find that the research conducted by the team that has conducted the research of various legislations in Lao PDR that have been adopted from time-to-time shall act as reference for the team, especially on the rights of Lao citizens that emphasize on the LGBT group. Including the policies of various employers, as well as the public sector. The policies cover the employment of gender diversity group in Lao PDR due to the fact that there has not been an individual that conducted the research on this area. Hence, on behalf of the Vice-Dean of the Faculty of Law and Political Science, I find that the legislations are able to be use as reference for the gender diversity group in the employment. So that, they can receive equal rights like others. The objectives are to create equality in the society, as well as to protect the entitlements, rightful benefits of all Lao citizens under laws.

On the other hand, on behalf of the Vice-Dean of the Faculty of Law and Political Science, I would like to express gratitude to Oxfam Laos that has provided the funding the creating this handbook with successful outcomes. Thanks to 'Proud To Be US Laos' in seeking the funding, budget in drafting this handbook for the teachers at the CLE Center of the Faculty of Law and Political Science. The team of teachers and 'Proud To Be US Laos' have conducted the research and editing the handbook to completion. We do believe that the gender diversity group shall bring this handbook to be used among the gender diversity group in order to have their rights being protected in accordance with the Constitutions of Lao PDR under strict manners.

On this occasion, on behalf of the Vice-Dean of the Faculty of Law and Political Science, National University of Laos, I do hope that the team that writes this handbook to disseminate and use in the practical work in all aspects. Lastly, I would like to wish Oxfam Laos, the team of 'Proud To Be US Laos' and the authors, and editing team of the legal practitioners attitudes, as well as the project to be successful in all aspects.

Again, thank you very much!

**Vice-Dean**  
**The Faculty of Law and Political Science**  
*(Signature and Seal)*  
**Phouvong VILAYSENG**

## ABSTRACT

The Manual continue the work initiated in the report on the closing gap of the research on the gender diversity at the workplace in Lao PDR where the case of the employment policies of diverse gender groups in Lao PDR have been studied, these include: 05 associations; Advancement of Handicapped Women's Developments (ADWDC); the Rural Development Agency (RDA); the Gender Development Association (GDA); and the Association for People with HIV infected Group (APL+); the Association for Women Development and Legal Education (ADWLE); 05 companies; Lao Telecom; Nam Theun 2 Power Co. Ltd; Lao Brewery Co. Ltd; Lao-Japan Airport International Service; Électricité du Laos; 2 international agencies, including Care International and Plan International Laos. We have found that these organizations have used their Articles of Association under the Law on Labor of Lao PDR and the Regulations from their Headquarters that may not include the gender diversity into their policies.

From our examination on the national legislation of Lao PDR in relation to gender diversity at the workplace, we have concluded our expected outcome as below:

- Able to recognize various laws related to LGBTI.
- Able to recognize the rights of all citizens of Lao PDR to work
- Able to recognize the policies that employees should receive from the employer during work or time off.
- Be able to recognize the forms of protection of the legitimate rights and interests of the people of Laos, especially LGBTI.

Henceforth, this Manual on the Legal Practitioner's Attitudes towards the Promotion of Gender Diversity and Workplace Inclusion (Workplace Experiment Manual) can be applied in business and CSO and lead to create and inclusive environment where vulnerable and marginalized groups are not left behind.

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# Chapter 1

## Introduction

### I. The Justification and Significance of the Issues

Gender diversity includes Lesbian, Gay, Bisexual, Transgender, Intersex collectively referred as “**LGBTI**” (Asian SOFIE Caucus, 2017). LGBTI people are facing specific discrimination at based on their sexual orientation or gender identity. In particular, the transgender group is still facing discrimination at higher rates. (UNDP, 2018).

In Lao society, gender diversity is a topic slowly gaining interest, also from several legal practitioners that conducting studies and research on the civic and social “rights” and from sociologists working on “human studies” subject.

Though, accepting gender diversity remains a conflicting subject among experts between those who support and those who don't. The LGBTI are not yet accepted and suffer stigma from culture and tradition. Number of experts don't accept gender diversity as they consider that homosexual relationship is abnormal and differ too much from social norms and family expectation.

There are groups of experts that either support and do not support the gender diversity due to the matter of privacy, the entitlements do not cause damage to others or society. On the contrary, the experts in favor of advancing the rights of LGBTI people challenge the stigma LGBTI people have less ability and capacity and that applying the same policy at work without discrimination based on SOGIE would cause no damage for the others or society.

Observation on behavior and social attitude towards the LGBTQI demonstrate ambivalence. We could see both acceptance and refusal. Yet, Laos is still far from applying gender diversity in the workplace as there is still discrimination in recruiting and within the workplace, including insult and bias on their ability. To ensure fairness and, peaceful and harmonious work environment without discrimination, we shall further study the challenges the vulnerable and marginalized groups, including the LGBTQI person, face. A better understanding of the issue together with awareness raising will lead to a better understanding from the society and more acceptance. It will open opportunities, for the groups at stake, to express their fully competencies. The Manual will contribute to the implementation of the human rights and ensure that the rights of the employee comply with the Universal Declaration of Human Rights and Protocol or the International Agreement on the Rights for Employment, as well as the Constitution and Laws of Lao PDR.

We consider that once born all humans should have equal rights and not suffer from any discrimination regardless of the gender identity or sexual orientation. This includes receiving equal treatment and respect at the workplace and from public institutions.

Therefore, the group of authors viewed gender diversity regardless of the nation deserves to have social protection like other group of people. These people of diverse gender shall not be discriminated or taken advantage of by the conflict raised by other groups that can possibly cause a misunderstanding among the group of people in the society. This group of people is usually classified as: the group of people with abnormal behavior such as people with mental disorder.

From the observation made on the behavior or social reactions towards the gender diversity is unclear. This implies that there are both acceptance and refusal. For these reasons, the gender diversity issue at the workplace is among the issues that there are some groups in the society that are still discriminating the professions, including the insulting a person on their capability or refuse to accept vulnerable for employment. Therefore, to ensure the fairness and equality among all people, the issue should be taken into consideration. This is by ensuring that the implementation of the human rights and employment rights of the citizens comply with the International Declaration on Human Rights and Protocol or the International Agreement on the Rights for Employment, as well as the Constitution and Laws of Lao PDR.

