

I. Introduction

1. Some 196 recommendations were made by Member States for the second cycle. The Government accepted 116 and took note of the rest, some of which were partially supported.
2. Since 2015, the Government has taken significant legislative and policy actions to improve the country's governance framework. The challenges lay primarily with their implementation and impact monitoring. Additionally, there are structural root causes, most notably gaps in financing, human resources, capacity, and public participation. The Government recognises the need to effectively address these challenges to tackle the persistent geographical disparities based on ethnicity, language, gender, age, educational attainment, disability, and social-economic status.

II. International Commitments and Cooperation

Acceptance of International Human Rights Norms

3. The Government accepted recommendations to work towards ratifying the International Convention for the Protection of All Persons from Enforced Disappearance, submit long overdue reports to treaty bodies, and harmonise national legislation with international obligations under respective human rights conventions. It committed to continue studying the International Convention on the Protection of Rights of Migrant Workers, the Rome Statute of the ICC and optional protocols to create conditions for future accessions.ⁱ In June 2019, the Government voted in favour of adopting the ILO Convention concerning the elimination of violence and harassment in the labour market. No additional international human rights or ILO conventions have been ratified since 2015.
4. The Government has submitted overdue reports to and been reviewed by treaty bodies for the International Covenant on Civil and Political Rights, Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Convention on the Rights of the Child (CRC); it has also submitted its initial report for the Convention on the Rights of Persons with Disabilities and is awaiting review.
5. Due to staff turnover and capacity gaps, reports for the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), International Convention on the Elimination of All Forms of Racial Discrimination, and International Covenant on Economic, Social and Cultural Rights are outstanding.ⁱⁱ
6. Lao PDR has yet to accept the individual complaint or inquiry procedures under the human rights treaties to which it is party.

Cooperation with Special Procedures

7. The Government accepted recommendations to “[s]trengthen the national capacities through cooperation with the United Nations human rights mechanisms, particularly the special procedures”.ⁱⁱⁱ Since 2015, the Government received the Special Rapporteurs on the sale and sexual exploitation of children in 2017 and, on extreme poverty and human rights in 2019. An accepted visit by the Special Rapporteur on the right to adequate housing has been postponed. There are currently seven additional requests from Special Procedures mandates, including one accepted in 2014 on cultural rights.^{iv}
8. The Government has yet to issue a standing invitation to Special Procedures, but in 2015 it indicated it would invite one mandate every year. Supporting this direction, and despite dismay over the tone and direction of a recent report, speaking as country concerned at the 41st session of the HRC, the Permanent Representative of Lao PDR to the UN in Geneva stated that “we wish to keep the momentum of cooperation with the Special Procedures”.^v
9. Since 2015, Special Procedures have sent six joint appeals or allegation letters to the Government, raising human rights concerns and seeking information on individual cases, government decrees, and a hydropower project. Official replies are outstanding on five of these.^{vi}

III. Legal, Policy and Institutional Framework

10. In line with several recommendations, among its highest priorities the Government has declared its objective to establish a “rule of law state” by 2020 and expressed strong commitment to achieve the SDGs.^{vii} The amendment of the Constitution in 2015 included a chapter on fundamental rights. In 2018, the revised Penal Code was promulgated, and the Civil Code adopted. The Government is also reviewing the National Steering Committee on Human Rights, established in 2012, to strengthen its performance and efficiency.
11. The Government has integrated SDG targets and indicators into its national planning framework, including the current 8th National Socio-Economic Development Plan (NSEDP). In 2017 the cross-ministerial SDG National Steering Committee was set up by a Presidential Decree chaired by the Prime Minister. In 2018 Laos submitted its first SDG Voluntary National Review. In June 2019, 238 national SDG indicators were endorsed by the National Steering Committee, allowing for the dissemination and continued integration of indicators into local and sectoral strategies, a vital step in the ongoing preparations for the development of the 9th NSEDP 2021-2025 and imperative to monitor the implementation of policies and programmes aimed at achieving the SDGs.

