

## Statement by

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Chairman of the Lao National Steering Committee on Human Rights, Head of the Lao  
Delegation to the Twenty-first Session of the Working Group of the Human Rights  
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Mr. President,

Excellencies,

Distinguished delegates,

The Lao Delegation is honoured and delighted to be present in the UN Human Rights Council today to participate in the second cycle of the Universal Periodic Review (UPR). The UPR is an important mechanism of the UN human rights system which involves all UN member states, large or small, in a constructive engagement to assess their human rights practices based on objectivity, equal treatment and respect for State sovereignty. The Lao PDR takes UPR seriously because it provides the opportunity for us to inform the international community about our national policies, actions and achievements in the field of human rights, to share our experiences and learn from best practices of other countries in the promotion and protection of human rights.

For the Lao PDR, the review under the UPR second cycle also takes place at an important time as the Lao people of all ethnic groups and all walks of life later this year will celebrate the 40<sup>th</sup> anniversary of the foundation of the Lao People's Democratic Republic. This is all but meaningful for us because over the past 40 years the national safeguarding and socio-economic development have significantly contributed to the enhanced promotion and protection of human rights of the Lao people.

The idea of respect for human rights in Laos, which is one among of the oldest nations in the region and the world, has been part of the cultural developments of the nation and its people since the ancient history. Lao ancestors encouraged the people to embrace the values of love, kindness, solidarity and mutual respect. Even some foreign leaders used to call Lao people as a peace loving people.

Nevertheless the Lao people went through the difficult past against foreign aggression and occupation in different historical periods. Many countries didn't know the truth about what occurred in Laos many years ago. So why there was the news about the Forgotten War in Laos. After the founding of the Lao PDR 40 years ago, the implementation of the two strategic tasks of the national safeguarding and development have always had the ultimate goal of creating conditions for the Lao multi-ethnic people to live in peace, freedom and prosperity so that they fully enjoy their human rights.

Human rights, peace and development are interrelated. Without the environment of peace, human rights cannot be materialized. These days, conflicts, terrorist acts increasingly pose threats to peace, development and human rights. The Lao PDR joins nations around the world in disapproving conflicts and in condemning terrorism in all its forms and manifestations, such as the recent terrorist attacks in Paris.

Mr President,

Following the first cycle of the UPR in 2010, the Lao PDR received the total of 107 recommendations, of which 71 recommendations were fully accepted, and 15 recommendations were partially accepted, while the remaining recommendations did not enjoy the support of the Lao PDR because they were not in line with the Lao PDR's Constitution and laws or the Lao PDR was not prepared to implement them due to certain factors including the lack of human and financial resources. The Lao Government, however, attached importance to all UPR recommendations. The National Report, the Outcome Report and recommendations from the UPR first cycle have been translated into the Lao language and distributed among government officials, stakeholders and the general public. From the very beginning, the Government assigned line-ministries and state organizations concerned to implement the UPR recommendations related to their respective roles and functions. Many UPR recommendations are integrated into the 7<sup>th</sup> Five-year National Socio-Economic Development Plan ( for the period 2011-2015) and being implemented through laws, policies, strategies and action programmes.

To enhance high level coordination in the implementation of international human rights obligations and commitments, including UPR and human rights reporting, the Lao Government established the National Steering Committee on Human Rights in 2012 which now plays an important role in the promotion and protection of human rights in the Lao PDR.

The preparation of the National Report for the second cycle was led by the Steering Committee with the participation of all relevant Government agencies. Stakeholder consultations were held with mass, civil society organizations, international non-governmental organizations and international development partners based in the Lao PDR. In the preparation process, the Lao Government received technical cooperation and support from some development partners including the Office of the High Commissioner for Human Rights.

The National Report gives full account on the achievements of the first cycle UPR recommendations supported by the Lao PDR. I would like to express appreciation to those countries that made useful and meaningful recommendations which helped enhance human rights in the Lao PDR since the UPR first cycle. Due to the limited time, I would like to highlight only some of the achievements while in the course of the session, members of the Lao

delegation will provide more information specifically related to the functions and responsibilities of their ministries or organizations.

The Lao Government has a consistent policy on human rights. Political, economic, social and cultural rights of the Lao multi-ethnic people are enshrined in the national Constitution, laws and other legal documents, which are in conformity with the obligations and commitments of the Lao PDR at the international and regional levels.

The Lao PDR has continued to improve its governance and public administration to be more effective, transparent, accountable and participatory to provide better services to the people. The Lao Government is currently implementing the Legal Sector Master Plan on the Development of the Rule of Law by 2020 taking into account the UN Declaration on the National and International Rule of Law adopted by the UN General Assembly in 2012. In strengthening the national rule of law, the National Assembly has adopted or amended more than 100 laws in the political, judicial, national defence, public security, economic, social, cultural and environmental domains.

