

**CONTRIBUTION BY THE UNITED NATIONS IN THE
LAO PEOPLE’S DEMOCRATIC REPUBLIC FOR THE
21ST SESSION OF THE UNIVERSAL PERIODIC REVIEW, 2015**

I. Introduction

1. This communique is prepared by the United Nations in the Lao People’s Democratic Republic under the guidance of the UN Resident Coordinator. In accordance with paragraph 15(B) of the annex to Human Rights Council Resolution 5/1, this document will seek to provide an overview on the implementation of accepted recommendations from the First Cycle by the Government of the Lao PDR (hereinafter the “Government”) and the development of the situation in the country since the last review. In doing so, this contribution will serve as reference for the compilation to be prepared by the Office of the High Commissioner for Human Rights.

II. Legislative and Human Rights Frameworks within Lao PDR

2. From 1991 to date, the Government has enacted approximately 103 laws covering diverse and wide sectors, with the objective of catering to aspects relevant to social and economic growth and protection of human rights. During the interval between the last report for UPR and this submission, several important laws have been enacted or amended, including the Law on the People’s Court, the Law on the Public Prosecutor, the Penal Law, and the Laws on Criminal Procedure and Juvenile Criminal Procedure.
3. The Presidential Ordinance on the Conclusion, Accession and Implementation of Treaties, dated 7 October, 2009, is one such important law, which provides for clear principles and rules on accession, implementation and application of international treaties, fulfilment of treaty obligations and enhancement of the role of the State in effective conclusion, accession and implementation of international treaties. The Law on Law making, enacted in 2012, is also important in its setting out a more systematic legal framework for drafting and amending laws.
4. Whilst the overall legal system of the country is geared to provide protection to victims of crimes and aggrieved persons, the Government has also established inter-agency mechanisms to promote and protect human rights. Included among these are the National Steering Committee on the Preparations for the Ratification and Implementation of the International Covenants on Human Rights, the National Steering Committee on the Preparations for the UPR, the National Steering Committee on reporting and implementation of the International Convention on the Elimination of all Forms of Racial Discrimination, the National Commission for the

Advancement of Women (NCAW), the National Commission for Mothers and Children (NCOMC), the National Committee for Disabled People, the National Committee for Rural Development and Poverty Alleviation and the National Committee Against Human Trafficking.

5. At the regional level, Lao PDR also played an active role providing a meaningful contribution towards the establishment of the ASEAN Intergovernmental Commission on Human Rights.

III. Acceptance of Recommendations from First UPR Cycle

6. Lao PDR has accepted most recommendations from the first cycle of UPR. Out of 107 recommendations, 71 are fully supported and 15 recommendations are partially supported.

IV. International Conventions, Human Rights Conventions Reporting Obligations, Cooperation with UN Special Procedures

7. At the 67th session of the UN General Assembly (2012-2013), Lao PDR made concrete advancements in the international rule of law arena by ratifying the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; ratifying the Multilateral Agreement for the Establishment of an International Think Tank for Landlocked Developing Countries; and providing their accession to the Protocol on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits arising from their Utilization to the Convention on Biological Diversity.
8. With the ratification of the Convention against Torture (CAT), Lao PDR is now party to seven of the nine core United Nations human rights treaties, namely ICERD, CEDAW, CRC, ICCPR, ICESCR, CRPD and the CRC's two Optional Protocols on Sale of Children, Child Prostitution and Child Pornography, and the Involvement of Children in Armed Conflict. The Government submitted its first State Party Report on the implementation of the two Optional Protocols to the CRC in June, 2013.
9. Important human rights conventions remain to be ratified by Lao PDR, including the International Convention for the Protection of All Persons from Enforced Disappearances and the International Convention on the Rights of All Migrant Workers and Members of Their Families.
10. The International Law Project, jointly executed with the Department of Treaties and Law of the Ministry of Foreign Affairs, has had a positive impact on Lao PDR through its three phases over the past twelve years. The regulatory environment surrounding the human rights situation in Lao PDR has been significantly improved through greater access to international legal instruments. The Project also made a significant contribution to the capacity development of key stakeholders in handling

international law-related matters, with key stakeholders trained on the implementation and enforcement of international obligations in the domestic legal context. These efforts will continue under the joint venture between the UN and the Ministry of Justice, the Support Project for Legal Sector Master Plan (SPLSMP), which will seek to further enhance the participation of Lao PDR in the international legal system.

