

CHAPTER 1

A. Background

Lao

Lao or its official name, the Lao People's Democratic Republic is one of the few socialist countries in the world and the only landlocked country in Southeast Asia



Asia (SEA).

Picture

1:

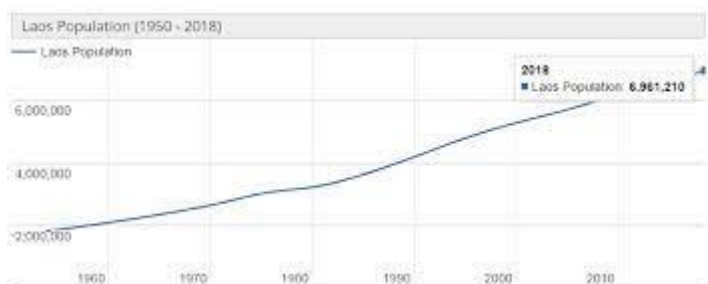
<http://worldpopulationreview.com/countries/lao-population/>

Based on this picture, Lao is bordered on the northwest by Myanmar and China, on the east by Vietnam, on the southeast by Cambodia, and on the west and southwest by Thailand. Vientiane is Lao's capital and largest town while Luang Prabang, Savannakhet, and Pakse are other major cities. The Lao language is the official language. However, there are other main languages that the Lao people use such as Hmong, Khmu, and French. Lao is a multi-ethnic country, with Lao people who dominate politically and culturally making up about 55% of the population, mostly in the lowlands. (WorldOMeters, 2019) At the end of the 20th century, the various Lao peoples were officially grouped mainly by language and location into one of three categories: Lao Loum ("Low Lao"), Lao Theung ("Lao of the Mountain Slope"), and Lao Soung ("Laotian". from the Top of the Mountain") where they have a mixed language with the official languages of Lao and French. (Osborne, n.d.)

The total population of Lao in 2019 was 6,961,210 million people. The population is calculated live

(directly), so it can change at any time, whether it increases or decreases.

The population growth of Lao from 2017 to 2019 increased by 1.50% or an increase of 103,050 people. If the total population in Lao is calculated, it is equivalent to 0.087% of the total population in the world today.



(WorldOMeters, 2019)

picture 2: <https://www.worldometers.info/world-population/lao-population/>

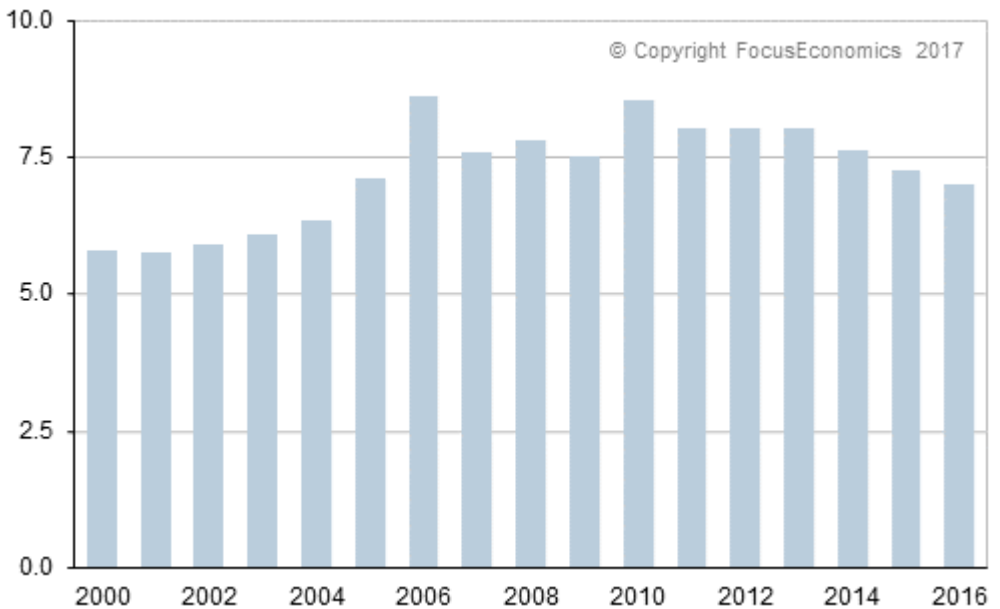
Lao is a very religious nation, but its practices are not very diverse within its borders. The State Department reports, “In most areas, officials generally respect the rights of members of most religious groups to worship, even within strict restrictions imposed by the government.

