

Laos: Media progress reined in by State control

The year 2010 saw Laos continuing with its effort to bring its media in line with international standards both to counter negative reports from foreign media about the country's human rights record and to respond to an increasing domestic demand for information.

Building up the local media's professional skills in reporting on economic, health and environmental issues as well as on ASEAN and the World Trade Organization (WTO) became the focus in 2010. Vientiane also drummed up a public relations campaign to shake off its tarnished human rights record, especially on its handling of the Hmong refugees who were repatriated from Thailand in 2009.

The Hmong issue remains one of the concerns in Laos' diplomatic relations with the US and European Union as the country relies on foreign grants and investment to speed up its trade and economic liberalization to meet the benchmarks required to become a member of the WTO.

Financial resources and technical assistance were injected to improve the capacity and quality of Lao media both to diversify content and enhance the capacity to respond swiftly to current issues relevant to Laos. The effort ran parallel to the ongoing initiative to expedite the integration of a national telecommunication network to bridge a digital divide within the country and at the same time to connect the country's telecommunications system with the rest of ASEAN members and the world.

The launching of the country's stock market towards the end of 2010 should be seen as a welcome step towards greater access to information inside this secluded communist regime as foreign investors need a more transparent government and greater access to its policies on social and economic development. Nevertheless, the country's ongoing legal reform to improve state governance and transparency has not provided so far a significant impact on the advancement of freedom of the press and the public's right to know.

The Lao media law, enacted in 2008, was supposed to guarantee public access to information. But in reality, state agencies are still reluctant to divulge information or respond to queries from the media. This only placed additional obstacles to media access, hence hindering the media's ability to scrutinize the performance of state agencies.

By and large, access to information remains heavily controlled through strict filtering of media content. Infrastructure bottleneck and low literacy of the Lao people also play a part in hampering access to information.

Despite these robust attempts to play catch-up with its neighbors in terms of digital technology—and its ratification of the International Covenant on Civil and Political Rights (ICCPR) in 2009—the communist-ruled state continues to drag its feet when it comes to opening wide the spaces for free expression.

Mouthpiece of the State

Restrictive laws with harsh penalties remain in place to prevent public protest and critical comment, even a fair one, against the party leadership and the affairs of the state. The Constitution, while guaranteeing freedom of speech, strictly defines the role of the media as a state mouthpiece and a link between the state and the people, not a watchdog of society. Defamation of the state and false information are criminalised. Producing "anti-government"

propaganda can land one with a one- to five-year imprisonment; "inciting social instability" through demonstrations a five-year term; and committing "crimes against the state" a 20-year term or execution.

The communist-ruled state does not tolerate a media that churns out critical reports. Journalists or editors who cross the line face disciplinary actions but so far, none has been known to have been sent to jail. Newsroom censorship and control are enforced on a daily basis through the Ministry of Information and Culture. While a little more space has been opened up to non-critical social, economic, education and entertainment issues in the print and broadcast media, all the media outlets are expected to use news issued by official sources.

The impact of Press Law 2008

It has been two years since the country's first media law came into force. Little has changed in terms of the quality of media and access to information.

Besides guaranteeing the rights of all media personnel in Laos to seek, receive and disseminate information (Article 18), the law guarantees the right of the media to have access to public records (Article 22). The law also provides that all state agencies should provide information to the media. More importantly, it specifies the right of the media to criticise and discuss the negative aspects of society.

Critics say while the law outlines duty and responsibility of the media, it fails to clearly specify the responsibility of state agencies in giving information and protection for those who give information. That is why, they say, each ministry has been slow in responding to a required step to either set up an information department within the ministry or assign a spokesperson to give out requested information. So far, a few ministries, including the Prime Minister's Office and the Ministry of Foreign Affairs, have assigned spokespersons to deal with the media but they do not necessarily entertain the media's requests for interviews on a regular basis. The two ministries as well as the Ministry of Information and Culture each have separate departments for media affairs and public relations.

In reality, the local media still faces difficulty in accessing information, thus discouraging them from producing quality reports. A "Vientiane Times" report on 9 August 2010 said it was very difficult for the media to make appointments with some high-ranking leaders, especially those at the ministerial level. State officials shy away from giving information especially on "sensitive matters". As such, the media is unable to get good and reliable information.

"There is an endemic culture within our society where people are wary of the news media, and adequate protection is not granted to those willing to speak out on sensitive topics. As such, accessing information is not easy, which makes presenting it even harder", said the "Vientiane Times" report.

At the National Assembly's sessions in December, complaints were raised about the media's failure to tackle public interest issues. Among the strong comments were the lack of context, substance and impartiality in the local media's reports. According to the "Vientiane Times" report, there were many phone calls from the public calling on the media to act as a more independent body and hold the government accountable for its actions.

Ownership structure adjusted but content tightly controlled

In response to the increasing demand for information as a result of the country's economic liberalization, the government has in the recent years allowed more private companies to enter the publication industry. Recently, private production houses have become good businesses in Laos to feed content and fill in the gap left by the lack of personnel in Laos's state television and radio networks.

Nevertheless, there is still strict licensing of publication and prior censorship to broadcast media contents. The Ministry of Information and Culture calls for a routine meeting with editors of these media outlets to review past contents and give policy direction and guidelines for future coverage.

Diplomats and human rights experts remain skeptical about Vientiane's humanitarian policy towards the Hmong ethnic group living in northern and central Laos. News reports about their fates, particularly the government's resettlement and rehabilitation programme for those Hmong returned from Thailand are heavily filtered in the Lao media, dominated by government press releases. The government's spokesmen make every effort to monitor and rebut any negative international media coverage about the government's human rights abuses and the maltreatment of the Hmong. Laos still prevents international access to the Hmong resettlement communities. Instead, the government recently bolstered its own public relations campaigns on the Hmong people's resettlement program by allowing a visit to a new Hmong resettlement zone in Phonkham village, Bolikhamxay province by US Senator Al Franken.