11. Lao PDR took the lead in the early years of the Convention on Cluster Munitions (CCM) and continues to be fully compliant with all reporting requirements. In recent years, there has been a significant reduction in the number of UXO casualties, from 302 casualties per year as recently as 2008, to 56 in 2012, and 41 in 2013. However, Lao PDR has yet to sign the Anti-Personnel Mine Ban Convention (APMBC).
12. Lao PDR ratified the UN Convention on the Rights of Persons with Disabilities (CRPD) in September, 2009. The Decree on the CRPD was approved on 18 April, 2014.
13. Lao PDR ratified the United Nations Framework Convention on Climate Change (UNFCCC) in 1995 and the Kyoto Protocol in 2003. As a party to the UNFCCC Convention, the country has actively participated in the Convention processes and submitted the Second National Communication in 2013.
14. Lao PDR ratified the ICESCR in 2007, and within that, the universal right to adequate food (Article 11). Lao PDR adopted the Voluntary Guidelines to support the Progressive Realization of the Right to Adequate Food in 2004. While not legally binding, the Right to Adequate Food Guidelines, as adopted, recommend actions to be undertaken at the national level in order to build an enabling environment for people to feed themselves in dignity, and to establish appropriate safety nets for those who are not able to do so. While the Government has prioritized action to address malnutrition, specific measures are still to be taken to recognize the Right to Adequate Food and to address the associated Guidelines.
15. The Land Policy of Lao PDR is a critical aspect of the protection of vulnerable populations, and remains to be finalized. Certain parts of the draft policy require further alignment with the “Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security”, which were adopted by Lao PDR in 2012.
16. The Labour Protection Law (“LPL”) contains numerous important new provisions, for example, in the areas of occupational safety and health and maternity benefits and protection. However, the LPL could be strengthened in a number of areas addressed in the ILO Conventions ratified by Lao PDR, including on the definitions of forced labour, child labour, sexual harassment and discrimination. The LPL is still awaiting final signature by the President.

17. The United Nations took note of the report of the United Nations Special Rapporteur dated 30 May, 2013, regarding the transfer of nine North Korean citizens, including a number of minors, by Laotian authorities to China and the Democratic People's Republic of Korea on 27 May, 2013. The United Nations trusts that prospective asylum seekers in Lao PDR will receive the full protections to which they are entitled under international law.

Specific Areas of Focus

V. Anti-Human Trafficking

18. The Government continues to prohibit all forms of human trafficking through the 2005 amendment of the Penal Law, Article 134, as well as through the Law on Development and Protection of Women, 2004. According to the Government, 103 victims of trafficking were returned by Thai authorities under the official repatriation system between the two countries during 2013¹.
19. The Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) process, a regional initiative of which Lao PDR is a member, operates on the basis of Sub-Regional Plans of Action (SPAs), and SPAs are further translated into a national context by a National Plan of Action (NPA). The Government adopted the first NPA in 2012 for the period from 2013 to 2015.
20. The Government has finalized a new Agreement between Lao PDR and China on Cooperation in Prevention and Combating Trafficking in Persons and Protection of Victims of Trafficking in May, 2013. The agreement is awaiting signature from both parties.

VI. Gender, Women and Children

21. The Law on the Development and Protection of Women, 2004, focuses on eliminating discrimination against women, combating violence, and creating an enabling environment for women's empowerment. This law also defines counselling and protection mechanisms for women and children at the central, provincial, district and village levels. From the research², however, it appears that this law is rarely used for adjudicating legal claims for the violation of equality rights listed there. Although the Law on Women, 2004, recognizes the victims' rights to support services, these rights are not available to victims of other forms of violence against women not covered under this law, such as sexual harassment at the workplace, mobbing, and sexual violence, including rape and harmful practices against women.
22. In addition to the aforementioned Law on Women, 2004, the legal framework to protect women and children from all forms of violence, including violence in the

¹ US Department of State, *Trafficking in Persons Report*, June, 2014, p.240.