In 2002, the Lao government issued a Decree on religious practice. Although this decree is reported to have helped to ensure religious freedom in many cases, it has also authorized government officials to oversee religious practice. However, non-mainstream or non-Buddhist religious activities, especially among religious and ethnic minorities, often continue to experience repression at the community local level. (Lum, January 4, 2010)

Theravada Buddhism is practiced by almost all the native or 'lowland' people. Aboriginal or native people make up approximately half of the population. An extra 16% of non-native people make the total of 66% of the Lao population Buddhist. The second commonly practiced religion is Laotian folk religion, a religion whose features vary considerably depending on who practices it and in which region of the country. Only 3% of the population are Christian or follow a different religion. (World Population Review, 2019) Although the country's constitution provides for religious freedom, in theory, the government limits this right in practice,

particularly concerning religious minorities. (Osborne, n.d.)

The economy of Lao is predominantly agricultural and has been heavily dependent on foreign assistance and investment since the late 20th century. The instability during the civil war era and the economic policies of the early years of the Democratic People's Republic of Lao, especially the effort to collectivize agriculture, culminated in the country's economic stagnation. Lowland farmers generally cultivate irrigated rice fields, while highlanders cultivate rain-fed fields (Osborne, n.d.). The government had started pursuing more realistic economic policies and market-oriented reforms were implemented in 1986.



Picture 3: <https://www.focus-economics.com/country-indicator/lao/gdp>

Based on the chart above, it can be said that the Lao economy has a graph that goes up and down that is influenced by several factors such as the number of exports or imports from Lao or the climate because they focus on agriculture.

Since then, private and state-owned businesses have been working shoulder to shoulder to attract foreign investment. Currently, Lao's economy is one of the world's fastest-growing, primarily due to its democratic government and private sector support. While the economic situation as a whole is doing well, Lao remains one of the region's poorest countries, mainly due to its disproportionately large and poorly educated labor force. One of the country's top priorities is to reduce poverty by increasing funding for education to deliver education to every child in the country. Foreign investment maintains a large part of their economy. (Dommen et al., 2019)

Since the late 20th century, the development of the Laotian education system has continued to struggle with underfunding, inadequate teacher training, and inadequate facilities. Many children have a low level of education (Osborne, n.d.)

The Lao government is a one-party socialist republic, which means that the only legal political party is the Lao People's Revolutionary Party. Lao is ruled by the Lao People's Revolutionary Party (LPRP) which is

committed to defending the one-party state. Government, legislature, courts, labor trade unions, mass media, and society remain steadfast, partly through the extensive security apparatus. Despite the political restrictions on activities, relations between Lao citizens and the government have generally calmed down in recent years (Lum, January 4, 2010)

The country is led by the president, Bounnhang Vorachith. The prime minister, who is the real leader of the government, is Thongloun Sisoulith. According to history, Lao had been a French protectorate until 1945, when it was briefly occupied by the Japanese towards the end of World War II. Lao gained full independence as a constitutional monarchy from the French in 1954 where at that time civil war broke out between the royalists and communist group, the Pathet Lao. (BBC News, 2018) In 1975, together with the Vietnam People's Army and supported by the Soviet Union, the Pathet Lao overthrew the royal government of Lao, prompting King Savang Vatthana to abdicate on 2 December 1975.