Thus, the Manual was created after collecting information to clarify the interests of the people as well as conduct in-depth studies for thorough understanding.

## **II. The Background and Importance of the Manual**

The Faculty of Law and Political Science (FOLPS), National University of Laos (NUOL) representing the Clinical Legal Education Centre (CLEC) has joined the technical cooperation with Proud To Be Us Laos (PTUL) in creating the Manual on the Promotion of Diversity & Inclusion in the Workplace and Insights of the Legal Practitioners Towards the Gender Diversity Issues in the Lao PDR (“Workplace Experimental Manual”). This manual is based on research on various legislations of Lao PDR concerning the rights of Lao citizens, along with an analysis their potential effect on LGBTI person. It includes government policies and employers’ policies samples regarding recruitment that can be applied to LGBTI person.

As there was very little study on recruitment and policies applicable in the workplace, we find that this Manual can be use as general guidance for all employees to receive

fair and equal treatment, to protect the rights of the employees and raise awareness on legal, benefits of Lao citizens.

### **III. The Objectives of the Manual**

The objective of the Manual is to draw to the Small and Medium Sized Enterprises (SMEs) or Large Sized Enterprises, CSO and legal practitioners' attention to diversity and inclusion and specifically to the LGBTI community. The Manual aims numerous outcomes:

- Lead D&I for the employees from different background.
- Become familiar with gender diversity concept and integrate gender diversity within business or organization.
- Promote non-discrimination and harmony to enhance the good potential of the organization.
- To examine the legislations relating to LGBTI, especially in the employment in the Lao PDR.

### **IV. The Scope of Operation**

The Manual studies: the Constitution of Lao PDR; the Laws; the Decrees; the Orders; and the Recommendations, including various Agreements of Lao PDR, as well as the method to aggregate information from the laws relating to the gender diversity to explain and express the comments on various policies of the company or association in treating its employees that are gender diversity, including future improvement.

### **V. The Expected Outcomes of this Manual**

Through the studies made on this Manual, various legislations of Lao PDR relating to the gender diversity in the employment have been brought for consideration. Hence, the expected outcomes of this Manual include:

- Raise awareness on legislations to relate to gender diversity.
- Know the entitlements of Lao citizens in their occupations of Lao PDR.
- Know about the policies regarding the employees that entitled to be received from the employers during the employment or suspension from work.
- Know the types of protection and rightful benefits of Lao citizens, especially the gender diversity group in Lao PDR.

## **VI. Various Laws Relating to Gender Diversity in the Employment / The Perspectives on the Gender Diversity in Lao PDR**

The Constitution of Lao PDR of (2015) recognizes only two genders: male and female.

Whereas, the terms “The Men Who Have Sex With Men” and “Transgender” have been used in the National Aids Prevention Campaign in the Article 1 of the Law on Aids (2010) and by the National Assembly on 23 June, 2010. The meaning of the other type of gender is pursuant to the general characteristic of a person that has no identification whether a homosexual or tomboy due to various reasons.

However, at present Lao society is more opened to equal rights, without the discrimination. Little by little, stigma is challenged. For example, we see that transgender are more accepted: families accept gender transformation of their children as long as they respect social rules and act as good citizens.

The following are the topic from the outcome analysis made on various legislations in Lao PDR by classifying the articles relating to the gender diversity and the employment as:

- 1. The Constitution of Lao PDR, No. 63/NA, dated 08-Dec-2015**
- 2. The Law on Labor (Amendment), No. 43/NA, dated 24-Dec-2013**
- 3. The Law on Medical Treatment (Amendment), No. 43/NA, dated 24-Dec-2013**
- 4. The Law on Education (Amendment), No. 62/NA, dated 16-Jul-2015**
- 5. The Law on Family (Amendment), No. 05/NA, dated 26-Jul-2015**
- 6. The Decree on Labor Conflict Resolution, No. 76/GOV, dated 28-Feb-2018**
- 7. The Decree on the Legal Support, No. 77/GOV, dated 22-Feb-2018**

## VI. An In-depth of the Sexual Orientation and Gender Identity Expression Equality Bill (SOGIE)

In 2017, 'Proud To Be Us Laos' was the main contributor to the information that acts as a reference in the establishment of the Law on the Changes of Gender of the National Geographic Magazine Special Issue – Gender Revolution.<sup>1</sup>

Hence, we have used the information from this magazine as the main content in creating the Manual on the definition of the gender diversity by selecting the related terms and reflect the actual environment of our society. The terms have been prepared and discussed with the Center for Human Sexuality Studies at Pennsylvania's Widener University and Mr. Luca Maurer from the Center for Gender Diversity Research, the site visit and services at Ithaca College, New York where they have contributed to the writing of 'The Teaching Transgender Toolkit' book.

- **Sex:** refers to the difference that is differentiated between male and female in reference to their sex organs.
- **Gender status:** refers to the status of gender that indicates the identity of gender, these include: being a male or female that covers the structure or standard of the society in regards to being a gender.
- **The Gender binary preference:** refers to the attitude on the fact that the gender status shall be relied on the gender of origin either male or female regardless of the characteristic of gender and the expression of gender that is variety.
- **The Gender expression:** refers to the expression of the external characteristics through the dressing, these include: hair style, cosmetic use, accessories, tone of voice, and the gesture that indicates the gender status.
- **The Gender fluid:** the person with the gender characteristic or the expression of switching the gender between true gentleman and true lady and switching depending on the time flow.
- **The Gender identity:** refers to the feeling and the different gender characteristics that indicate the personality.
- **The Gender marker:** refers to the indication of the gender characteristics, these include: the prefix of a male (Mr.); female (Ms.) and sometimes do not consistent with the gender of origin, but having the preference to use the prefix that matches the gender characteristics.

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<sup>1</sup> National Geographic – Gender Revolution 2017.

