



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

President's Office

No. 17/PO

DECREE
of the
PRESIDENT
of the
LAO PEOPLE'S DEMOCRATIC REPUBLIC

On the Promulgation of the Law on National Defence Obligations

Pursuant to Chapter 5, Article 53, point 1 of the Constitution of the Lao People's Democratic Republic; and

Pursuant to Resolution No. 02/NA, dated 8 March 1995, of the 6th Session of the third legislature of the National Assembly regarding the adoption of the Law on National Defence Obligations.

**The President of the Lao People's Democratic Republic
Decrees That:**

- Article 1.** The Law on National Defence Obligations is hereby promulgated.
- Article 2.** This decree shall enter into force on the date it is signed.

Vientiane, 30 March 1995
The President of the Lao People's
Democratic Republic

[Seal and Signature]

Nouhak PHOUMSAVANH



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

National Assembly

No.02/90
8 March 1995

LAW ON NATIONAL DEFENCE OBLIGATIONS

Part I General Provisions

Article 1. Objectives

The Law on National Defence Obligations defines principles, regulations, policies and measures concerning national defence obligations, aiming to mobilise the people of all ethnic groups to contribute to the maintenance of national defence and security, to strengthen and develop the armed forces in all aspects to be capable of safeguarding the nation, and to create conditions favourable for national development and construction.

Article 2. National Defence Obligations

All Lao citizens, without discrimination in terms of race, ethnic origin, economic and social status, beliefs, educational background and residence, have an obligation to serve in the national defence forces, as stipulated in Article 36 of the Constitution of the Lao People's Democratic Republic¹, except for persons who are not qualified as provided by this law.

The organised implementation of national defence obligations must ensure the Party's leadership.

¹ This is a reference to an older version of the Constitution. The relevant provision as at 2007 is Article 49 of the 2003 Constitution.

Part II
National Defence Obligations in Time of Peace

Chapter 1
Conscripts

Article 3. Criteria for Conscripts

All Lao citizens who are men of 18 to 28 years of age and in good health must join the army as conscripts. Women of 18 to 23 years of age may also be conscripted into the army in the event of necessity.

Article 4. Listing

Each year, village heads must list the persons who fully turn 17 within their respective villages, and then send the list to the relevant district military command in order to prepare [such persons] to be conscripts.

Article 5. Determination of Number

The Ministry of National Defense shall determine the number of persons to be conscripted into the army every year.

Article 6. Presentation

Each year on January 20, each district military command will notify men who are 18 years of age or older and who have already been listed, to present themselves to such district military command within a period of no more than 20 days commencing on the date they are notified.

Women, if called, also have to present themselves to the [relevant] district military command.

Article 7. Selection of Conscripts

After health check-ups, the district military conscription committee will select those who have good health as conscripts according to the number officially approved each year.

In the selection, the older persons will be the ones first recruited.

Article 8. Conditions for Suspension from Conscription

Persons may be suspended from conscription based on any of the following conditions:

1. They are under medical treatment at hospital or at home;
2. They are students undergoing their studies at primary, lower secondary or upper secondary schools, at universities, or at lower, intermediate or higher-level vocational schools, or are persons undertaking post-graduate studies²;
3. Their older or younger brothers have not yet completed their term of national defence obligations;
4. They are facing criminal charges or serving sentences;
5. They are facing any special difficulties that are duly certified by the [relevant] district administration.

Persons who have been suspended from conscription, as provided above, must be conscripted when the above-stated conditions no longer exist.

Article 9. Conditions Leading to Exemption from Conscription

Persons may be exempted from conscription based on any of the following conditions:

1. They are insane;
2. They are handicapped, [falling] in category 1 to category 3;
3. They are suffering from leprosy or any other serious illness;
4. They are the only child in their families, except for volunteers.

Article 10. Term of Service as Conscripts

The term of service as conscripts is two years starting from the date of recruitment by the relevant district military command.

For those who have escaped from conscription, the period of their escape shall not be included in the term specified above.

Article 11. Standards and Duties of Conscripts

Conscripts must meet the same standards and implement the same duties as regular soldiers.

Article 12. Leave

In the event of necessity, conscripts may be permitted to take leave for an appropriate period.

² Readers may wish to note that the terms in this law do not necessarily conform to the more technical terms used in the Law on Education.

Article 13. Completion of Duties

Conscripts who have completed the term of service, as provided in Article 10, are deemed as having fulfilled their duties as conscripts.

Conscripts who have not completed the term of service may be allowed to leave the service before completion of the term due to any of the following conditions:

1. Their health condition does not allow them to serve in the army any longer;
2. They are facing any special difficulties that are duly certified by the [relevant] district military command and the concerned³ agencies.