The government under Prime Minister Bouasone Boupavanh has made several efforts to energize the Lao economy and society, as well as make the government more responsive. It has pursued pro-market reforms and sought to reduce political corruption and cronyism. In May 2009, Prime Minister Bouasone signed an Association Decree establishing the legal framework for the formation of local non-governmental organizations (NGOs), which foreign activists say is the key to the formation of effective international NGOs. presence and civil society in Lao. (Lum, January 4, 2010)

To protect a country, human rights are rights inherent to all human beings, regardless of race, gender, nationality, ethnicity, language, religion, or another status. Human rights include the right to life, freedom from slavery and torture, freedom of opinion and expression, rights to work and education, and much more. Everyone has the right to these rights, without discrimination. (United Nations, 2019)

Everyone has the right to certain fundamental rights, precisely because they are individuals. These are

considered "human rights" instead of a privilege (which can be taken away at the whim of somebody). These are rights because they are things that you can be, do, or have. Such protections are there for your protection against those who may want to harass or injure you. They are also there to help people get along and live in peace with each other. (Youth For Human Rights, 2019)

There are many types of human rights such as the right to life, the right to expression, the right to be free from gendered violence, the right to an adequate standard of living, and many more. When people do not know human rights, abuses such as discrimination, intolerance, injustice, oppression, and slavery can arise.

Lao is primarily a country of origin for trafficked persons, although some indications indicate that the country is becoming a transit point for the trafficking of persons coming from China. Lao women, men, and children have been traded throughout Southeast Asia, but mostly to Thailand. Sexual exploitation is the most visible result of such trades, but there is no evidence confirming that it is more common than forced and

exploitative labor in factories, agriculture, and fisheries. Migration tradition's strong power to work has obscured the boundary between the unfavorable outcome of migrants on the one hand and trafficking on the other hand in the minds of victims, criminal justice officials, and policymakers in both. The government's evaluator of these issue areas is part of the LPDR's PDR response to trafficking.

historically, trafficking in persons can be regarded as slavery and also violates human rights. This condition develops in economic communities that have a weak economic level, lack of understanding of religion or morality, and depend on strong economic community groups. The reasons given by victims are generally legal actions based on agreements. Human rights violations in the form of slavery are generally in the form of deprivation of freedom from a person, which is carried out by a strong economic group to a weak economic group. Therefore, on that basis, the prevention of trafficking in persons from the perspective of human rights violations must be carried out comprehensively and integrally,

which can be done through the level of criminal law policy through legislation, implementation, and justice.

The practice of trafficking in persons has become a crime that threatens the lives of the general public, especially vulnerable, low-income, and low-educated people. one of the real threats is the violation of the border area. Some of the violations in the border area include human trafficking (drugs, weapons, people), illegal logging, and illegal fishing.

Victims of human trafficking are complicated by this country's position as its origin. Victims of Lao trafficking are very often identified only abroad by others and only after they have been exploited. When the victims have returned and undergone the official repatriation process, the government accepted the designation of their neighboring country, Thailand. However, many victims were mistakenly identified by Thai officials as illegal immigrants and deported, both legally and unofficially.

All deportees from several countries close to Lao were detained by Lao authorities upon their return. Border

officials who are responsible for processing a large number of deported Laotians do not know the difference between smuggled migrants, illegal migrants, and migrating persons. There are no checklists or other resources available to border officials to assist with the process. While Laotian authorities have recently identified victims of trafficking of their own accord, there is a great dependence on Thailand to do this for them. As a result, victims did not identify or were misidentified and Lao failed to fulfill its obligations relevant to international law.

This had a negative impact on Laos. In social life, human trafficking can damage family ties. Children who are victims of sexual exploitation will be branded as irreparably damaged persons. Of course this affects the psychology of the victim. In the health sector, those who are trafficked for the purpose of sexual exploitation are at risk of HIV/AIDS and other sexually transmitted infections. In addition, the operations of these criminal groups have a multidimensional effect where profits from the crime of human trafficking trigger other criminal

activities, such as drug trafficking which poses a security threat. great for Laos.

efforts made by the Lao government have not been successful in dealing with human trafficking in Laos. Therefore, the role of non-state actors such as international organizations is needed. In this case, the United Nations Office on Drugs and Crime (UNODC) also intervened to help Laos in 2011. It is suspected that the Lao government requested assistance from UNODC to intervene in its country in dealing with human trafficking. The Lao government chose UNODC because of the success of their cooperation in drug abuse cases, which made Laos want to continue to develop its cooperation with UNODC. In addition, the Director General of Police, Ministry of Public Security of Laos acknowledged that the lax nature of Laos' borders makes it difficult to deal with the threat of human trafficking crimes alone.