² Ms. Asmita Basu, "Findings of Legislative Review towards a Comprehensive Anti-Gender Based Violence in Lao PDR", January 2013, pp.97-107

home, could be strengthened through additional measures such as the penalization of rape in marriage. The Government is currently drafting a new Law on Violence against Women and Children, with UN support, which aims to address these gaps. In order to intensify efforts to address violence against women and children, the Government adopted a new National Plan of Action to Prevent and Eliminate Violence against Women and Violence against Children in March, 2014. The plan addresses all forms of violence against women and children in all settings. Under the leadership of NCAW and NCMC, the Government is implementing in 2014 two national prevalence studies on violence against women and violence against children with the support of the UN. These are a first for Lao PDR and will establish the evidence base for future policy and legislative development and for establishing effective prevention and response systems for all forms of violence against women and children.

23. In addition to its work related to violence against women, NCAW has developed its second National Strategy on the Advancement of Women for 2011-2015 that includes main targets to reduce discrimination and violence against women; to promote gender equality; to create conditions to increase the number of women in decision-making positions; and to increase involvement of women in economic and social development.
24. The Family Code has been amended to remove discrimination against women in matters of marriage and inheritance, repealing a lowering of the marriage age of girls to 15.
25. The Ministry of Labour and Social Welfare, with the support of the UN, is finalising a comprehensive Assessment of the Child and Family Welfare System in Lao PDR, which maps and defines, through a participatory process, the different components, roles and responsibilities of the child and family welfare system. The assessment will identify the key bottlenecks and opportunities in the delivery of child and family welfare services to all children, with special consideration for children that are “at risk” or in situations of significant harm, including children with disabilities.
26. While progress has been made in improving access to sexual and reproductive health (SRH) services, including HIV, more emphasis should be placed on SRH rights. The lack of life-skills education and limited access to contraception and family planning services contribute to unplanned pregnancies, unsafe/illegal abortions and to the spread of STIs, including HIV. Young people, especially in rural settings, are more vulnerable, as there is limited access to adolescent and youth-friendly sexual and reproductive health counselling and inadequate information and services for young people.
27. In December, 2012, the Ministry of Labour and Social Welfare and the National University of Laos signed a three year Memorandum of Understanding to pursue the establishment of social work as a recognized profession by 2015.

28. The Government has established an Inter-Ministerial Committee, led by the Ministry of Home Affairs, to develop a National Strategy and Plan of Action on Civil Registration and Vital Statistics (CRVS). The UN and Plan International are providing technical support.

VII. Governance - Public Administration and Law Enforcement

29. The overall framework for governance reform is reflected in the 7th National Socio-Economic Development Plan (NSED) for the period 2011-2015 and the accompanying draft Strategic Plan on Governance. This plan highlights the need for greater accountability, transparency and public participation in planning and decision making. The framework identifies four major governance themes: Public Service Improvement; People's Participation; Rule of Law; and Sound Financial Management. The UN, through various projects, supports the first three themes mentioned above.

30. The National Governance and Public Administration Reform (GPAR) Programme, which has been functioning for more than a decade, represents a long-term commitment to the process of governance reform. The GPAR Programme provides leadership and guidance for governance reforms and directly supports the high level Leading Committee on Governance, chaired by the Deputy Prime Minister. Further, the programme supports the country to enhance strategic oversight in the governance sector, to strengthen public delivery, and to develop and manage service delivery through a more rational and user friendly organizational setup of civil service organizations by strengthening local administration capacities.

31. Over the past two years, the National Assembly (NA) has implemented a number of initiatives to promote citizens interaction with the NA, including a parliamentary hotline during the NA sessions. Included among the concerns voiced by the public on this hotline was the subject of land management, particularly with respect to voluntary versus involuntary resettlement and related compensation issues.