Foreign aid and development workers constantly complained about the lack of information and communication infrastructure needed for quick mobilisation of assistance during an emergency. The government always downplays the magnitude of epidemic diseases and national disasters to maintain political and social control among the local population. In many instances, news and information about Laos are extracted from neighboring countries such as Thailand. Laos, on the other hand, makes no efforts to block Thai television programmes that are popular among Lao viewers along the two countries' borders.

Media and telecom sectors get a boost

Towards the end of 2010, Laos has 44 state-run radio stations as compared to 35 stations in 2009, covering about 90% of the country. It now has two national television networks— Channel 3 and Channel 1 and one local private-owned network—Lao Star, with all combined 34 stations covering 70% of the country.

However, viewers who can afford high fees can also access a number of foreign news and entertainment broadcasts from Thailand, Vietnam, China, and international news channels like CNN and BBC via satellite.

Vietnam in August 2010 opened a representative office of its national radio Voice of Vietnam (VOV) in Vientiane, becoming the first foreign media to set up an office in the country after the new media law took effect. Prior to that, Radio France International, followed by China Radio International, were the first two foreign media allowed to broadcast from Laos under a special agreement with the Lao government.

There are over 90 publications in Laos, including eight state-owned daily newspapers. Nevertheless, most of the circulation is in the capital and major cities due to the infrastructure bottleneck and low literacy rate among the Lao people, particularly in the rural areas. According to Laos national news agency KPL, much of the rural areas, where 85% of the people live, are not easily accessible by road. The relatively low literacy rate of 68.7% (according to the World Factbook) also limits readership.

In keeping up with this fast and free flow of information, particularly from neighboring Thailand, Laos invested heavily in recent years to improve its media and telecommunications infrastructure through grants and loans as well as technical and skills training from its allies China and Vietnam.

The government this year reached a \$250-million joint venture agreement with Chinese-based company Asia-Pacific Satellite to build a communication satellite for Laos with a plan to launch it into orbit by the third quarter of 2013. The plan will extend the reach of the country's national television and radio networks to cover the whole country and link them with the regional and international systems.

Washington-based Voice of America (VOA)'s recent reports said Vientiane received assistance from the International Telecommunication Union (ITU) to expand its mobile phone network to cover national reach by 2012. The assistance is part of the government's development strategy to use information and communication technology (ICT) to help alleviate poverty in Laos. The country plans to eliminate basic poverty by 2015 and eradicate it by 2020. Presently, the availability of the mobile phone service is limited only to major cities and at high fees. However, it was estimated that mobile phone users in Laos would reach 1.8 million toward the end of 2010 as a result of a fee cut from \$20 per month to \$1.20.

At the Ministry of Information and Culture's third party congress on 21 September 2010, Minister Borsangkham Vongdala said the current expansion of the media sector was part of the ministry's 2006-2010 plan to improve and modernize Laos' media sector in response to the growing demand for both qualitative and quantitative information within the society.

While admitting that the pace of the national telecommunications network development was slow compared to neighboring ASEAN countries, the improved network already helped connect all government agencies nationwide and expedite the communication between Laos' private business with the outside world.

Laos has four telecom operators using different frequencies—Lao Telecommunications Company (LTC), Enterprise de Telecommunications Laos (ETL), Millicom Lao Co., Ltd. (Tigo) and Star Telecom Co., Ltd. Thailand and Singapore are also Laos's partners in this business.

Consolidating Internet control

Regular Internet users in Laos are limited to about 5% of the country's 6.3 million population due to language barrier and high connection and monthly subscription fees. However, demand for Internet access has been increasing over the years since Laos opened itself to trade and tourism.

In response to this, the government has allowed seven private operators to provide Internet services in the country but due to the lack of Internet infrastructure, its ".la" domain name

has been managed from overseas by a Hong Kong-based company over the past decade. These operators have to connect to overseas centers, raising the cost of services.

However, Laos discontinued in 2010 the contract with the company that operates the “.la.” domain and planned to bring it under the control of the newly-set up National Internet Center (NIC). Laos received more than \$20 million worth of soft loan from China in 2008 to build Internet infrastructure and training support. The NIC’s building was completed in 2010 and deemed ready to operate. More than half of the NIC staff has been trained in system operation in China and Vietnam. Some of the staff are engineers and technicians who either worked in the IT sector elsewhere or graduated from countries like Japan, India, Thailand, Vietnam and Russia.

The center will manage the “.la” domain and will be one portal to connect to overseas and link all Internet operators in Laos.

While such a consolidation scheme will benefit the public by bringing the high cost of Internet operation and services down, the higher price they have to pay is more government control and filtering of information. The government employed a filtering system in the past to block undesirable contents but due to the lack of resource and expertise, the control is not necessarily consistent and efficient.

With all service providers centralized at the NIC, the information flowing in and out of the country is expected to be more efficiently filtered and controlled. “It will be easy for the government to control information as it will be like an immigration checkpoint, and it will increase security in the country,” Director General of the National Internet Center Somnuck Phothirath was quoted as saying in the 27 July online edition of the “Vientiane Times”.

Outlook

Thus, in 2011, Laos continues to pursue infrastructure development for its telecommunication and media sectors. This improvement, however, is tempered by the fact that the government will continue to assume more control over the flow of information not only through the physical infrastructure but also through existing laws that are designed to ensure that the media remain as the mouthpiece of the State.