IV. Equality, Non-Discrimination and Vulnerable Groups

12. Articles 35 and 37 of the Constitution define all citizens as equal before the law “irrespective of their gender, social status, education, beliefs and ethnicity, and Lao citizens of both genders enjoy equal rights in political, economic, cultural and social fields and in family affairs.”
13. The Government accepted recommendations to promote and ensure inclusive growth, equality for all ethnic groups, and rights of vulnerable groups.^{viii} As such, and as mirrored by Member State recommendations, a binary gender definition has been applied. The term ‘all citizens’ neither exclude nor include matters of gender identity. A recent desk review of national laws found that while there are no laws criminalising same-sex relations, as of 2019, there are also no laws that prohibit discrimination based on sexual orientation or gender identity.^{ix}
14. The decree on Ethnic Affairs is being drafted prescribing the principles, regulations, policies and measures for administering ethnic affairs to ensure unity and equality among ethnic groups based on consultations at the central and provincial levels since 2017.
15. The first National Youth Policy covering young people aged 15-25 was recently completed to promote access to social services, skills development and civic participation. The policy process involved young people from across the country and included many young people from traditionally under-represented sub-groups including youth with disabilities and LGBT youth. The policy will, once approved by the Cabinet, enable future monitoring of the situation of youth with regards to the five areas covered.^x
16. The Government has recognised challenges in meeting SDG1 and 10, as inequality has widened despite high GDP growth rates, evidenced by considerable disparities persisting along the lines of gender, ethnicity, age, language, geographical locale, educational attainment, disability, and social-economic status.^{xi} In response, it has set up a poverty monitoring mechanism to improve the livelihoods and delivery of services to vulnerable and marginalised groups, but has been hampered by capacity and budget constraints.^{xii}

Gender Equality

17. The Government accepted recommendations to eliminate gender-based discrimination and violence, advance women empowerment, and enhance women and girl’s access to essential social services.^{xiii} Legislative reforms include the amended Law on State Budget, in 2015, which guarantees gender equality in the expenditure of the State budget; the 2015 amended Law on Education providing equal access to education for women and girls; the 2015 Law on Civil Servants and the amended Labour Law providing equality of women and men in employment, as well as provisions for women in the areas of occupational safety, health and maternity benefits and protection.^{xiv} Along with the equality clause in the amended Constitution, these legislative developments constitute progress towards meeting SDG5. In promoting gender equality, the 8th NSEDP stipulates that women should hold 20% of leading management positions at

provincial and district level, 10% at village level, 30% at central level, and 30% for the 8th National Assembly (NA) by 2020.^{xv}

18. Significant within the Asia Pacific region, the proportion of women members in the NA increased to 27.5%, and the proportion of women in leadership positions at the central level has met NSEDP targets. The proportion of women in the judiciary has also increased. With the notable exception of the Provincial Peoples' Assemblies, in which women make up 31.5%, representation in decision-making positions at the provincial and local levels remains low. Women constitute 8% of deputy provincial governors, 6% of district mayors, and 2.6% of village chiefs.^{xvi} Continued efforts in meeting these NSEDP targets facilitate progress towards meeting SDG5.5.
19. Although amongst the lowest rates in the region, violence against women (VAW) remains prevalent, with one of every three having experienced at least one of the three types of violence (physical, emotional and sexual); surveys show that over 40% of victims from physical and/or sexual violence never seek help.^{xvii} Further to this, there is low public awareness of the provisions under the Penal Code that prohibit gender-based violence and criminalises marital rape and of the support structure victims should expect. As a result, the government will be launching an integrated programme and sector plan on the Essential Services Package to strengthen capacity and enhance coordination of the national health, social services, police and justice sectors.
20. The 2015 Law on Preventing and Combating Violence Against Women and Children contains a definition of violence and criminalises marital rape and sexual violence by partner and individuals which is progressive and consistent with international standards. The Law does not clearly provide for Protection Orders however, and it favours the concept of alternative dispute resolution using mediation processes in dealing with VAW cases.^{xviii}
21. The Lao Women's Union (LWU) has established a shelter in Vientiane and has extended into 16 provinces much needed counselling services for women and children victims of VAW and human trafficking.
22. The 2016 measure to place the National Commission for the Advancement of Women and Mother and Child (NCAWMC) under the LWU strengthened the implementation of gender-related legislation. Amongst other, the NCAWMC is mandated to monitor CEDAW implementation and to "formulate and implement a national policy on gender equality; eliminate discrimination against women; and coordinate the mainstreaming of gender equality in all public sectors of public life."^{xix}