- **The gender expression that is consistent with the gender of origin in accordance with the gender standard (Gender conforming):** the person with gender expression that is consistent with the gender of origin and the social standards, these include: a boy or male and a girl or female with the gender characteristics and gender status that is opposite the gender of origin that have been the hopes of the tradition. However, the social standard is changeable depending on the social acceptance.
- **The gender expression that does not consistent with the gender of origin in accordance with the gender standard (Gender non-conforming):** the person with gender expression that does not consistent with the gender of origin and the social standards, these include: a boy or male that is gentle is likely appears as a girl or whereas a girl or female that is tough appears as a boy. However, it may not be the case for all and does not mean that everyone will be transgender.
- **The Gender Queer:** refers to the person with the gender character that is neither a woman nor a man, perhaps maybe in between the gender or a mixture of all gender.
- **The Intersex:** refers to the person with abnormal reproductive development by having the sex organs of both male and female that has made the body unable to differentiate between either male or female. Generally, people often confused between Intersex and transgender. However, these 2 groups of people are entirely different, such as those who are intersex referred to the fact since they were born, whereas the transgender their preference of gender (however, being a gender diversity group is not an option.
- **The Lesbian, Gay, Bisexual, Transgender, Queer, and Intersex (LGBTQI):** include the lesbian, gay, bisexual, transgender, queer, and intersex. The homosexual group is not suitable due to the fact that all the genders are entitled to have a sexual intercourse.
- **The Non-binary:** refers to the gender express, regardless the gender character that is consistent with the gender of origin, including: the male shall be masculine, and the female shall be feminine, these include: Bi-gender; lack of transparency in the gender (Gender-queer), and switching of gender (Gender-fluid).
- **The Sexual orientation:** refers to the basic of sexual preference, including the preferences of opposite sex, same sex, and both genders.
- **The Transgender:** sometimes referred to the 'Trans' refers to the pronoun that is used to call the person with the gender character that does not match the gender of origin. This term is still in use. However, the term 'Transgender' is more suitable.<sup>2</sup>

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<sup>2</sup> (The teaching transgender toolkit, by ELI R. green and Luca maurer available [www.teachingtransgender.com](http://www.teachingtransgender.com) ສະໄໝ ບັ້ ນເື້ອນ ມັ ງກອນິບ 2017)

## **Chapter 2**

### **Sample of the Policies from International Organizations**

#### **I. The Policies on the Gender Diversity and the Inclusion by Oxfam**

- The right of all persons, free of coercion, discrimination, and violence, to seek, receive and impart credible, evidence-based information related to sexuality; to choose their sexual orientation and sexual partner or partners; to decide to be sexually active or not; to participate in consensual sexual relations; and to pursue a satisfying, safe and pleasurable sexual life.
- The right of all persons, free of coercion, discrimination, and violence, to freedom of gender identity and expression.
- The right of all persons to live free from violence, including sexual violence. • The right to equality, equal protection of the law and freedom from all forms of discrimination based on sex, sexuality, or gender.
- The right to participation in civil, economic, social, cultural, and political spheres for all persons, regardless of sex, sexual orientation or gender identity.
- The right of all persons to privacy regarding matters of sexuality.
- The right to personal autonomy and recognition before the law.
- The right to freedom of thought, opinion, expression, and association regarding issues of sexuality, gender identity and sexual rights, without arbitrary intrusions or limitations based on dominant cultural beliefs or political ideology, or discriminatory notions of public order, public morality, public health, or public security.
- The right to health care, including sexual health care for prevention, diagnosis and treatment of all sexually related concerns, problems, and disorders.
- The right to comprehensive sex education and information necessary and useful to exercise full citizenship and equality in the private, public, and political domains.
- The right to choose whether to marry and to found and plan a family, and to decide whether or not, how and when, to have children.
- The centrality of sexual rights to 'active citizenship', being human, well-being, fulfillment, liberty, and life chances.<sup>3</sup>

#### **II. Case Study: The Integration of Diversity and Inclusion Policies by ANZ Lao.**

ANZ is well known globally and is the first international bank to operate in Laos since 2007. ANZ has been one of the most successful international banks to operate with

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<sup>3</sup> [https://www-cdn.oxfam.org/s3fs-public/file\\_attachments/story/sexual\\_diversity\\_and\\_gender\\_identity\\_rights\\_policy.pdf](https://www-cdn.oxfam.org/s3fs-public/file_attachments/story/sexual_diversity_and_gender_identity_rights_policy.pdf)

more than hundreds of employees who are Lao nationals. The bank has been making strides to reach for a workplace and workforce dynamic of diversity and inclusion integration. Diversity, as defined by ANZ “in this context includes ages, caring responsibilities, cultural identity, disability, gender expression and identity, ethnicity, education, family/ relationship status, sexual orientation religious beliefs, and/or socio-economic background.” Thus, no one is left behind and treated equally among all employees regardless of their title, position, and responsibilities. <sup>4</sup>

Diversity and Inclusion is high on the agenda of ANZ where they believe in the inherent strength of a vibrant, diverse, and inclusive workforce where the background, perspectives and life experiences of the employees are the key to fostering a strong connection with all customers.<sup>5</sup> Thus, ANZ highly focuses on the commitment to diversity and inclusion within the workforce and workplace to develop sustainable outcomes and overall well-being of the organization.

Our team has conducted a case study to interview an HR representative from ANZ Laos. From our findings, the team categorized the source into 3 focus areas featuring D&I integration to ANZ internal management.

### ***1. Recruitment, selection, and assessment process policies:***

**Findings:** The Human Resource management of the ANZ Laos suggested they recruit people based on talents and skills over their appearance, age, gender, ethnicity, disability, etc. Mrs. Mukdalay Xayarath also mentioned that they do not recruit a particular position such as teller (front) based on appearance, which indicates their commitment to diversity and inclusion in all directions. This finding relates to our initiative workshop previously on the discussion with BCEL Bank. The participant from the other banks stated the claim on recruitment and selection process that it is certainly biased for specific job positions. The participant said a front teller job description would prefer an attractive face to attract more customers. This indicates how the marketing strategy of top cooperation in Laos neglects D&I where the organization still favors outer appearance over vulnerability. In contrast, the ANZ Laos admitted to integration of D&I policy to their functional operation and management has overall shown positive outcome and sustainability of the organization.