One of the most important developments currently in the political life and the national legal framework of the Lao PDR is the on-going work on amending the Constitution to meet the present and future needs of the State administration and the national socio-economic development. The amendment process for the Constitution is transparent and participatory. Consultations to gather opinions from government officials, experts have been organized throughout the country. Inputs from the consultations are being studied and considered by the National Drafting Committee. The final draft amended Constitution will be made available for comments and inputs from the public.

The Government attaches importance to the prevention and combating corruption through the implementation of the Law on Anti Corruption, other related laws and legal instruments. Especially, the Decree on assets declaration for government officials at all levels and the UN Convention Against Corruption ratified by the Lao PDR are being effectively implemented nationwide.

Mr President,

The Lao PDR is in the process of implementing the 7<sup>th</sup> Five-year National Socio-Economic Development Plan with significant achievements being made. As such, most of the MDGs have been achieved or are on track to be achieved by the end of 2015 and most of the UPR recommendations especially those related to economic, social and cultural rights such as rights to health, education, food, housing, land, as well as the right to development and poverty reduction have been progressively realized. The country has enjoyed political stability, peace and social order, sustained economic growth rate of more than 8% per annum, albeit the slight fall to 7,5 % in 2014 due to the world economic and financial crisis and some other factors. In overall, the well-being of the people

has improved steadily. GDP per capita has increased considerably, poor households have decreased to 8.11 %. This is indicative of the solid foundations being laid for the country to achieve the goal of graduating from the LDC status in 2020.

In the implementation of the UPR recommendations related to civil and political rights, the Lao PDR has also recorded significant accomplishments. The Government has put in place a policy governing the judicial sector in the efforts towards the rule of law in order to fully ensure equality before the law and the court, due process of law and fair trial in accordance with Article 14 of the ICCPR. The rights related to fair trial and the independence of the judiciary are ensured in the justice system especially in the Law on Criminal Procedure, Law on Civil Procedure, Law on People's Courts, Law on People's Prosecutor, Law on Lawyers, among others.

The rights to freedoms of expression, assembly and association are guaranteed in the Constitution, laws and decrees. Violation of these fundamental freedoms is a criminal offence punishable by the Penal Law. Likewise, freedom of religion or belief is also protected in the Constitution and laws, especially the Prime Minister's Decree N.92.

The Government continued to improve prison conditions and attached importance to training for prison officers so that they have knowledge and understanding of the laws, international norms and principles on prison management and treatment of offenders in accordance with the human rights treaties to which the Lao PDR is party. The rights and dignity of inmates are protected by law. Those prisoners who have good behaviors are entitled to receive amnesties or reduced sentences. In 2014 alone, more than 900 prisoners have been granted pardons or reduced sentences by the President of the Lao PDR on the occasion of the 39<sup>th</sup> anniversary of the foundation of the Lao PDR.

The Lao Government attaches importance to the rights and legitimate interests of specific groups in the country. The Lao PDR is a multi-ethnic nation consisted of 49 ethnic groups living in harmony. The Constitution and laws and policies of the Government encourage solidarity, non-discrimination and equal treatment of all ethnic groups. Any acts of division of solidarity among ethnic groups are prohibited and punishable under the Penal Law. The rights of women, children, and persons with disabilities are protected and promoted through the implementation of the relevant constitutional provisions and specific laws, decrees, national strategies and action programmes. This includes Law on the Development and Protection of Women, Law on the Protection of the Rights and Interests of Children, Law on Juvenile Criminal Proceedings, the Prime Minister's Decree on the Rights of Persons with Disabilities and the recently adopted Law on Violence Against Women and Children.

Mr. President,

On the implementation of the UPR recommendation related to international cooperation on human rights, the Lao PDR is now party to 7 core Human Rights Conventions, namely ICERD, CEDAW, CRC, ICCPR, ICESCR, CRPD and CAT. Furthermore, the Lao PDR is party to the Optional Protocols to the CRC concerning sale of children, child prostitution and child pornography, and the involvement of children in armed conflicts.

Being a State party to human rights conventions and protocols, the Lao PDR has adopted necessary measures on the implementation of treaty obligations in good faith. In the national law making and law application and enforcement process, treaty obligations are taken into consideration and in case of conflict between treaty obligation and national legislation, the treaty obligation will prevail. This legal approach is clearly set forth in the Presidential Ordinance on Treaty Making, Accession and Implementation of 2009 and is reiterated in the Law on Law Making adopted by the National Assembly in 2012.