Children

23. The Government accepted recommendations on children's rights in areas of birth registration, child marriage, education, health, trafficking, child labour and child protection system strengthening.^{xx}
24. Recent legislative and policy actions include amendments to the Education Law (2015) and the adoption of the Law on Preventing and Combating Violence Against Women and Children (2015) and Law on Anti-Trafficking in Persons (2016). In March 2019, the Government developed the Plan for the Implementation of the 2018 CRC concluding observations and issued a notification giving specific directions on the actions to take.^{xxi}
25. Despite these advances, 88% of children in Lao PDR are multidimensionally poor and experience some form of deprivation, with more than 77% deprived on two or more dimensions. Multidimensional poverty is concentrated in the northern and southern regions with highest rates in rural areas without roads.^{xxii}
26. The Penal Code (2017) penalises child marriage and sexual intercourse with persons under 18, a positive step towards meeting SDG5.3.^{xxiii} Child marriage is more common in rural areas and among some ethnic groups. One in three of women aged 20-24 and 10.8% of men are married before 18; 7.1% of women and 1.8% of men are married before 15.^{xxiv}

27. Making it a priority policy area, the Government has achieved progress but continues to face challenges in meeting SDG16.9. Like the global average, in 2017, 73% of children under five had their births registered with a civil authority, a decrease by 2% since 2012.^{xxv} Mothers with high education level have the highest birth registration rate (97%) and of mothers with no education, the lowest (56%). Lao-Tai headed households have higher rates (80%), compared to Mon-Khmer (59%). Rural-urban disparities are also striking: 89% of urban children under five are registered either with civil authorities or family book, while only six in ten in rural areas without road.^{xxvi}
28. Further challenges can be faced throughout life as only a third of those registered obtained a birth certificate to facilitate proof of identity. Addressing the broader issues of registration and legal identity is important.

V. Economic, Social and Cultural Rights

Education

29. The Government accepted recommendations to prioritise budgetary allocations for education, enhance access to quality education at all levels, especially for girls and other vulnerable groups, and reduce school drop-out rates.^{xxvii}
30. Article 38 of the amended Constitution states that citizens have the right to receive education and upgrade themselves. Revision to the Education Law in 2015 increases the number of years of compulsory schooling from five to nine but does not states that it is free.^{xxviii} The Law also set a minimum of 18% of government spending in the education sector.^{xxix} It prohibits teachers from beating, scolding and being cruel to students.^{xxx}
31. According to the Mid-term Review of the 8th NSEDP, more people have benefited from an increased number of schools at all levels including early childhood education, primary, secondary, tertiary and vocational studies. Critical challenges persist however in reducing drop-out rate and ensuring education quality and efficiency, as poor learning outcomes and low skills-acquisition have been documented, especially among the most vulnerable groups, thus slowing progress towards meeting SDG4 targets.^{xxxi}
32. Government spending on education was 3.11% of GDP and 13.4% of the budget, falling short of the minimum set by law.^{xxxii} The percentage of the budget spent on education in 2017 was the lowest for the preceding six years.^{xxxiii} Public expenditure on education has grown overall, but the share of non-salary operating budget is still low and inadequate.^{xxxiv}
33. Primary enrolment is almost universal, yet there remain pockets of excluded such as children with disabilities. The enrolment rate of children aged 3-5 increased from 43% in 2014/15 to 49% in 2015/16. The enrolment rate of pre-primary students aged five increased from 66% in 2014/15 to 71% in the following schoolyear and pushed 74% in 2016/17, but there were 32 districts where the rate was still under 60%.^{xxxv} Secondary gross enrolment rate remains low.
34. One out of ten primary-age children remain out-of-school.^{xxxvi} One in five adolescent girls drop out of school.^{xxxvii} Enrolment statistics from elementary school show that the average drop-out rate of grade 1-5 decreased from 5.2% in 2014/15 to 4.4 % in 2016/17. In the same period, the average repetition rate improved from 5.8% to 4.1%. Conversely, the average drop-out rate of Grade 6-8 increased from 7.7% to 8.3% in tandem with that for upper secondary which increased from 4.9% to 5.8%.^{xxxviii}
35. In higher education, young men continue to outnumber young women.^{xxxix} There are 66 girls attending secondary school for every 100 boys within the “poorest quintiles” of the population.^{xl}
36. Access to schools is limited among ethnic groups and decreases further when reaching higher levels; just 5% living in a village with an upper-secondary school, compared to 16% of Lao-Tai. Some 34% of working-age ethnic groups have no education, three times the rate of Lao-Tai, and just 15% have completed secondary education compared to 60% of Lao-Tai.^{xli} It is evident that a large proportion of children drop-out of school among ethnic groups is due to language barriers in education.^{xlii} Mother-tongue-based multilingual

education merits greater attention as a key driver of progress towards SDG4.^{xliii} At the same time, there are limits to what can be achieved under the limited fiscal space.