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<sup>4</sup> Aug, 2020. ANZ policy. <https://www.anz.com/content/dam/anzcom/shareholder/Diversity-and-Inclusion-Policy.pdf>

<sup>5</sup> Aug, 2020. ANZ policy. <https://www.anz.com/content/dam/anzcom/shareholder/Diversity-and-Inclusion-Policy.pdf>

## ***2. Equal Opportunities and Health Benefits policy:***

**Finding:** From the interviewed with the ANZ representatives stated the current aim of the ANZ Laos is to provide complete health access and benefits equally to all employees and their spouse/ partner including partner of same sex. For their internal policies on D&I, they have shown to provide a fund of healthcare that covers entirely the employees and their partner (s) including same-sex partner (a romantic relationship between people of the same sex) even though they are not legally married or entitled. Mrs. Mukladay Xayarath, further encourage this point into our manual to help push forwards for policy changes and awareness to the government that health benefits are essential to everyone not to only a spouse of a married person. This demonstrated a great initiative approach from the ANZ Laos to push forwards for D&I development and changes in the Lao policy.

## ***3. Parental Leave: Include Paternity or partner leave and adoption leave (all level including same sex):***

**Finding:** The Absent Leave policies of the ANZ Laos are perhaps very interesting. The policies are updated to current global trends and highlight the needs of the employees. In terms of parental leave, the ANZ Laos allows parents (father or mother) to have equal parental leave days (115 days) under the circumstances and conditions of each family. However, parental leave policy also applies to parents of adoption and same-sex parents to assure equal benefits to all employees regardless of individual differences. This indicated the ANZ Laos are highly tuned to the global dynamic of D&I and adopting D&I into their policy development set a great example to businesses in the Lao context. In addition, the strategic approach of ANZ on D&I in the workplace is unique and focused. The vision and strategic planning of ANZ Lao on D&I is highly effective to the internal organization producing productive human resources and high retention rate.

Nonetheless, the result we found from the ANZ Lao case study showed highly supportive of D&I policies in Lao context and some policies that aligned with global policies are practical to use in Lao. For most policies including protective rights of LGBTI at workplace, equal opportunities, health insurance coverage, and parental leave are implemented internally. The HR of ANZ also raised some of the challenges they still faced. Most of the initiations of D&I are still unrecognized by some of the governmental sector. However, she mentioned that the organization still moves forwards promoting and initiating

D&I in the internal policies at workplace. She exclaimed the results were very impressive and well responded by the employees. The productive outcome of the organization increases low turnover and overall employee's satisfaction was high. Therefore, from the experience shared by the HR of the ANZ Lao, we can see that implementation of D&I at the workplace only showed a positive outcome. By this means the future implementation of our Manual on D&I policies will support development and sustainability of Lao businesses and human resources.

### **III. The rationale that the entrepreneurs need to focus on the diversity**

Gender diversity in the workplace is widely discussed nowadays and widely recognized and better accepted around the world compared to the past. Gender diversity includes: the race; religion; age, especially the gender diversity and sexual preference. In June annually is established as a month to celebrate diversity or Pride Month where people and organization from around the world gathered to host activities and events to promote the gender diversity, including: the decoration of flags in the marching. Looking back to those in the LGBTIQ+ in 50 years on 28-Jun there was a riot and violence on the gender diversity group in New York City, United States that has initiated the calling for rights and fairness of the gender diversity group.

PwC in collaboration with Out Leadership have conducted an interesting survey called: "Out to Succeed: Realizing the Full Potential of LGBT + Talent" by conducting the poll on the comments of high competent staffs or the competency of gender diversity group from various organizations across the globe. The survey scale was a total of 231 people, including the executives and staffs with gender diversity with their needs from the organizations. This survey was conducted to encourage employees of diversity to express their potential in the workplace at the maximum capacity and how the organization can attract talent pool of diverse gender.

According to "Out to Succeed: Realizing the Full Potential of LGBT + Talent", opening opportunity and supporting gender diversity, by promoting the authenticity and friendly attitude towards LGBTI staffs have benefited the business in 4 important aspects as follow:

- Better access to the LGBTQI + emerging group of consumers.
- LGBTI persons, their peers and families will opt for the goods and services that support LGBTI.
- Attract staffs with high competency and skills, we found that 80% of the staffs with gender diversity and new generations we found that the policies that favor the gender diversity are important factors in the decision of selecting the workplace.
- Enhance the capacity and grow business performance.

The same survey proposes 5 directions to ensure the equality promote staffs and encourage

staff, including LGBTI, to express their abilities in the workplace at their full potential:

**1. The leader of the organization shall support and get everyone involved**

This will enable the organization to build a culture of no discrimination, see everyone's values and accept differences. 98% of the participants expressed that the endeavor of business to support the policies that promote gender diversity in the workplace are important in building of corporate culture that promotes the equality.

**2. The clear determination of the growth in the profession under concise and fair manners**

The organization shall monitor information on its capacity since the start of recruitment in order to ensure having a diverse workforce. For example, the organization may designate "Talent Watcher" to monitor staffs' skills and competencies, ensure fair and equal treatment and, in case of a LGBTI resign, ensure to understand the root reason, to finding the way to resolve the issues accordingly supply of different dimensions on the capacity building that determine the growth in the profession under concise and fair manners, as well as receiving proper compensation.

**3. Adopting a promotion of equality mindset**

90% of those that have been surveyed give importance to the organization that support and promote the gender diversity. This is a signal that the organization will truly uphold the acceptance of the diversity.

**3. The alliance networks**

80% of those surveyed in the gender diversity group believe that having a network and good communication help to create an inclusive work environment. The establishment of an alliance network contribute to create inclusion, so employees feel to have the support of team, receive help, and connect with colleagues alike.

**5. Communication promoting diversity and acceptance**

Internal and external communication shall represent and promote diversity: the more communication and marketing shows gender diversity, the more acceptances.

However, the organization shall be careful with the contents assure that the contents are not offensive. We found that the management of gender diversity within the organization does not only cover gender diversity, but also difference in diversity in all dimensions. Including diversity in the management process is not limited to gender diversity but embrace all differences.

This strategic approach to encourage diversity is among the important strategies in driving the organization amid the digital era. If the organization is being opened unlimited or does not obstruct the dress code of the gender diversity group, these will enable the organization to be able to attract the talented individuals and enhance the organization at higher capacity.

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## IV. What Diversity and the Inclusion mean?

### 1. What is gender diversity in the workplace?

Gender diversity in the workplace refers to the understanding, acceptance, and values given on the difference among the human, these include the race; ethnic group, age, religion, disability, and gender expression (same sex partners) and the gender characteristics that are different in terms of the education, personality, skills, experience, and knowledge foundation. The gender diversity in the workplace refers to the mixtures of the foundation, experience, and skills that are difference. These differences can lead to blooming creativity.