Article 14. Volunteering to be Regular Soldiers

Conscripts who wish to volunteer to serve further as regular soldiers in the army have the right to state their objective to the military commander to whom they are attached no later than three months prior to the completion of their term of service as conscripts.

Article 15. Obligations of Those who have Completed their Duties as Conscripts

Those who have completed their duties as conscripts shall:

1. Keep the secrets of the army;
2. Present themselves for enlistment in the reserve forces at the district military command to which they belong within one month commencing from the date they receive permission to leave conscription.

Chapter 2 Reserve Forces

Article 16. Reserve Forces

A reserve force is a force that performs the duty of supporting the armed forces troops when necessary. At the same time, it is the main force and a model in the maintenance of national defence and security in its area or location.

The reserve forces consist of those who have undergone national defence as conscripts, those who have resigned as regular soldiers, and persons who have not served as conscripts or regular soldiers and who are of 18 to 50 years of age and have good health.

³ The term “concerned” is used in the sense of “relevant”.

Article 17. Categories of Reserve Forces

The reserve forces are divided into two categories:

1. The first category comprises those who have undergone national defence as conscripts or regular soldiers;
2. The second category comprises those who have not served in the army as conscripts or regular soldiers.

Article 18. Training of Reserve Forces

The reserve forces must receive military training as follows:

1. Those who have undergone military training will be retrained each year;
2. Those who have never undergone military training will receive such training at the schools, educational institutes, offices, agencies, factories and plants where they work or at the [relevant] district military command.

Article 19. Duties of Reserve Forces

The reserve forces have the following duties:

1. To actively contribute to the maintenance of national defence and security in their local areas, and to be models in implementing the laws and regulations, in carrying out socio-economic development, and in improving the living conditions of people in the areas where they live;
2. To be ready to implement mobilisation orders.

Chapter 3 Militia Forces

Article 20. Militia Forces

A militia force is a force of partially-armed⁴ people who are engaged in production, that carries out the maintenance of national defence and security at the grass-roots level, and that is attached to a village administration and its higher authorities vertically⁵.

⁴ The literal translation of this term is “semi-armed”.

⁵ I.e., to the higher authority of the force. This is wide enough to include the Ministry of Defence and also the Party.

Article 21. Standards and Duties of Militiamen

The standards and duties relating to militiamen are:

1. Be honest to the nation, its people and the people's democratic regime;
2. Have a clear conception of friends or enemies;
3. Be models in implementing Party policies, and in respecting and implementing State laws and regulations;
4. Safeguard the nation and the gains of the revolution, and maintain peace and social order at the grass-roots level;
5. Have a raised vigilance⁶ against schemes of sabotage by enemies, be battle-ready and fight bravely, and prevent all violations of the laws and regulations;
6. Take part and be models in production, in economic development, in improving the people's living conditions and in strengthening the grass-roots;
7. Actively train themselves in politics, culture, military discipline and laws and regulations.

Chapter 4 Security Corps

Article 22. Security Corps

The security corps are partially-armed forces which are formed at offices, agencies, factories and plants, and have the duty to ensure security, peace and order within their respective establishments⁷.

The security corps in offices and agencies at the central level are attached to the Ministry of the Interior⁸, while those of local offices, agencies, factories and plants are attached to the provincial or district security command⁹.

Article 23. Standards and Duties of Security Corps

The security corps must meet the same standards and implement the same duties as the militia forces, as specified in Article 21.

⁶ The Lao original is not entirely clear whether it is the militiamen who must maintain this raised level of vigilance or whether they are to raise the vigilance of others around them.

⁷ The Lao text actually lists out the establishments again.

⁸ This Ministry is now referred to as the Ministry of Security.

⁹ Namely the police (as opposed to the defence command, which would be the armed forces).

Part III
Mobilisation of Forces in Time of Emergency

Article 24. Mobilisation of Forces

When there is a threat and a presidential decision on mobilisation in general or in part, the Minister of National Defence has the duty to organise the mobilisation of forces.

Both regular soldiers and conscripts must be on duty and must be prepared to implement all orders, and those who are on leave must also immediately return to their camps.

Reserves must join a camp to carry out their duties as a supporting force. The security corps must be on duty at their respective establishments and must be prepared to implement all orders.

Administrative authorities, offices, agencies, mass organisations and social organisations must take care of the families of those who have been mobilised to perform [their] national duty.

Article 25. Mobilisation of Vehicles¹⁰ and Materials¹¹

In addition to the mobilisation of forces, there may be the mobilisation of vehicles, materials and others¹² from State, collective and private organisations and from the people. All mobilised sectors have the obligation to contribute actively.