37. Data from 2017 indicate that compared with 98% of the highest wealth quintile, only 58% of children in the poorest quintile complete primary education; furthermore, compared with 74% of the richest, only 8% of children in the poorest quintile complete upper secondary school.^{xliiv}

Health

38. The Government accepted recommendations to increase health spending, work towards UHC and develop healthcare infrastructure for remote areas.^{xliv} The Constitution holds that “The State and society attend to building and improving disease prevention systems and providing health care to all people, creating conditions to ensure that all people have access to health care, especially women and children, poor people and people in remote areas, to ensure people’s good health”^{xlvi}, and the Government has increased resources for the health sector in recent years. In 2016 and 2017, expenditure was 7.6% and 7.2% of total Government expenditure respectively, compared to 4.7% in 2010-11.^{xlvii} Worryingly however, in 2016/17, ODA still represented 19.7% of the total health spending and foreign funding of capital spending as a % of total capital spending in the health state budget is 82%.^{xlviii}
39. Out-of-pocket spending as a share of total health expenditure dropped from 60% in 2000 to 42.9% in 2017, but out-of-pocket payments remain one of the largest sources of health financing and undermine access to healthcare by people in poverty.^{xlix}
40. Notwithstanding, good progress has been made towards meeting SDG3.1 and 3.2 concerning maternal, under-five, and infant mortality. Health outcomes continue to vary greatly however, based on factors such as geography, ethno-linguistic group, mother’s education, and socio-economic status. People from the poorest wealth quintile and those in remote rural and mountainous areas have by comparison far more limited access to health care.ⁱ Due to the limited fiscal space, health sector expenditure still falls short of the 9% target set by the NA in 2012, does not keep pace with the growing population and remains one of the lowest proportions in the region.ⁱⁱ
41. Since 2014, maternal, neonatal and child health care is free of charge for pregnant women and children under five. In 2017, the Government approved the integration of Comprehensive Sexuality Education (CSE) into the national curriculum at primary levels. In 2019, it approved the revised teacher manual on CSE to supplement national curriculum in secondary education and one-week-in-depth CSE in Technical and Vocational Education and Training courses for adolescents to make healthy choices, prevent early pregnancy and sexual transmitted infections, and support healthy relationships with peers and parents.ⁱⁱⁱ
42. Other significant developments include under-five mortality rate which declined between 2011 and 2017 from 79 to 46 per 1,000 live births; the infant mortality rate declined from 68 to 40; neonatal mortality rate declined from 32 to 18, and post-neonatal mortality rate declined from 36 to 22 per 1000 live births.ⁱⁱⁱⁱ
43. Maternal mortality rate has also significantly declined from 905 per 100,000 live births in 1990 to 220 in 2013, and further to 197 in 2015.^{iv} Of these, however, mortality rates are highest among women who are poor, who live in remote rural areas, who have little or no education, and who belong to ethnic groups.^{lv} Some 64.5% of deliveries took place in health facilities in 2017. Approximately 64% of births (88% in urban areas and 38% in rural areas without roads) were assisted by trained health personnel.
44. HIV/AIDS is a concentrated epidemic, with pockets of increased prevalence among key populations (such as men having sex with men, clients of sex workers and former sex workers), and with unsafe sex as main mode of transmission.^{lvi} Vigilance is warranted, however, as the trend of recently reported HIV cases among young women age 15-19 is twice as high as among men of the same age group implying that the epidemic may be shifting pattern.
45. Adolescent pregnancies are highly prevalent, in particular among girls from certain ethnic groups and from poor families. Adolescent birth rate overall has declined from 94 to 83 births for every 1,000 adolescent

women (age 15-19) between 2011 and 2017, but this remains the highest among ASEAN countries. The rate is also significantly higher in rural areas (136) than in urban (42).^{lvii} This is due both to the prevalence of early marriage and the limited information on, and availability of, modern contraceptives for teenagers,^{lviii} presenting challenges to meeting SDG3.7.

46. The new Penal Code criminalises abortion, except in cases when there is a risk to life. Unsafe abortions appear to be prevalent. In December 2016, guidelines were adopted to prevent unsafe abortions, which expanded the circumstances under which women are allowed to seek abortion.^{lix} On average, however, only 50% of women who have experienced complications from an induced abortion during the last five years have sought health care, indicating that there are barriers impeding women's access to sexual and reproductive health services which further challenges progress towards SDG5.6.^{lx}

Nutrition

47. The Government accepted recommendations to reduce malnutrition.^{lxi} It has adopted the National Nutrition Strategy and Action Plan (NNSAP) for 2016-2020. The National Action Plan on Gender Equality integrated an emphasis on food and nutrition, including reducing underweight among girls under five to 13% and reducing stunting among girls to 25%.^{lxii}
48. Surveys in 2011 and 2017 showed some progress in meeting SDG2.2 and other nutrition indicators; for children aged 24-59 months, the rate of underweight decreased slightly from 28.9% to 24.0%.^{lxiii} The number of children below five who are stunted decreased from 44% to 33%, while wasting or acute malnutrition has remained constant at 9%. Eight out of 18 provinces continue to show stunting rates above 40%.