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<sup>6</sup> Out to Succeed: Realising the full potential of LGBT+ talent, PwC: <https://www.pwc.com/gx/en/people-organisation/pdf/outnext-survey.pdf>

## 2. What is inclusion in the workplace?

Inclusion in the workplace refers to the environment that has received the cooperation, it includes the support and respect towards each other, the enhancement of inclusion and everyone's participation without discrimination and rejection.

## 4. What is diversity and inclusion in the workplace?

Diversity and inclusion in the workplace are among the missions of the organization. Diversity and Inclusion is to be apply within the strategies and used to achieve the organization's goals and objectives. The organization that creates the workplace with gender equality (including same sex partners) and the inclusion are smooth, creative, and attractive to any kind of ability in the organization



Diversity and Inclusion in the workplace is not only the symbol of harmony among the colleagues from different backgrounds, but it also supports on employee's needs in order to enable them to perform their best while being able to express their preferable identity without hiding. Establishing D&I starts from the recruitment process; the team of human resources and the employment process shall focus on the competency of the candidates in performing the work regardless of race; appearance (skin color); religion; gender; gender expression, sexual orientation, etc.

The process of handling the diversity and inclusion in the work to ensure maximum results include:

- Equal treatment (no discrimination)
- Equal opportunities.
- Teamwork and cooperation.
- Focus on innovation and creativity
- Organization flexibility, responsibility, and instantaneous.
- The cooperative conflict resolution process.
- The evidence indicating the leader's endeavors towards the diversity (including: the designation of the chief with gender diversity, the fairness in the workplace, the gender status in the workplace) that resemble the gender diversity of all levels within the organization.
- The education and training to have more understanding on the diversity, these include: the gender diversity, the disability, religion, and place of residence.

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#### **4. What is the importance of diversity and inclusion at the workplace?**

Diversity and Inclusion in the workplace not only is ethical, but it is an advantage for businesses for instance, it attracts more qualified workers. Recruitment process including a diversity criterion such as gender diversity (including same sex partners), race, disability, religion, place of residence is found to have better qualified candidates.

Diversity and Inclusion enable the staff to feel supported, accepted, respected, safe and secure in the workplace. This type of environment makes the company more attractive, enhances employee's discipline, improve the organization's reputation, increase staff's involvement, increase creativity to new products and services, increase production.

#### **5. How can your organization promote diversity and inclusion at the workplace?**

The possible approaches in promoting D&I in the workplace begin from the Executives and Head of Human Resources to the technical level staffs. The Human Resources Division shall communicate to exchange opinion with the Supervisors on the needs for exchanges in the workplace. Also, the business can provide trainings related to Diversity and Inclusion.

Example of Good Practices:

- **Promotion Diversity:**

This is important to disseminate the idea of diversity and inclusion due to the fact that people are from different backgrounds and sometimes the attitudes are different perspectives.

This includes the clothes that the staffs wear to work, the letter writing styles, and the opinions toward any issue in the meeting. Hence, the attention should not lean toward the staffs in any team or division, but also the staffs with gender diversity (including same sex partner).

Also, listening to the diversity is beneficial for the brainstorming of new ideas while everyone is in the environment that is friendly and has the feeling of inclusion in the mission.

- **Promotion of culture where all voices are accepted and respected**

Feeling to lose its own identity and true characteristic, not being recognized, or valued, are all reason for staffs to resign from their job.

Therefore, it is important to create an environment where staffs feel engaged with the organization and colleagues.

The staff shall feel they can express freely. The organization shall ensure freedom of

expression is guaranteed, respected, and appreciated regardless of differences of age, gender, nationality, religion, sexual orientation, health condition, cultural background or country of origin.

Organization shall adopt the policies and practices to prevent and condemn discrimination. Creating a workplace with a tolerant and friendly attitude will ensure the feeling of being including and safe to voice concerns and opinions without of retaliation or other intimidation. Meanwhile, it benefits the organization to listen to different attitudes.

- **Create a safety venue:**

Staff must feel safe from being threatened, violated, demoted from the position, or facing any kind of discrimination at any level. Moral and physical violence should be prohibited and sanctioned, including disrespect, insult, or harassment.

The Head of Human Resources Division can designate a committee within the organization responsible to receive staff's complaints and find solution accordingly.

- **Unidentified dialogue:**

Among the best way to learn about what areas should the staffs pay attention to or problem solving is through direct communication with the Human Resources Division, so that the communication can be conducted efficiently in solving the problem. The Human Resources Manager shall have a "Open-Door Policy", so that the staffs can feel relaxed and being open- hearted during the communication. This topic can be about a person loves the same gender, being a male with female behavior or being a female with male behavior, etc. The Head of the Human Resources Division can perform this through easy communication. The staffs will feel relaxed in their expression and trust in the leadership.



- **Create a capacity building plan and more comprehensive existing policies:**

The capacity building plan shall include D&I. In general, the implementation process is determined by the provisions of the funding provider, the head office or the technical support partners.

It is important that the high management is responsible for the development of plans. Business should create the policies focusing on D&I or extend the scope of existing policies to be more inclusive with strict enforcement.

Training and policy implementation shall be done in a continuous manner in order to monitor the changes in long term. The trainings and policy development aims to develop inclusive work culture.

- **Regular Comments Collection Practice**

The Head of Human Resources shall collect feedbacks and comments within the organization on a regular basis to find out on the causes of the issue or conflict in the workplace. The Head of Human Resources and the Supervisor shall assure that the staffs

have adequate chance to raise issues relating to their identities and differences and ensure a fair resolution mechanism.

For example, the organization can organize a face-to-face meeting with the staffs at the office or sites to assure that all the staff feel safe in expressing their gender identity, sexual orientation, and any other concerns.

- **What is the level of assessment on the representation of diversity and inclusion in the workplace?**

Is it necessary that diversity is represented at the board of management and at the high-level position. It includes: the gender diversity, race, disability, ethnic group, place of residence and the equality between men and women? Vice versa...