32. In October, 2012, the Government launched the pilot implementation of its Sam Sang (or "3 Builds") initiative with the objective to further improve delivery of public services. The pilot involves the transfer of authority, functions and resources from central ministries to the provinces and onwards to the districts. On successful completion of the pilot, it is expected to inform the development of an overarching regulatory framework on delegation of powers to the various levels of sub-national administration. Complementing the on-going Sam Sang pilot, the Government has been systematically developing the capacity of district administrations to deliver local services under the District Development Fund (DDF). The DDF provides both capacity development and district budget support (capital and operational expenditure block grants) to nearly one-third of districts across Lao PDR.

33. In the environment sector, several laws have been reviewed and endorsed, including the Investment Promotion Law, Environmental Protection Law and Environmental Impact Assessment Decree. To contribute to the enforcement of these legislations, the Poverty Environment Initiative Programme (PEI) has been working with key Government ministries, such as the Ministry of Planning and Investment and the Ministry of Natural Resource and Environment, and the National Assembly to improve the well-being of poor and vulnerable groups by focusing on improving the quality of foreign direct investments and promoting economic opportunities in Lao PDR. Further, the 7th NSEDP has incorporated the Government's target of achieving 70% of forest cover by 2020 while promoting quality investments.

VIII. Justice and Public Security

34. In the justice sector, the Legal Sector Master Plan (LSMP) explicitly outlines the gaps in the division of responsibilities and functions among the different law enforcement agencies and identifies them as a key challenge in effective execution judgments and implementations of the law. Lack of capacity, complicated procedures, overly burdened court administration, absence of data and a lack of robust coordination amongst the law enforcement agencies have further compounded the issue. The UN support project for the LSMP will assist the Government to redress the current situation by strengthening the investigation procedures, devising a mechanism for proper coordination, establishing baselines and introducing a transparent case management system including a computerized data base to monitor case progress and relevant statistics.

35. The legal framework for child justice, including offenders, victims and witnesses, has been considerably strengthened through the adoption of a new Law on Juvenile Criminal Procedure by the National Assembly in December, 2013, and enacted in April, 2014. The new law establishes more child-friendly and gender-sensitive processes for children in contact with the justice system in line with international standards.

36. The Ministry of Justice has developed a new Decree on Adoption, which was signed by the Prime Minister of Lao PDR in June, 2014. The Decree will strengthen the legal framework for both national and inter-country adoptions in line with international standards, in particular the Hague Convention on Inter-country Adoption.

37. At present, there are few investigators, prosecutors and judges with expertise in handling cases involving children, representing significant challenges in terms of applying child-friendly and gender-sensitive procedures. The current justice system lacks child-friendly and gender-sensitive mechanisms and procedures to address the unique and special needs of children. The People's Supreme Prosecutor, with UN support, has led a comprehensive analysis of the justice system as it relates to children in conflict and in contact with the law. This analysis suggests ways in which the Government can improve the legal and policy framework on child justice; strengthen existing child justice structures and institutions; improve coordination

and referral mechanisms amongst different levels of the justice system and across sectors; enhance the capacity of child justice professionals to implement national and international laws, standards and guidelines on child justice; and develop pre- and post-trial diversion options to reduce the use of detention and ensure that deprivation of liberty is used only as a measure of last resort.

38. Access to and independent international observation of places of detention remains very restrictive. Conditions of detention remain in need of substantial improvement. Despite repeated requests, the UN has been unable to date to obtain exact data on the number of adults and children deprived of their liberty in Lao PDR.