Water and Sanitation

49. The Government met the MDG target on improved water and sanitation but recognises that disparities between locales and wealth quintiles remain a major challenge for meeting SDG6.1 and 6.2.
50. In 2017, 83.9% of the population had access to improved sources of drinking water, up 8% since 2015. Access to improved sanitation facilities also increased but showed significant urban-rural disparities (from 71 to 73.8% in total but with 94% in urban areas versus 65% for rural without road).^{lxiv} The population that practice open defecation remained stagnate around 23-24%. 2017 survey results show that, among the poorest quintile, 56% had access to improved sources of drinking water, 23% to basic sanitation facilities and 72% still practice open defecation.^{lxv} The survey also showed that 86% of water samples tested at household level nationwide were found positive for E-Coli (80.5% for urban, 89% for rural without road).^{lxvi}
51. There is general gender parity in urban areas in the distribution of responsibility for water collection among household members without water sources (29.1% for women and 28.2% for men aged 15 and above). In rural areas, however, 50.3% of women are responsible for water collection compared to 19.1% of men.^{lxvii}
52. A growing concern is the increased risks to public health from the dramatic increase of pesticide use and associated high levels of residue found in local and commercial produce as well as contamination of soil and water sources threatening the overall achievement of SDG6. Commercial crop expansion has increased use of pesticides, but data indicate they are increasingly used also for subsistence and local market crops.^{lxviii} Existing data suggest that overuse of pesticide is common and contamination widespread. Soil samples have detected Carbendazim, Glyphosate, Paraquat, Dicofof Cypermethrin^{lxix} and unacceptable levels of urinary metabolites of Organophosphates, Pyrethroids and Glyphosate have been measured among children, consumers and farmers indicating that the impact is affecting rural and urban areas alike.^{lxx} Socio-economic costs have yet to be determined but data suggest that food safety is a cross-cutting development issue affecting the right to health and a broad set of SDG achievements, from chronic impact on health (SDG3) and productivity (SDG8), loss of biodiversity (SDG14, 15) and associated food sources (SDG2), potential trade restrictions (SDG8, 9, 12), loss of livelihoods and costs to farmers, and to government regulatory agencies.^{lxxi}
53. The amendment and approval of the Water and Water Resources Law, in 2017, is a positive step towards improving the sustainability of water resources, including in the areas of monitoring, management and planning of the country's vast rivers. New provisions have been added on wastewater discharge permits,

wetlands and water-resources protection, ground-water and river-basin management. The Law provides momentum to address concerns about the broader socio-economic consequences of abuse and overuse of water and the commensurate impact at basin level with water as a critical resource for agriculture, fisheries, ecosystems, and industry.

Land

54. The Government accepted recommendations to ensure full respect for all human rights in the formulation and implementation of land laws and policies, ensure adequate compensation for expropriation, recognise and protect customary rights, and reform management of land leases and concessions.^{lxxii}
55. In promoting commercialisation of agro-forestry and the expansion of hydropower as an important revenue source, land concessions have been agreed with investors of development projects and the construction of hydropower dams. Within this context, forced relocation of local communities, including ethnic groups, have been reported, including instances where prior consultations and provision of adequate compensation appeared lacking, resulting in adverse impact on their livelihood and lifestyle.^{lxxiii} Such impact affects a wide range of SDGs, especially Goals 1, 2, 5, 11 and 15.
56. In April 2016, the Government issued Decree 84^{lxxiv} which provides for the right to be “compensated for lost income, property, crops, and plants” to anyone “displaced by a development project.” In August 2017, the People’s Revolutionary Party’s Central Committee adopted a resolution on land management, recognising that land expropriation represented a “heavy burden” and referring to the need to protect customary land rights. In 2018, the NA passed the Law on Resettlement and Vocation, which provides a clearer legal framework to regulate the impact of development projects on the population; identifies the benefits that affected communities should receive, particularly compensation, resettlement and training; and sets up a supervisory system that is intended to monitor compliance with the law.^{lxxv} The law clearly covers projects funded by the private sector, but it also appears to cover projects supported or funded by the Government.
57. In April 2018, the national legislature approved the National Master Plan on Land Use and Allocation, which echoes government strategy of ensuring 70% of the national territory to be designated as “forestland”.^{lxxvi} There are concerns however, that this would result in more than 3,000 villages being located “inside” these forestlands, including residential, agricultural and other lands, thereby disallowing titling to and potentially displacing numerous individuals and households. The National Master Plan was followed in February 2019 by the issuance of a prime-ministerial instruction for the Master Plan’s implementation.
58. In June 2019, the NA adopted a revised Land Law and the Forestry Law calling for the 70% forest cover, thus presenting potential for progress towards SDG15.1, but also that all forestland be titled as State Land, which may present challenges for customary rights of long-term users of forest land. Development partners welcomed the consultations prior to the adoption of the two laws and will continue to support the Government in ensuring consistency between the two laws and international standards during implementation and any future revisions.^{lxxvii}