¹⁰ In the Lao language, the same word is used for “instruments”, “vehicles” and “means” in their conceptual sense (e.g., “words are the vehicles of meaning”) and also to refer to physical, tangible instruments and vehicles. Generally, the translators have used the more neutral “means” rather than “vehicles”, which is likely to be understood as tangible, motorised vehicles, unless the context clearly indicates that vehicles is intended, as it does here.

¹¹ The term ”materials” is used here in a very broad sense and may include foodstuff, utensils and a wide range of items that may be useful to the armed forces in a conflict.

¹² The term “and others” is a literal translation and is not subject to further specificity.

Article 26. Termination of Mobilisation

When the situation returns to normalcy and there is an official statement, the mobilisation of forces is deemed as having ended. The mobilised forces shall return to their original, local establishments; while mobilised vehicles and equipment shall also be returned to their original owners with written statements¹³, depending on the practical situation.

Part IV Policies¹⁴

Article 27. Policies Towards Conscripts During the Implementation of their Duties

Policies towards conscripts during the implementation of their duties are:

1. To receive training to upgrade their political, cultural, professional and vocational knowledge;
2. To receive the same salaries and other policies as a regular soldier of second class [rank];
3. For officials and public servants who serve as conscripts, they will receive salaries according to the ranks and positions they held before conscription; in the event that [they] become ill or disabled, or in the case of death, they will receive policies according to the allowance system which applies to officials and public servants;
4. To receive awards according to the regime of policies;
5. To receive care for their families from local administrations, organisations and people;
6. In cases where a conscript is injured, dies or disappears, a written notice must be sent to their families no later than three months, together with their personal effects.

In the case of death, their ashes will be sent to their families as wished.

Article 28. Policies Towards Those who have Completed Their Duties as Conscripts

Persons who have completed their duties as conscripts will receive the following policies:

1. To receive priority for further study or employment as the actual conditions may allow;

¹³ These statements may record the thanks of the State for the materials provided.

¹⁴ The term “policies” in this context takes the meaning of “privileges”.

2. For officials and public servants, the time they spend in the army will be added to their term of service in their establishments; when receiving promotion, they will be given one more rank; and they will be re-admitted to their former establishments or transferred to other establishments, as appropriate;
3. To receive an allowance in an amount equivalent to 3 months of their salaries, and money for travelling back to their respective establishments or localities, together with a set of clothes.

Article 29. Policies Towards Militia Forces and Security Corps

Throughout the implementation of their duties, the militia forces and security corps will receive the following policies:

1. To receive training to upgrade their political, cultural and professional knowledge;
2. When going on a combat mission, to receive an allowance according to their [respective] ranks;
3. If they go on a mission and are injured, disabled or die, they will receive medical treatment and policies as regular soldiers; for the security corps, such policies will be provided in accordance with the Labour Law and with the social welfare system that applies to State officials and public servants;
4. To receive clothes while carrying out their duties at the front;
5. To receive awards according to the regime of policies;
6. To receive care for their families from local administrations, organisations and people during the implementation of their duties.

Article 30. Policies Towards Mobilised Forces

Any persons who are not referred to in articles 27 and 29 but who are mobilised in time of emergency will receive the same policies as regular soldiers.

Those who have made a contribution in terms of vehicles, materials and others in time of emergency will also receive policies, awards and congratulations, depending on their actual contribution.

Part V
Measures¹⁵ against Violators

Article 31. Escape from Conscription

Any persons who do not present themselves when notified, or who are selected but fail to serve as conscripts, will be re-educated to fulfil that obligation. If they still fail to act after re-education, the persons will be deprived of liberty for three months to one year.

In time of war, they will be deprived of liberty for six months to two years.

Article 32. Hiding or Concealment

Any persons who obstruct, hide or conceal other persons from their national defence obligations as conscripts will be deprived of liberty for three months to one year.

In time of war, they will be deprived of liberty for six months to two years.

Article 33. Escape from Service as Conscripts

If any persons who are conscripts escape from their establishments prior to the end of the term of service, they will be re-educated by the concerned administration and shall return to their establishments. If they refuse to return, they will be deprived of liberty for six months to one year.

In time of war, they will be deprived of liberty for one year to two years.

Part VI
Final Provisions

Article 34. Implementation

The government of the Lao People's Democratic Republic is to implement this law.

Article 35. Effectiveness

This law shall come into effect on the date the President of the Lao People's Democratic Republic issues a decree to promulgate it.

¹⁵ The term “measures” is often used as an indirect way of referring to “sanctions”.

Any provisions that contradict this law are null and void.

Vientiane, March 8 1995
President of the National Assembly

[Seal and Signature]

Samane VIGNAKET