The ILO (international labor organization) is working with Laos in a program that has been carried out by the ILO to solve the problem of human trafficking,

especially for workers who are illegal or smuggled in, which has a significant reduction. This collaboration also later built a new organization for Laos, especially for workers, named LFTU or Lao federation trade unions.

Knowing this the Lao government is working on reducing victims of human trafficking and providing regulations. The government is also entering cooperation with the International Labor Organization (ILO) and the United Nations Office on Drugs and Crime (UNODC).

B. Research Question

Based on the background of the problem described above, the formulation of the problem in this study is “What are the efforts Lao government in reducing human trafficking?”

C. Theoretical Framework

To facilitate the research process, relevant theories and concepts are needed to be used as a theoretical basis in making this research. In this case, the author uses the following theory:

1. Human Trafficking Concept

The crime of human trafficking, according to Rebecca Surtees and Martha Wijaya, is a "criminal syndicate," which is a group of people created to carry out illicit acts. Based on the foregoing definition, the crime syndicate must be perpetrated by more than one individual who has committed a crime in the process. The activities of this women's and children's trafficking organization are well-organized.. (farhana, sinar grafika 2010) It is also defined as any attempt or action relating to the recruitment, purchase, sale, transfer, delivery, or receipt of a person using deception or coercion, including the use of threats of force or abuse of power or debt bondage to place or detain that person, whether paid or not, for unwanted work (domestic sexual or reproductive) in forced labor or conditions of slavery, in an environment other than the one in which the person lived at the time of the fraud, pressure or debt bondage for the first time.

According to the UN Protocol, human

trafficking is defined as the recruitment, transfer, transfer, harboring, or receipt of persons for exploitation through the threat or use of force or other forms of coercion, abduction, fraud, deception, or abuse of power or vulnerability, or the giving or receiving of payments or benefits to obtain the consent of someone who has power over another person. Exploitation for the sake of prostitution or other types of sexual exploitation, forced labor or services, slavery or behaviors akin to slavery, servitude, or organ harvesting are all examples of exploitation recruitment, transfer, transfer, harboring, or receipt of a child for exploitation is considered trafficking in persons. A child is any person under the age of 18 years old This child is involved in trafficking as people will use the child with the purpose or intent of exploitation. Exploitation includes at least the exploitation of the prostitution of others or other forms of exploitation of sexual exploitation, forced labor, slavery, servitude, and organ harvesting.

Referent identifies that security should be considered in problems where security analysis should start with the individual as the focus. The core values, threats, and nature of the security problem identify the values that need to be safeguarded and the types of threats faced in the problem. (Caballero-Anthony, 2000)

According to Freitas, individual determination insecurity is a matter of priority and concern in handling humanitarian cases which are then developed in human security where there are two dimensions, both positive and negative, in the post of concept it indicates an expansion of the concept of security where there is no individual threat. The objective is to improve universal welfare and strengthen the concept of human rights and negatively where internal security is exclusively based on the international system, for example, the case of citizenship and the justice of the applicable law. (Freitas)

Based on the theory above, any attempt or action related to the recruitment, purchase, sale,

transfer, delivery, or receipt of a person using fraud or coercion, including the use of threats of force or abuse of power or obligation to locate or detain this person, whether paid or not. Both core values, threats, and nature of security issues identify the values that must be safeguarded and the types of threats that must be faced together to build good security.

2. Obligations of States in International Human Rights Law

The state's commitment to protecting human rights is divided into three stages: respect for human rights, protection of human rights, and the last fulfillment of human rights. The state's commitment and obligation to protect human rights, which will be examined in more detail, requires the state to take proactive steps to protect citizens and other people in its jurisdiction from human rights violations committed by other countries, private companies, and the state itself.