Climate Change

59. The Government is actively participating in the UN Framework Convention on Climate Change, including through the mechanism for reducing emissions from deforestation and forest degradation, plus the sustainable management of forests, and the conservation and enhancement of forest carbon stocks.
60. The Government is taking actions to address climate change. A Law on Meteorology and Hydrology was approved in December 2017 to set up rules and regulations for the use of existing data. It is drafting a Law on Disaster Management and a Climate Change Decree, both expected to be adopted or promulgated in 2019. With support from international partners, the Ministries of Natural Resources and Environment and of Agriculture and Forestry have worked to strengthen agro-climatic monitoring and information systems to improve adaptation to climate change and food security, including improvement and rehabilitation of the agro-meteorological station network.^{lxxviii}

Labour

61. The Government accepted recommendations to align domestic laws with international labour standards and tackle child labour.^{lxxxix} In the current 2014 Labour Law, the definition of forced labour does not meet the definition set out in ILO Convention No. 29 (ratified by Lao PDR). The domestic legal framework has yet to provide a comprehensive definition of discrimination.
62. The Labour Law explicitly prohibits discrimination in hiring and firing women due to pregnancy or maternity status, providing additional protections around discrimination and equal pay representing a positive step towards meeting SDG8.5.^{lxxx} At the same time, the provision for different retirement ages for women and men may potentially have reversed effect on women's length of contributory service as well as their career paths and access to higher-level positions. Women's overall Labour Force Participation rate in 2017 is estimated at 36.5% as compared to 45.2% of men.^{lxxxi} The proportion of women in wage employment is low in all sectors (35%), with 65% of all unpaid family workers being women.
63. A large proportion of the working age population work in subsistence-level activities in the agricultural and informal sectors, often characterised by low incomes, poor working conditions, and inadequate access to social protection and workplace representation.^{lxxxii}
64. Children are a significant portion of the workforce, with children from the rural areas comprising the bulk of all working children in Lao PDR, with 89%, and with some 67% of these in unpaid family work.^{lxxxiii} UNICEF found in 2018 that around 25% of children aged 5-17 were being subjected to hazardous working conditions. The Labour Law lays out definitions for light work permissible for children under 14 and prohibits the worst forms of child labour for all children under 18.^{lxxxiv} The Government also adopted the National Plan of Action on the Prevention and Elimination of Child Labour (2016-2020).

VI. Civil and Political Rights

Right to life, liberty, and security of the person

65. The Government accepted recommendations to ensure fair trials; eradicate violence against women and children; and combat torture and enforced disappearance.^{lxxxv}
66. In July 2015, state media highlighted the NA's concerns about instances of detentions without charges, and that some of these were for periods longer than permissible under law.^{lxxxvi} In 2017, the UN Working Group on Arbitrary Detention found the detention of three peaceful protesters to be arbitrary because of violations of their right to a fair trial, and raised concerns regarding their incommunicado during their lengthy pretrial detention and the lack of legal counsel.^{lxxxvii}
67. The revised Penal Code retains the death penalty. Despite a *de facto* moratorium since 1989, death sentences continue to be imposed, primarily for drug-related offences, which do not meet the threshold of "most serious crimes" for which the death penalty could be lawfully applied under international law.^{lxxxviii}
68. The revised Penal Code include a definition of torture that is deemed consistent with CAT.
69. During the 29th session of the HRC on the adoption of the 2nd UPR outcome report, the Lao delegation provided reassurance that concerned authorities are seriously conducting, and would continue to investigate to establish the truth surrounding the disappearance of prominent civil society leader Sombath Somphone and bring perpetrators to justice in accordance with the law.^{lxxxix} It further accepted four recommendations on actions that could bring the case to a close.^{xc} The issue was raised bilaterally in connection with the high-level visit to Lao PDR in September 2016 of UN Secretary-General Ban Ki-moon and publicly by the UN High Commissioner for Human Rights.

