

Statement

By H.E Mr. Yong Chanthalangsy, Permanent Representative of the Lao PDR to the United Nations Office and other International Organisations in Geneva, Head of the Lao Delegation to the 15th Session of the Human Rights Council Session for consideration of UPR Outcome Report for the Lao PDR, Geneva, 21 September 2010

Mr. President,

It is a great honour for me to make the statement on behalf of the Lao delegation. The government of Lao PDR is pleased to engage in the UPR process with the most serious consideration. My delegation welcomes the presence of UN Member States, international organizations and non-governmental organizations at today's meeting to consider and adopt the report of the Working Group on UPR on Lao PDR .

Mr. President,

At the 8th Session of the UPR in May, the Lao delegation had a fruitful engagement in the Inter-active dialogue in this Council regarding the promotion and protection of human rights in the Lao PDR. We are thankful to delegations for their appreciation of our efforts in strengthening Human Rights, of the quality and comprehensiveness of our national report and the inter active engagement with all the stakeholders in the national preparation process for the UPR. We took note that several delegations had commended the Lao PDR's achievements in the national socio-economic development thus creating favourable conditions for the Lao multi-ethnic people to fully enjoy human rights. These achievements are results of our Vision to strengthen the standard of living of Lao multi-ethnic people and consistent policy implemented by the Government over the past decades which have gradually improved the living conditions of the people and strengthened the respect, promotion and protection of human rights in accordance with the UN Charter, the Universal Declaration of Human Rights, the Human Rights Treaties to which the Lao PDR is party to, as well as the National Constitution and laws. The UPR review for us was also an opportunity to learn from international best practices in order to better promote and protect human rights in the Lao PDR.

Mr. President,

I would like to inform the Council of the developments recently taking place in our country which have contributed to the promotion and protection of human

rights. The Lao PDR is now in the process of preparing the 7th National Socio-Economic Development Plan and other national action plans, which include economic, social, cultural, civil and political rights aspects. The Government has made progresses in the implementation of the Master Plan on the Rule of Law, trainings for village lawyers; law enforcement officers. On the international human rights engagement, the Lao PDR is ready to sign the Convention Against Torture during the annual UN Treaty Event 2010 in New York this September. As for other recommendations, the Lao PDR will continue to implement them in good faith and is determined to share the results in the next review cycle.

You may recall that in May, my delegation had responded positively to 56 recommendations out of 107 recommendations made by member states and observers. After the May session, the Lao National Secretariat for the UPR submitted a report to the Government with concrete proposals to address the 48 pending recommendations in consultations among all stakeholders. We have also conducted a broad public relations campaign for government agencies, Mass organization, the civil society, representatives of diplomatic corps, international organizations and international non-governmental organizations, as well as the general public and the mass media on the results of the Lao engagement in the UPR.

The responses to the 48 pending recommendations with explanations can be found in the addendum. In addition to 56 recommendations that we have positively accepted in May, I would like to inform the Council that Lao PDR further supports 15 recommendations in full, 15 more in part and 18 cannot be supported by us due to the fact that some do not actually reflect the real situation in the Lao PDR. In this regard, I would like to give the following clarification why it is difficult for us to support it at this stage.

On accession to international human rights treaties. Lao PDR is giving great importance to the international conventions and protocols as recommended by some countries. In this regard, I wish to inform the Council that Lao PDR is considering to acceding to the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, while we will sign the Convention against Torture later this month. Regarding other treaties, the Lao PDR needs more time to study and prepare necessary conditions to accede to other treaties such as the Rome Statute of the ICC, the Ottawa Convention on Landmines. On the recommendations relative to the protocols allowing individual

complaints, Lao PDR's needs to concentrate all its efforts to implementing the ratified conventions first, including the strengthening of the national procedures in dealing with complaints.

On extending a standing/open invitation to special procedures. Lao PDR reaffirm once again its recognition of the role of UN special rapporteurs. Lao PDR has hosted the Special Rapporteur on Freedom of religions or beliefs in 2009. In the spirit of goodwill and cooperation, Lao PDR is considering extending invitation to the special rapporteurs on the right to adequate housing, the right to health, etc and to maintain regular dialogue with the special procedures of Human Right mechanism. We support the recommendation to seek assistance of the Special Rapporteurs on Adequate Housing. However, due to the country's limited resources and its engagement in other urgent treaties areas, the Lao PDR is not yet ready to extend a standing invitation to special procedures' visits. The country will do so on a case-by-case basis.

On abolishing death penalty, imposing a moratorium on executions, and on ratification of the 2nd Protocol to the ICCPR. In the Lao PDR, death penalty is intended to deter the most serious crimes, particularly drugs trafficking. Although death penalty is still in existence in the Lao legal system, no case of death sentence has ever been executed for many years. Furthermore, death penalty is not applicable to a minor and a pregnant woman. A person condemned to death has the right to appeal for a commuted sentence, and for being pardoned on special national occasions. At this stage, the Lao PDR is not ready to consider ratifying the 2nd Protocol to the ICCPR, but is determined to consider revising the Penal Law in the coming years for it to be in line with the obligations under ICCPR and other treaties the Lao PDR is party.

On guaranteeing the freedom of religion, speech and expression, freedom of assembly. Religious freedom is guaranteed in the Constitution and the Prime Minister's Decree No. 92 on religious activities, whereby, all Lao citizens have the right to believe or not to believe in any religion; all religions are equal before the law. No restriction or discrimination on the basis of religion is allowed. Sanctions are only applied for those who committed crimes or social disorders as stipulated in the Penal Law. In addition, the concerned organizations are considering review of the Decree No. 92 in order to be in line with the ICCPR. Recently, the Lao PDR has conducted provincial workshops, seminars on human rights including freedom

of religion, to raise awareness of relevant authorities, particularly at the local and district levels. Regarding the case of the misunderstanding of religious freedom in Katen Village, the Government has taken All necessary measures to solve it, notably, by providing assistance, piece of land for housing and cultivation, access to health care and education to the affected villagers and their children. On the contrary, the suppression or obstruction to these basic freedoms are punishable under the Penal Law.

The Lao PDR pursues its consistent policy to guarantee freedoms of speech, press, expression and assembly. The Constitution, the Media Law, Publication Law, Penal Law and Law on Handling Petitions clearly provide for freedom of press and expression in accordance with the international norms and practice. All citizens have the right to express their opinions and make comments on the state administration. No laws in the Lao PDR that would allow for the suppression or obstruction of the exercise of these legitimate rights.

Regarding dialogue with UNHCR on the situation of individuals belonging to the Hmong who returned from third countries. It is generally recognized that UNHCR plays an important role in providing humanitarian assistance to refugees worldwide. However, since none of the Lao Hmong who returned from Thailand are refugees or persons of concerns according to international law, the Government will handle the issue in accordance with national constitution and laws and also through the UN Human Rights Council.

Mr. President,

The Lao Government and people are proud of the results of the UPR review as it reflects the Government's policies and actions in the realization of human rights for our people over the past 35 years. The achievements of the Lao PDR in the promotion and protection of human rights have been possible thanks also to the contributions, cooperation and assistance of the international community continuously extended to Lao PDR in its national socio-economic development to achieve the MDGs.

Once again, on behalf of the Lao Government, I would like to express our deep appreciation to the international community for the valuable support to the Lao PDR towards the country's development, as well as to the UPR process in

particular. It is our high hope that the international community will continue to support our country in the future, including the Government's endeavours to implement UPR recommendations.

I would like to thank the Office of the High Commissioner for Human Rights, the Troika, and all the people that have contributed to the success of this engagement.

I thank you for your kind attention.