IX. Development, Poverty Reduction, Education and Public Health

39. The national poverty situation has improved over time with the poverty rate decreasing from 46 percent in 1992 to 23.2 percent in 2013. Despite the positive overall status, inequality has increased in all population groups, largely due to consumption patterns of the richest quintile from 35.0 in 2008 to 36.2 in 2013.
40. The Government has placed significant importance on maintaining public budget allocation to health and education sectors, particularly challenging with the current budget deficit. Since fiscal year 2011-12, the Government has allocated 17% of the total budget to education to improve and develop education infrastructure and improve teaching-learning at all levels. Steady progress toward universal primary education coverage has been made, but sub-optimal survival rates pose a risk to MDG achievement. The country will need to address high dropout rates, low secondary enrolment, stagnation in literacy, and the quality of education. Particularly at risk are children in rural areas without road access; children in the poorest quintile; and children of mothers with no education. The secondary gross enrolment ratio increased from just above 20% in the early 1990s to 46% in 2012 (65% for lower secondary). However, this is still too low to enable Lao PDR to graduate from Least Developed Country status by 2020 if current trends continue.
41. Aiming to address high levels of mortality and morbidity in children and women, the Government has enacted a series of health and nutrition policies and plans of action since 2010, including the 7th NSEDP, which includes explicit IMR, U5MR, MMR, Immunization, SBA and other targets. The Plan also mentions outreach of at least four rounds per year as an important delivery strategy to deliver health services. Lao PDR aims to achieve universal health services coverage by 2020, a goal set by the National Growth and Poverty Eradication Strategy and the 7th National Health Sector Development Plan, which guides health policies and programmes.
42. The 7th NHSDP aims to strengthen the existing health system, with a focus on ensuring access to good quality health services for the poor and for vulnerable populations in remote areas. This NHSDP also aims to establish health infrastructure, contribute to the country's goal of graduating from LDC status by 2020, and

contribute to poverty eradication and the achievement of the five health-related MDGs. More recently developed Health Reforms Strategy and Plan of Action for 2013-2020 prioritizes attention and investments for meeting MDG1 (nutrition targets), 4 and 5 in the first phase (2013-2015).

43. One of the recent global estimates indicates Lao PDR is on track to achieve its MDG5 target for maternal mortality by 2015, but the Maternal Mortality Ratio still remains the highest in the region. There is still a concern regarding the inadequate service coverage, especially connected to emergency obstetrics, skilled birth attendance and family planning. However, progress in providing universal access to health care was made in 2010 when the Government introduced a policy to provide free health care services to all children under the age of five and all pregnant women. Government-funded implementation began in 2011 in sixteen districts across four provinces, with development partners supporting roll-out in around 25% of districts in the country (37 in total). Positive results from early implementation have led to the development of a plan to further scale-up to 117 districts (80% of the total). A Ministerial Decree formalizing free health care for pregnant women and children under 5 was formally adopted in January, 2013, which will buttress the collaborated effort from the Government and development partners to reduce financial barrier for pregnant women and children to use essential health care services.

44. While the free health care policy for pregnant women and children under five is a positive development in the area of universal access to health, along with the recent increases in domestic Government spending for the procurement of traditional vaccines (from US \$22,000 in 2012 to \$459,000 in 2014), data from 2011 suggests that general Government expenditure on health is still very low, accounting for only 1.7% of GDP, placing Lao PDR among the lowest health spending countries in the Asia Pacific region. The largest share of Total Health Expenditure is from out-of-pocket (OOP) expenditures, amounting to 45%. Such high levels of OOP expenditures hinder utilisation of needed health services, particularly among the poor, and exposes households to the risk of impoverishment. The Government committed to increase health spending to 9% of the budget, with the planned allocation for fiscal year 2013-14 reaching close to this target, at 8%. Operationalization of the country commitments in this area has been challenged by a weak accountability and public financial management framework for health service delivery at the subnational level and the need for a clearer assignment of public health functions at the central level, particularly in relation to ensuring an adequate supply of essential commodities and coverage of other operational costs.

X. International Cooperation

45. The national Round Table Process has played a significant role in fostering inclusive development partnerships and in promoting the Development Effectiveness agenda through development policy dialogues and consultations at international, national

and provincial levels. At the 11th High Level Round Table Meeting (RTM) in November, 2013, a number of focused and interactive meetings were held on the progress of MDGs and of the 7th NSEDP, including discussions related to the off-track MDGs, such as nutrition, UXOs, forest coverage and maternal mortality. In addition, CSOs and the private sector participated in the meeting, leading to a more meaningful dialogue between the Government and development partners.