## **CHAPTER 3**

### **THE POLICIES ON GENDER DIVERSITY IN LAO PDR**

#### **I. The Policies on Gender Diversity in the Workplace**

In Lao PDR, even though there is no law that covers gender diversity, some companies that adopt and facilitate policies on gender diversity as the following:

1. To indicate the importance of the recruitment for employment and everyone has the equal rights and does not mention either male or female in the employment.
2. The knowledge, capacity, and opportunities depend on the work outcomes regardless of the characteristics, dressings, and sexual preferences.
3. Some companies, some child that has been legally adopted is entitled to work for parents on behalf once they are retired.
4. In some companies, some child that has been legally adopted is entitled to work for the parents on behalf once they are retired.
5. To build and understanding of diversity values and inclusion at workplace can encourage fairness and inclusion in the workplace at the maximum capacity.
6. Ensure that there is no discrimination in selection process, recruitment process and all other related process.
7. Promote equal opportunity through impact assessment and to filter fairness treatment under the policy review and operational plans on the gender diversity.
8. Equal treatment for all colleagues, respect towards each other and with dignity.

#### **II. The Policies of the Employer towards the Employees**

1. The employer shall disburse the benefits in accordance with the Law on Labor to the adopted child of the employee on the condition that the child is legally adopted.
2. The employer shall disburse the benefits to the employee health issues or being hospitalized regarding the gender status.
3. The employer shall impose the policies on the promotions of positions and ranks to the employee with no exception on the gender on the condition that the employee has a strong performance in performing the role and responsibilities.
4. The employer shall recruit employees regardless of the gender on the condition that the employee is well competent and be able to meet the employer's expectations.
5. The employer shall provide support to the employee in case the rights of the employee are breached and cause damages to the employer while performing the duties.
6. The employer shall establish a Union Unit in the organization to manage conflict and

issues regardless of the gender status.

7. The employer shall provide the welfare or social security to the partner(s) of the gender diversity group (in case of females living together).

### **III. The Protective and Management Measures**

The protection and management of personnel in the company or association lack of specific measures but adopted the general policy measures. The general policy highlighted protection on the general, which means everyone regardless of diversity is protected. Thus, the law enforcement suggests the organization and businesses to establish a Union Unit to manage and protect employees in case when the rights are being violated. From the opinions above, the authors found that the policies of the companies or association are valid for everyone regardless of their difference. Nonetheless, a proper implementation of policy can be useful tool for disputing conflicts at workplace, and for all people to live peacefully together.<sup>8</sup>

### **IV. The Things we should do**

1. Create the understanding the importance of gender diversity values and workplace inclusion in order to create fairness in the workplace at the fullest capacity.
2. Assure that there is no discrimination at selection process and recruitment, as well as in all related process.
3. Promote gender equality through implementation plans and conducting impact assessment and to assure fairness in labor policies in the workplace.
4. Treat the colleagues fairly, respect and dignity.
5. Perform our duties to perform and to manage challenges while aiming to create a well balance and fair environment within the organization.
6. Perform the duties that are consistent with the policies of the Party-Government.

### **V. The things we should consider for endorsement**

1. The World Health Organization has considered and officially declared as person of diverse genders as not a mental disorder person dated on 17-May-1990. Therefore, this remark should be recognized as a special public holiday for LGBT in recognition to celebrate gender diversity.

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<sup>8</sup> Report on the Bridging of the gap of the Research on Gender Diversity in the Workplace of Lao PDR. The case studies of the Employment Policies towards the gender diversity in Lao PDR (2021).

2. Have the supporting policies on the gender diversity group in the operation and receiving of annual healthcare for those with cosmetic surgeries such as breast augmentation, gender reassignment surgery (GRS), beauty cosmetic surgery and etc.
3. The adopted child of the gender diversity group receives the entitlements and equal welfare that they deserved.
4. The adopted child of the gender diversity group can work on behalf of the parents when they are retired.
5. The employers shall consider equal benefits for the transgender employees in accordance with the law on labor policy and social security.

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## Appendix 1

<b>The Constitution of Lao PDR, No. 63/NA, dated 08-Dec-2015</b>	
Legal Framework	<b>Analysis and Perspectiv from LDP team</b>
<p><b>Article 6 (2<sup>nd</sup> Paragraph)</b></p> <p>It is prohibited all types of acts that are unlawful, threaten that causes damages to the dignity, health, lives, mental and the asset of civilians.</p>	<p>All Lao citizens have equal rights under laws and no one is entitled to breach or cause damages to the dignity, health, lives, mental, and assets.</p> <p>This provision is applicable to the LGBTI community, even if the constitution not specifically stipulate, as LGBTI are Lao Citizens.</p>
<p><b>Article 34</b></p> <p><b><i>“The state acknowledges, respect, protect and assure the human rights and basic rights of the citizens in accordance with the law.”</i></b></p>	<p>The gender diversity or optional gender on the basic human rights has indicated that the Constitution acknowledges the rights of the gender diversity.</p> <p>In practices, the LGBTI are not treated equally and discriminated against. Some of their rights are in facts limited such as the right to dress freely, rights to express or rights of employment.</p>
<p><b>Article 35</b></p> <p>Lao citizens regardless of male-female, social status, educational level, trustworthy and ethnic group are equal justice under law.</p>	<p>As Lao citizens LGBTI person are equal under the law.</p>
<p><b>Article 37</b></p> <p>Lao citizens of both male-female are</p>	<p>We found that it is clearly demonstrated</p>

<p>equal in terms of politics, economics, social-cultural, and family aspects.</p>	<p>that all of Lao citizens regardless of the female, male or other gender are equal in accessing employment.</p>
<p><b>Article 39</b></p> <p>Lao citizens are entitled to be employed and have professions that do not contravene the Law of Employees, they are entitled to take a leave; received treatment; receive the assistance in case of losing the working capacity, handicap, retirement, and other cases as stipulated in the law.</p>	<p>This Article illustrates clearly that all Lao citizens regardless of male, female or other gender have equal rights in terms of the employment or profession.</p> <p>In the cases, discrimination against or bias against LGBTI in the workplace and failure to promote the employment, should be considered as a violation of the Constitution and could be prosecuted under the laws.</p>
<p><b>Article 42 (1<sup>st</sup> Paragraph)</b></p> <p>Lao citizens have the entitlements that shall not be breached by others including leaves, health, dignity, and properties.</p>	<p>The state acknowledges and protects the rights of all Lao citizens, this shall include LGBTI without distinction.</p>
<p><b>The Law on Labor (Amendment), No. 43/NA, dated 24-Dec-2013</b></p>	