(Office of United Nations High Commission for Human Rights)

The state's obligation to respect human rights can be divided into two, namely immediate obligations and progressive obligations. The state's direct obligations towards human rights are often realized in the form of a juridical process, while progressive obligations are obligations that can be removed if there is a lack of supporting resources. The state's obligation to respect (Respect) human rights and the obligation to protect (Protection) human rights are seen as direct obligations.

There are also legal obligations that are directly related to the fulfillment of human rights. These legal obligations (legal obligations) are manifested in two forms, namely:

1. The obligation to improve, which is manifested in state policies, is the establishment of public institutions for the fulfillment of these rights.

2. The obligation to provide, such as the provision of resources enjoyed by the public for the fulfillment of human rights. (Office of United Nations High Commission for Human Rights)

This obligation has a progressive nature in the sense that the fulfillment of this obligation is a continuation of the obligation to protect and respect human rights, and its application is relative to the ability of the state to carry it out. (Comment, 1990)

The state must take steps to prevent human rights violations and use possible means to carry out serious investigations into human rights violations that occur within its territory. This is done to identify those responsible, impose appropriate penalties, and ensure adequate compensation for victims

The responsibility of the state is also based on the Doctrine of Equality and the Doctrine of State's Sovereignty, wherein states with equal

degrees can hold other countries accountable for violations of their sovereignty.

The state has responsibility for the elements of the people and elements of its government. The people also have a responsibility to maintain peace among others and build a healthy scope. Cooperation between countries and people has a very important role to build security and comfort between each other

The Palermo Protocol is an agreement that contains a binding legal instrument that creates obligations for all countries that ratify or accede to it to prevent, suppress, and punish the trafficking of people, especially women. This agreement is a bridge between the people and the state to help each other create security and build just human rights.

3. Cooperation with international organizations

Several important points explain pluralism as a form of state cooperation with supporting actors,

either organizations, NGOs, or other forms of supporting actors: (Viotti, 1993)

Non-state actors are an important fact in international relations.

- A. International organizations, for example, can become independent actors based on their rights. This institution has policymakers, bureaucrats, and various groups whose influence on the policy-making process can be considered.
- B. MNCs cannot be considered marginal actors, because they can create interdependence in the world economy.

The state is not the sole actor

- A. The state is made up of bureaucrats, interest groups, and individuals who seek to influence the policy-making process
- B. The nation-state is not an integrated entity, because state and non-state actors are often involved together in formulating activities and 5
Although the defensive version of realism also

emphasizes cooperation, the emphasis of liberal theory in this regard is much greater.

International Relations Theory is a Paradigmatic Approach (Saeri) to international relations, and often results in and receives consequences for its international activities.

The state is not a rational actor.

- A. Pluralist's challenge realizes that the state is not a rational actor. A country's foreign policy results from disputes, bargains, and compromises between different actors.
- B. The process of making foreign policy is not rational but a social process. The process of making foreign policy is a coalition and a contractual coalition that can reduce the optimization of the goals to be achieved.

The International Political Agenda is very broad.

- A. Pluralists reject the domination of military and security issues in international relations.

International relations have a comprehensive and varied agenda.

- B. Since the last thirty years economic and social issues have taken a leading position in international debates.

This means that the state needs cooperation between supporting actors to solve problems that occur in the country, this also makes the state increasingly able to solve problems both internally and externally.

4. Concepts Action Lao's Government

To reduce human trafficking in Lao, the state finally issued these efforts: the Law on Development and Protection of Women 18 in 2004, the Law on the Protection of the Rights and Interests of Children in 2006, and the National Action Plan for 2007-2011 which aims to combat the sexual exploitation of children.