Civil Society Space and Fundamental Freedoms

70. The Government accepted recommendations to respect and guarantee freedom of expression, assembly, and association; reconsider restrictions on media freedom; and facilitate an enabling environment for civil

society.^{xc} At the second UPR, at least 17 governments raised concerns and made recommendations about restrictions on the rights on freedom of expression, peaceful assembly and association.^{xcii}

71. In November 2017, the Government adopted Decree No. 238 on the operation of non-profit associations (NPAs). Since then, NPAs have expressed difficulties carrying out work.^{xciii} The UN Human Rights Committee^{xciv}, CEDAW Committee^{xcv}, Special Procedures^{xcvi}, and development partners^{xcvii} have also expressed concerns about the broad government powers under this Decree to restrict, prohibit, dissolve, suspend and prosecute associations or their members.
72. A panel discussion on Decree No. 238 was carried out under the Public Service Improvement Sub-Sector Working Group of the Governance Sector Working Group in 2018 to scale up awareness of the existing manual of procedures and share views and experiences between Government, development partners and civil society including international NGOs and NPAs.
73. The Human Rights Committee noted in 2018 that Lao PDR's domestic legal framework imposes "severe restrictions on freedom of opinion and expression and the right to peaceful assembly, which hinder the development of a civic space where individuals can meaningfully exercise and promote their human rights without fearing sanction or reprisal."
74. National laws related to freedom of opinion and expression, including Penal Code provisions and others regulating TV, radio, printed media, and online media need to be further harmonised with ratified international human rights treaties.^{xcviii}

Governance and Rule of Law

75. The Government accepted recommendations to enhance access to justice, advance legal reform, and strengthen the rule of law and governance.^{xcix}
76. The Government has made notable progress in law making and capacity building for justice professionals, especially under the Legal Sector Master Plan (LSMP) to achieve a rule of law state by 2020. The Government has achieved progress between 2014-2017 to support LSMP implementation, resulting in improvements in capacity, procedures, and standards for legislative development and implementation; effectiveness and responsiveness of judicial institutions; systematic development of legal and judicial professionals; public understanding of legal rights and information, and participation in the legal system; and adoption, implementation, enforcement, monitoring, and reporting of international legal instruments.^c
77. The Lao PDR has several customary, semi-formal, and formal justice or mediation mechanisms, including the Village Mediation Unit (VMU). There is no clear referral system between mediation units and formal justice sectors. Moreover, VMU members are often not equipped with necessary knowledge of the justice system or information on updates and amendments to existing civil and penal codes. Petitions can be made to an administrative body, judicial body, or the NA when government officials have made decisions that infringe the law or affect the interests of the community.^{ci}
78. Victims of human rights violations who have limited education and are poor face greater barriers in accessing the formal justice system, as well as other reporting and complaint mechanisms, such as those concerning human trafficking and VAM. Some 43.2% of women who have experienced violence do not seek help.^{cii} The low number of child rights violations cases handled by the judiciary suggests a lack of awareness and child-friendly reporting and complaint mechanisms.^{ciii} The National Referral Mechanism to assist and protect victims of trafficking remains to be finalised.
79. Transparency in policy-making and in data collection is an on-going challenge. Inadequate collection and public access to sufficiently disaggregated data make it difficult to accurately assess progress, gaps, and actual outcomes of implementation of laws and policies, provide reliable evidence for policy-making, and ensure accountability. Key details about the State budget are not publicly available.^{civ}
80. The UN proposed that a system for monitoring the implementation of recommendations from mechanisms of the HRC and their impact be included in the UPR action plan. In December 2018, an expert conducted a

mission in Lao PDR and introduced good practices and tracking tools to Ministry of Foreign Affairs (MoFA).^{cv} In May 2018, further discussions with the Treaty Section outlined the framework for a permanent government structure that would coordinate and prepare reports to engage with the international and regional human rights mechanisms (incl. the UPR, Treaty Bodies and Special Procedures) and coordinate and track national follow-up and implementation of the treaty obligations and recommendations/decisions emanating from these mechanisms. Although staff turnover has slowed the process, next steps are expected, including a more detailed presentation of a National Mechanism for Reporting and Follow-up (NMRF) as outlined by OHCHR guidance.^{cvi}