<p><b>Article 3: The Explanation of Terms</b></p> <p><b>The 28<sup>th</sup> Paragraph: The Discrimination at the Workplace.</b> Refers to the acts by the employer that obstructs, discriminates, limits the opportunities in the workplace, the promotion, the progression, and confidence of the employees.</p> <p><b>The 28<sup>th</sup> Paragraph: The Discrimination at the Workplace.</b></p> <p>Refers to the acts by the employer that obstructs, discriminates, limits the opportunities in the workplace, the promotion, the progression, and confidence of the employees.</p>	<p>The employer has an obligation in promoting the advancement of the employees without discrimination or obstruction of the capacity; including LGBTI.</p> <p>However, based on the author's attitude it is found that in general the employer is more likely to discriminate employees of gender diversity group in the workplace. They often obstruct and limit the employment opportunities, enhancement, progression towards the group with gender diversity or transgender group, especially in the public and private sectors. This means the transgender group lacks of confidence in applying for civil servant roles as well as in the private sectors. In Lao PDR, there is a lack of database or research papers that indicate the limitation on the issue and it is a good opportunity to use this Article of law reviewed to conduct the analysis and practical outcome.</p>
<p><b>Article 58 (New): Personal Work Leave:</b> 1) Parents, Spouse(s), and Children are ill or hospitalized and lack of caregiver 2) Parents, Spouse(s), and/or Children are dead 3). Getting married 4) A wife is giving birth 5). Affected by natural disasters.</p>	<p>This article listed the cases where employers are obliged to grant leaves for personal reasons upon request.</p> <ul style="list-style-type: none"> <li>- When parents, spouses or children are ill or hospitalized, dead or, getting married,</li> <li>- When a wife is giving birth</li> <li>- When affected by natural disasters.</li> </ul> <p>As the law is not LGBTI inclusive, there is no such obligation to adapt the law to LGBTI case. In fact it may result in discrimination. For example, in a couple, if the partner is ill or dies, because he is not a spouse under the law, the</p>

	<p>employee will not be able to entitled to exercise his rights.</p> <p>However, if a family member is falling ill or dead, how can people of diverse business can introduce diversity and inclusion policy in order to address the gaps of the law and ensure LGBTI person are not discriminated in facts.</p>
<p><b>Article 72 The Qualified Age and Retirement</b></p> <p>1) Sixty-years for male, sixty-five year for female and the working history of more than 15 years; 2) Fifty-five years for the male; fifty years for the female and the work experience more than fifteen years or more for those who work with the toxic agents for five years or more. The employee is entitled to receive the retirement if the contribution fund has been made of more than five years for those with weak body conditions and the retirement has not been reached, but shall not over thirty years.</p>	<p>We found that the leave for personal reason is only for the relationship among the spouses or children that lack of the caregiver. In case the father, mother, spouses and children died; get marry to the gender diversity group or transgender group that live together like the couple, in case of sickness or the parents of another party injured or died that causes the transgender or third gender once performed the transgender process maybe facing with the health problem.</p>
<p><b>Article 96 (New) The Gender Equality in the Workplace</b></p> <p>The female employee has the right for employment and perform the profession in all sectors of the productions, businesses and services that do not contravene with the law, including participation in the workshop, enhancement of skills, specialists and</p>	<p>By only mentioning female, this article is not inclusive of the other genders( for example, non-binary, intersex or transgender) resulting in the fact that they don't benefit from the same protection.</p> <p>Hence, there is a lack of equality</p> <p>As a solution, LGBTI should be added.</p>

<p>receiving the salary or wage at equal rates with the male, except some work that affects the reproductive health of the women that shall be protected on a case by case basis.</p>	
<p><b>Article 143 The Prohibitions for the Employers</b></p> <p>On the 2<sup>nd</sup> paragraph on the obstruction of employment or direct/indirect use of force in the suspension of work in case the woman is married, the sexual discrimination and HIVS and the 9<sup>th</sup> paragraph on the direct or indirect discrimination toward to employees within the work unit.</p>	<p>The Law on Labor determines the behaviors prohibited for the employer to prevent discrimination.</p> <p>Anti- discrimination policy contributes to concerns LGBTI person might have build their confidence to apply for the job without being discriminated against enable to promote gender diversity and create an safe environment where to express ones full potential.</p> <p>Being accepted as an equal at the workplace will help LGBTI to feel safe enough to express their true self and perhaps result in concrete outcomes in the work performance. For LGBTI, there is no guarantee that they will not face discrimination, limitation of opportunities, or work progression. There is no guarantee that employers or the colleagues will not condemn them on the basis of their gender identity or sexual preference causing damages and social embarrassment that prevent some LGBTI person to disclose their true identity.</p>

<b>The Law on Medical Treatment (Amendment), No. 43/NA, dated 24-Dec-2013</b>	
<p><b>Article 06: The Entitlements and Obligations of Lao Citizens in the Medical Treatment</b></p> <p>All Lao citizens regardless of the gender, age, ethnic group, race, social-financial status, educational level and believes shall be received equal rights in medical treatment once sickness, submit the feedback or petition if the treatment does not comply with the practitioner standard, injustice, and have other rights as stipulated in the laws and regulations.</p>	<p>The third gender or transgender person and the treatment obligations, receiving of the treatment once sickness. However, non-binary, intersex or transgender person is more likely to face discrimination in case of sexual transmitted disease and others. The medical practitioner is more likely to insult them and cause embarrassment and repression.</p> <p>On the other hand, in Lao PDR there is no hospital or clinic that offer the treatment or provide counseling services to the gender diversity group or the transgender group. For these reasons, we found that the related sector shall provide support.</p>
<b>The Law on Education (Amendment), No. 62/NA, dated 16-Jul-2015</b>	
<p><b>Article 06: (Amended) The Entitlements of Lao Citizens in the Education</b></p> <p>All citizens in Lao PDR regardless of nationality, race, religion, ethnic group, gender, age, health status, and social-economic status shall receive quality education, life-long learning equally under the law and regulation.</p>	<p>Practically, there are a number of gender diversity persons that are facing the limitation when it comes to the dressing. The student's uniforms are only for either male or female students. This means the gender diversity or transgender persons are not able to dress in uniforms accordingly to their preference gender. Perhaps when they dressed up, teachers and classmates will insult them. The worst scenario is to face disciplinary charges.</p>
<b>The Law on Family (Amendment), No. 05/NA, dated 26-Jul-2015</b>	
<p><b>Article 02: (Amended) The Abilities among the Men and Women in the</b></p>	<p>This article does not mention non-binary, intersex or transgender.</p>