The United Nations Office on Drugs and Crime (UNODC) also intervened to help Lao in 2011. It is suspected that the Lao government

requested assistance from UNODC to intervene in its country in dealing with human trafficking. The Lao government chose UNODC because of the success of their cooperation in drug abuse cases, which made Lao want to continue to develop its cooperation with UNODC. In addition, the Director-General of Police, Ministry of Public Security of Lao acknowledged that the weak nature of Lao's borders makes it difficult to deal with the threat of human trafficking. UNODC is collaborating with the Ministry of Justice to strengthen the rule of law regarding human trafficking and the country's continued development through a 6-year project known as LAOX26 (UNODC, "Final independent project evaluation of the Strengthening Criminal Justice, 2016)

The ILO (international labor organization) is one of the organizations under the coordination of the United Nations organization that focuses on discussing and dealing with labor problems in the world and one of the efforts to overcome humanitarian problems. The ILO's Law number

182 of 1999 explains the worst forms of child labor which is a priority to be overcome, and this entails all forms of violence against children, and humanitarian problems (M.Saeri, february 2012)

Lao is working with the UNODC organizations and the ILO to create security and support and reduce the problem of trafficking in persons. This program has already been implemented and will continue to be implemented. The Lao government also wants to uphold its responsibilities and carry out its obligations to protect the people so that the people have confidence in the government.

D. Hypothesis

The strategies, actions, and cooperation undertaken with international organizations taken by the Laotian government to address the problem of human trafficking are that the law also seeks to reduce and resolve the problem of human trafficking by involving international organizations such as the ILO and UNODC. and protect

the people against the problem of human trafficking by using ILO and UNODC

E. Purpose of Research

This research aims to analyze the causal action of Lao regarding human trafficking in Lao and to provide a description of the policies of Lao organizations to help solve the problem of human trafficking.

F. Benefit of Research

This research is expected to provide benefits to the readers. The benefits of research are Lao Government Efforts in Reducing Human Trafficking case in 2011-2013:

- a. The results of the study can be used to add insight into the conditions of human trafficking that occur in the Lao Region.
- b. The results of the study can be used to describe the problems faced by the Laotian government to reduce and solve the problem of human trafficking.

- c. Research results can be used as a means to develop development strategies for solving human trafficking problems.

G. Research Methods

The research method used in this research is a descriptive qualitative method. In this study, the qualitative method does not carry out pure calculations and processes numerical data but utilizes existing data from various sources. Descriptive research is research that explains various things related to research problems, both in the form of phenomena and symptoms that appear, responses to phenomena, and actions to policies that arise in research problems.

In this study the authors collect data through library research techniques, the authors use books, articles, journals, and news from various media. In this study, the authors also use internet facilities to obtain additional data for this study.

H. Scope of Research

To avoid writing research that is too broad and undirected, it is necessary to limit the research. Limitation efforts made by the author are to cover research on the Lao government's efforts to reduce human trafficking within the years 2011-2013. This is intended so that the author remains focused on the problem under study so that it will facilitate data collection and research.

I. Writing purpose

a. For Researchers

The author is very interested in Asian countries, especially Lao. Therefore, the researcher chose a topic related to the country of Lao. However, the author became curious about the crime of human trafficking that is rife in Lao. Lao is one of the countries with a high crime rate of human trafficking compared to other Asian countries. To increase knowledge for researchers, the author tried to make this paper.

b. For Academics

The research is expected to be a reference for literature to be used by students who are

studying at the Department of International Relations, both on the University of Muhammadiyah Yogyakarta campus and at other universities

I. Writing System

Systematic writing is a form of seriousness in the preparation of research. Because the good and bad of a study will be largely determined by how to present the research results. In this study, the systematics of writing are arranged based on chapter by chapter which is expected to be able to explain the contents of the research well. The systematics of writing will be described as follows:

CHAPTER I: Contains the background of the problem from the research topic to be discussed so that a problem will appear to be questioned in the problem formulation section, then there is a framework used to analyze and help answer the problems in research, hypothesis as answers or temporary guesses from the problems, the research method used in research writing, the scope of the research to determine the limitations of the research, the

research objectives, the benefits of the research, and the last is the systematics of writing.

CHAPTER II: Contains the strategies carried out by the government of Lao to overcome trade in Lao.

CHAPTER III: Describes the efforts of the Lao government to help overcome the problem of human trafficking and cooperation between UNODC in resolving human trafficking.

CHAPTER IV: Describes the efforts of the Lao government to help overcome the problem of human trafficking and cooperation between ILO in resolving human trafficking

CHAPTER V: Contains conclusions from the explanation of all research results that have been carried out, as well as being the final part of the thesis.