On fulfilling treaty reporting obligation, since the UPR first review the Lao PDR has submitted the 16<sup>th</sup>-18<sup>th</sup> combined periodic reports under ICERD in 2011, two sub-reports concerning violence against women and women migrant workers under CEDAW, initial reports under the CRC's two Optional Protocols. As for the overdue reports under ICCPR, ICESCR and CRPD, we have been working hard in the preparations to fulfill the reporting obligation under the respective convention in the near future.

The Lao Government attaches importance to raising awareness and dissemination of human rights treaties, the UPR recommendations and to developing capacity of government officials and stakeholders in the national implementation. Seminars, workshops and training courses on human rights were organized for different target audiences including government officials at the central, provincial and district levels, members of the National Assembly, judges, prosecutors, law enforcement officers, mass and civil society organizations, academic and research institutions as well as students of law schools across the country. Every year, the country observes the International Human Rights Day on 10 December with the participation of government officials, students and stakeholders, which helps further raise awareness of human rights in the Lao society. In the capacity building and awareness raising initiatives, the Lao PDR received financial and technical support from development partners under the bilateral and multilateral frameworks.

The Lao Government has extended its goodwill cooperation in providing information and clarification to the Human Rights Council's special procedures and other mechanisms, to some countries and organizations in respect of their queries, questions or issues of interest concerning human rights practices in the Lao PDR. In the follow up on the UPR recommendations related to inviting special rapporteurs to visit the country, the Lao Government has been preparing

for such visits by organizing seminars to raise awareness and understanding of the roles and functions of the special procedures among Government officials and stakeholders.

At the regional level, the Lao PDR has contributed to the development of human rights in ASEAN in terms of institutional building and standard setting. The Lao PDR actively participates in the ASEAN Intergovernmental Commission on Human Rights (AICHR), the ASEAN Commission on the Promotion and Protection of the Rights of Women and Children (ACWC) and has contributed to the drafting of the ASEAN Human Rights Declaration, the ASEAN Declaration on the Elimination of Violence Against Women, the ASEAN Declaration on the Elimination of Violence Against Children. The Lao PDR is also leading in the AICHR thematic studies on the right to peace, the right to education and the right to health in ASEAN. In December 2014, the Lao PDR successfully hosted the Regional Workshop on Comparative Human Rights Laws in ASEAN focusing on domestication of human rights obligations.

At the bilateral level, the 5<sup>th</sup> human rights dialogue with the EU was successfully held in May 2014 in Brussels, while the 4<sup>th</sup> human rights dialogue with Australia will be held in early March 2015 in Canberra. Apart from the institutionalized bilateral human rights dialogue, the Lao PDR has exchanged views and experiences on human rights with some other countries to share good practices on human rights implementation.

Mr. President,

While the Lao PDR has recorded significant achievements in advancing human rights in the Lao PDR since the first review of the UPR, the country nevertheless has faced a number of constraints and challenges, including UXOs, underdeveloped infrastructure, being LLDC, natural disasters, disease outbreaks, limited human resources, budget constraints, which have hindered the full implementation and realization of human rights in the Lao PDR.

As future actions to overcome the challenges and constraints, and to further advance human rights in the Lao PDR, the Lao Government has set priorities, which include focus on national socio-economic development and poverty reduction, further development of the Rule of Law, improvement of the governance, continuing the efforts to achieve MDGs and graduating the country from the LDC status in 2020, continuing the efforts on UXO clearance, improvement of public health service, education, and the development and protection of women, children and other vulnerable groups.

In the implementation of the aforementioned priorities, the Lao PDR will continue to participate in the international and regional legal framework on the promotion and protection of human rights by considering the ratification of

more human rights conventions, including the International Convention on the Protection of All Persons from Enforced Disappearance, Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, among others. The Lao PDR will continue dissemination of information on human rights, translating human rights obligations and commitments into national policies, laws, strategies, programmes and projects. The Lao PDR will consider inviting human rights special rapporteurs to visit the Lao PDR on a case by case basis. An invitation will be soon sent to the Special Rapporteur on the Right to Adequate Housing to visit the country in the course of 2015.

Mr President,

The Lao PDR is running for membership in the UN Human Rights Council for 2016-2018 and we would like to seek support from the international community to give us a chance to serve, for the first time, on this important and prestigious Council. If elected to the Council, the Lao PDR will do its utmost to contribute to the effectiveness and efficacy of the Human Rights Council which is the most important body in the UN system on the promotion and protection of human rights and at the same time the Lao Government will continue to concert all efforts for the betterment of human rights of the Lao people.

I trust that this UPR session for the Lao PDR will be successful and productive. The Lao delegation looks forward to comments and inputs from all delegates in the interactive dialogue .

Thank you for your kind attention.