46. A revised Vientiane Declaration on Aid Effectiveness Action Plan for 2012-2015 was endorsed by the 11th high-level RTM in 2013, and now consists of 13 actions and 27 indicators classified under five principles, as per the Paris Declaration. This has enhanced the awareness and understanding of both the Government and development partners on the required actions and commitments to achieve effective partnerships and alignment with the national development objectives, including the MDG implementation and the global development effectiveness agenda.
47. In addition, the Government has become increasingly active in several discussions at regional and global levels, including the First High-Level Meeting of the Global Partnership for Effective Development Co-operation, held in Mexico City in April, 2014, the Development Cooperation Forum High-Level Symposium on Accountable and Effective Development Cooperation in a Post-2015 Era, held in Berlin in March, 2014, and the ECOSOC Development Cooperation Forum in July, 2014. Furthermore, the Government has started to conduct the Development Finance and Aid Assessment (DFAA) in mid-2014, which will examine financing resources and their patterns for country development, especially the ODA trend. The DFAA scope also will cover a mapping of South-South Cooperation initiatives and their flow in Lao PDR.
48. Lao PDR officially opened its permanent mission to the United Nations and Other International Organizations in Geneva in May, 2008. Since then, there has been closer coordination and active participation with the human rights bodies and mechanisms of the United Nations.
49. With the objective of promoting mutual understanding and to enhancing cooperation at a bilateral level, Lao PDR has been in active dialogue with countries such as Sweden and Australia. It has also convened an annual working group on human rights and governance with the European Union, with a fifth round most recently held in May, 2014, in Brussels. These engagements have paved the way to increasing sharing of experiences, good practices and facilitating the promotion and propagation of human rights.

XI. Freedom of Expression and Political Participation

50. Civil society in Lao PDR is currently governed by the CSO decree of 2009, allowing the local not-for-profit associations to register and operate as independent entities

and providing guidelines for the establishment of associations. At present, the Government is making arrangements to revise this decree. The proposed decree, if approved, is expected to introduce new requirements for the registration process of nonprofit organizations. These new requirements have raised a concern by many that they might further contribute to the weak enabling environment for civil society to operate in Lao PDR. The UN is currently advocating with the Government to ensure that views from CSOs and development partners are taken into account before the revised decree is finalized.

51. A new set of guidelines applying to international NGOs is also in the process of being produced by the Government and concerns have been raised in the international community regarding a number of the draft sections.
52. The United Nations notes with concern the unresolved case of the disappearance of Mr. Sombath Somphone, a prominent civil society leader in Lao PDR, since 15 December, 2012. This has prompted the UN Secretary-General to raise his concern bilaterally with authorities and has been raised publicly by different Special Rapporteurs of the Human Rights Council and the High Commissioner for Human Rights. The United Nations requests that the Government continue and prioritize its efforts in investigating the whereabouts and fate of Mr. Somphone.

XII. Recommendations for the Second UPR Cycle

International Conventions

53. It is recommended that the Government consider ratifying both the International Convention for the Protection of All Persons from Enforced Disappearances and the International Convention on the Rights of All Migrant Workers and Members of Their Families, signing the APMBC, acceding to the Rome Statute of the International Criminal Court, and becoming a party to the Convention on the Status of Refugees. Further, it is encouraged to adhere to reporting timelines under various conventions; it is noted that reports under ICCPR, CESCPR, CAT and CRPD are delayed. The Government is also encouraged to fully implement the concluding observations under each of these Conventions and Covenants.
54. The Government should take specific action to recognize the Right to Adequate Food and to address the associated guidelines, linked in part to the Government's Cross-sectoral Food and Nutrition Security Action Plan.
55. The Government should accept the outstanding requests to visit Lao PDR from UN Special Procedures (on cultural rights, summary executions, adequate housing and freedom of peaceful assembly and association). In addition, the Government is encouraged to invite the Independent Expert on Minority Rights to visit the country as a measure to ensure the equitable treatment of all groups.