<p><b>Relationship</b></p> <p>The man and woman have equal rights in the family relationship regardless of the birth origin, economic-social status, race, ethnic group, cultural level, occupation, religion, place of residence, etc.</p>	<p>Therefore, we would like to stress on this area in the future to work closely with the policymakers to enable the equal justice for all in the society.</p>
<p><b>Article 03: The Freedom of Marriage</b></p> <p>The state protects the freedom of male and female in the marriage once they reach eighteen years of age, they have the freedom to choose their partners voluntarily and their affections for the marriage that is under Lao tradition. The state does not authorize the individual, family or organization to use of force or obstruct the marriage of their children. Other members of the families, the employees and civil servants under their management.</p>	<p>The freedom of marriage is limited to man-woman relationship. The law does not specify for the non-binary, intersex and transgender, especially the same sex marriage is prohibited.</p> <p>Families still use threat or use force to stop same-sex marriage and force to traditional marriage instead</p> <p>Even so some organizations, including the state bodies, the civil servants are required to get married in order to ensure the fulfillment of family lives and work progression which is an indirect use force.</p>
<p><b>Article 06: The Engagement</b></p> <p>Once the couple is in a relationship but not yet married, both parties shall create the Memorandum on Engagement in accordance with the tradition by bringing the asset, valued items to be or not to be with the female partner.</p>	<p>The engagement limited to two gender: male and female, which exclude the other genders and same sex engagement.</p> <p>For the latter the law does not recognize the Memorandum or Engagement hence in case of conflict in the engagement, judicial process is not accessible.</p>
<p><b>Article 09: (Amended) The Condition of being a Spouses</b></p> <p>The male and female that intend to be spouses shall met the following conditions: 1) At least 18 years of age; 2)</p>	<p>The conditions of being spouses have been specifically determined for the male and female in accordance with the tradition and laws.</p> <p>LGBTI are not entitled to be spouse in</p>

<p>Have an affection and agreement both parties; 3) Being a single, widow or separated with the certifying documents; 4) Not suffering from mental disorder or infected with serious disease.</p>	<p>the same frame. Hence, we would like to propose to add the conditions for intersex and transgender persons to marry like male and female.</p>
<p><b>Article 10: The Non-Authorization of Marriage</b></p> <p>The marriage is not authorized under the following conditions:</p> <p>The 1<sup>st</sup> paragraph: the individual with same gender, mental disorder or severe or infectious disease that is harmful for the health and wellbeing of the husband, wife or child.</p>	<p>This article shows the limitation for LGBTI person to marry breaches freedom of choice.</p> <p>However, in terms of the tradition, there has not been the acceptance in the society or large community. Whereas the establishment of legislations or laws are subjected to changes on accordance with changes happening in a society.</p> <p>Importantly, the entitlements in the legislation or laws shall ensure the basic human rights and fundamental rights of the citizens.</p>

<p><b>Article 11: The Application Consideration and Registration of Marriage</b></p> <p>The couple that intends to get marriage shall submit the application in writing to the Family Registration Authority of the District, Municipality through the Administrative Body at the place of residence of the groom or bride. The Family Registration Authority shall make a consideration on the marriage application within 01 month after receiving the application; if the couple meets the complete criteria, the Family Registration Authority shall call them to register for marriage and witnessed by 3 persons.</p>	<p>We propose to add the rights for gender diversity and transgender group when it comes to the consideration and registration of marriage on the same condition as male-female marriage.</p> <p>At present, the gender diversity and transgender persons that have been obstructed in the marriage.</p> <p>Without these documents, the LGBTI persons' relationship are not recognized. Therefore, they don't have rights and benefits as opposite- sex union. For instance, in a case of sharing joint assets of many types separation, the death of one partner or the death of one partner's relatives, they will not benefit from the same protection or assets as their union is not recognize by the law.</p>
<p><b>The Decree on Labor Conflict Resolution, No. 76/GOV, dated 28-Feb-2018</b></p>	
<p><b>Article 07: The Conflict in Laws and Regulations</b></p> <p>The conflict in laws and regulations refer to the fact that either party fails to comply with the Law on Labor; the Articles of Association of the Work Unit; the Labor Contract of the Individuals or Group and other legislations relating to the labor, theses include: excessive work beyond the laws; the payment of remuneration that is lower than minimum wages of the government.</p>	<p>In this Decree, it has not mentioned about the third gender (gender diversity), rather the Decree stipulates only the individual, group, and other organizations, and does not mention on the conflict resolution to be covered for which gender specifically. Hence, the issues related to the conflict of the gender diversity are linear and fail to give importance to time that they are facing difficulty.</p> <p>If possible, there should be the specific laws that determine the gender diversity,</p>

	<p>so that they can receive the benefits under clear manners. Hence, the cooperation shall be given by the gender diversity group to express their comments.</p>
<p><b>The Decree on the Legal Support, No. 77/GOV, dated 22-Feb-2018</b></p>	
<p><b>Article 12: The Person that Receives Legal Support</b></p> <ul style="list-style-type: none"> <li>- The impoverished person;</li> <li>- The least advantaged person;</li> <li>- The child that needs special protection;</li> <li>- The wrongdoer that the law requires an attorney for support;</li> <li>- The handicapped person;</li> <li>- The woman and child that are the victim of violence;</li> </ul> <p>The victim of human trafficking.</p>	<p>This Decree determines the legal support to those who have no access to the judicial process and does not mention about which gender that requires support from the law. In most cases, there is no specific mention. Hence, the issues relating to the conflicts among the gender diversity group are linear and fail to give importance to the issue. For these reasons, there might be limitations for the gender diversity group in accessing the legal support and other social services.</p>



Diversity and Inclusion in the workplace refers to the understanding, acceptance, and values given on the difference among the human, these include the race; ethnic group, age, religion, disability, and gender expression (same-sex partners), and the gender characteristics that are different in terms of the education, personality, skills, experience, and knowledge foundation. These differences can lead to blooming creativity.



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