56. The Government is encouraged to follow up on the recommendations addressed to it by treaty bodies and special procedures and to harmonize its national legislation with its international obligations under the respective conventions.

Administration

57. Currently, the Government does not have a monitoring and evaluation framework to track progress of the country's implementation of conventions, which leads to difficulties for various ministries to report on the progress of the international conventions that Lao PDR has ratified. Thus, it is recommended that a tracking system/ monitoring and evaluation framework to review the content of the international conventions and outline the national action plans be developed. This will also help the Government to streamline reporting and prevent long delays in submitting reports under international conventions. Monitoring and evaluation frameworks should also be established for plans such as the National Action Plan dealing with violence against women and children. In addition, the Government is encouraged to explore sustainable financing mechanisms to support revenue allocation to the natural resource management and environmental management sectors.
58. The coordination mechanisms of NCAW and NCMC should be strengthened further to more effectively implement their mandates.

Justice

59. It is recommended that Government pay heed and take stronger action to prevent organized crime and continue to reinforce their efforts to improve outreach of justice service delivery, particularly to women and other marginalized population segments. This includes increasing the number of women participating in Victim-Offender Management Units. Further, it is highly desirable that the Government endeavours to ensure dissemination of vital information and to raise basic legal awareness among the Lao population.
60. The Government is encouraged to remove the death penalty from its penal code.

Development

61. It is recommended that the Government continue to reinforce their efforts to support inclusive growth, particularly targeting rural and mountainous areas, and to accelerate measures toward the achievement of the targets set for Lao PDR under the Millennium Development Goals, including increased investment in primary education and the reduction of malnutrition, maternal mortality ratios and infant mortality rates.

Political Participation

62. It is recommended that the Government should continue to foster their support to CSOs and NGOs, through increased dialogue, an expeditious registration process and enhanced space to operate in the country. In addition, the Government is encouraged to ensure that any revisions to the CSO decree and the INGO guidelines will be in accordance with the international human rights laws to which Lao PDR is a party. The Government is further encouraged to fully implement the legal provisions protecting freedom of speech in accordance with ICCPR.

Health

63. Despite increases, the national budget allocation for core service delivery functions, particularly for delivering preventative services, remains very low. This results in frequent disruptions in health service delivery to children and women because of a lack of essential commodities or coverage of operating costs for health outreach, which is the main delivery mechanism for immunization, micronutrients, deworming, and health promotion in populations that are hard to reach. The Government is encouraged to continue positive trends in national budget allocation to essential commodities and health outreach costs.

64. As budget cuts to address the fiscal deficit take place, it is crucial that non-wage recurrent spending for high impact and low cost interventions, especially primary health care services focusing on the poor and vulnerable in rural and remote areas, are protected.

65. Lao PDR has yet to make progress in enacting an appropriate legal framework on the marketing of breast milk substitutes, and the latest data shows a worsening of the situation for formula use in young children; there has been a three-fold increase in formula feeding of children under-two and a decline in continued breastfeeding rates³, which negatively impacts child survival and development. The country is recommended to use the opportunity of the scheduled Nutrition Law to enact an International Code of Marketing as per the World Health Assembly resolutions.

Gender

66. International practices should be used in developing the definition of what constitutes violence against women and children. The new law on anti-violence against women and children should cover all forms of violence in all settings, including a definition of what constitutes rape during marriage.

67. The Government should ratify the Optional Protocol to CEDAW and Optional Protocol 3 to the CRC.

68. The Government should establish a National Human Rights Institution according to the Paris Principles. The rights of minority groups in the country, such as the LGBT

³ Lao Social Indicator Survey 2011/12

community and persons with disabilities, remain particularly underdeveloped and at risk without the protections afforded by such a body.

69. The Government should address the range of determinants that affect young people's lives to improve the health, education, employment, participation and protection status of young people, through the development of a national strategy for youth with a multi-sectoral response based on the evidence from the Adolescent Youth Situation Analysis (AYSA), which was conducted by the Lao Youth Union with support from the UN.