Human Trafficking

81. The Government accepted recommendations to eradicate human trafficking, investigate and prosecute all cases of trafficking of children, and adopt, strengthen and fully implement national laws and policies on anti-trafficking.^{cvi}
82. Trafficking for purpose of labour and sexual exploitation appear to be most prevalent. Irregular migrants may encounter labour trafficking, labour exploitation and forced labour in any industry.^{cvi} Women comprise about 90% of all victims of trafficking who are repatriated to Lao PDR. Most women and men trafficked come from rural areas. Most child trafficking victims are aged between 12 and 18. Most trafficked girls have never attended school or only received incomplete primary schooling. Ethnic minorities tend to be overrepresented among children trafficked.^{cix}
83. The Government continues to prohibit all forms of human trafficking, most notably under the Law on Anti-Trafficking in Persons (2016). It also adopted the National Plan of Action on Trafficking in Persons (2016-2020). The Ministry of Labour and Social Welfare has opened four shelters for victims of trafficking and other forms of exploitation. More aggressive and comprehensive prosecution and punishment of those responsible for trafficking are crucial to the full implementation of recent policy changes and towards meeting SDG16.2.^{cx}

ⁱ For example, see recommendations 121.1, 121.39, 121.2, 121.3, 121.20, 121.21, 121.27, 121.36, 121.38, 121.40, 121.43 and 121.66 in the Report of the Working Group on the UPR of Lao People's Democratic Republic, A/HRC/29/7 (March 2015).

ⁱⁱ UN Treaty Database, Lao PDR page (accessed 1 July 2019)

https://tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=LAO&Lang=EN

ⁱⁱⁱ See recommendation 121.69 in A/HRC/29/7.

^{iv} OHCHR, Special Procedures country visits database,

https://spinternet.ohchr.org/_layouts/15/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en

^v <http://webtv.un.org/search/clustered-id-sr-on-poverty-sr-on-idps-14th-meeting-41st-regular-session-human-rights-council-6053551884001/?term=&lan=english&cat=Meetings%2FEvents&page=6>, (accessed 1 July 2019).

^{vi} See Special Procedures communications database, <https://spcommreports.ohchr.org/Tmsearch/TMDocuments>, (accessed 1 July 2019).

^{vii} See recommendations 121.36, 121.38, 121.39, 121.40 in A/HRC/29/7 amongst others.

^{viii} See recommendations 121.84, 121.161, 121.169 in A/HRC/29/7.

^{ix} Proud to be Us Lao (PTBUL), Being LGBT at Work: A Study of LGBTI Persons in the Workplace in Lao PDR (2019). The report was commissioned by the Law and Development Partnership (LDP) and the Faculty of Law & Political Science of the National University of Laos.

^x Draft National Youth and Adolescence Policy, Lao Youth Union, (2018)

^{xi} See section 2.4 in Lao PDR Voluntary National Review (VNR) on the Implementation of the 2030 Agenda for Sustainable Development (2018).

^{xii} *Id.*

^{xiii} See recommendations 121.79, 121.80, 121.81, and 121.82 in A/HRC/29/7.

^{xiv} CEDAW, Concluding observations on the combined eighth and ninth periodic reports of the Lao People's Democratic Republic, CEDAW/C/LAO/CO/8-9 (November 2018).

^{xv} Lao PDR VNR-SDG report.

^{xvi} CEDAW concluding observations (2018); UNCT submission to CEDAW (2018).

^{xvii} Consultation with UNFPA (June 2019).

^{xviii} UNCT submission to CEDAW (February 2018).

^{xix} FAO, "Lao PDR Country Gender Assessment on Agriculture and Rural Sector" (January 2018), page 34. See also UNCT submission to CEDAW.

^{xx} See recommendations 121.45, 121.61, 121.109, 121.176, and 121.194 in A/HRC/29/7.

^{xxi} UNICEF inputs (May 2019).

^{xxii} UNICEF and Ministry of Planning and Investment of Lao PDR, *SDGs and Children - Measuring Progress on Child Wellbeing in Lao PDR – Final Report* (December 2018).

^{xxiii} Special Rapporteur on sale and exploitation of children, Report on country visit to Lao PDR, A/HRC/40/51/Add.1 (2019), para. 28, 31.

^{xxiv} Laos Social Indicators Survey II (LSIS-II) (2017).

- ^{xxv} See Lao PDR VNR-SDG report (2018); Committee on the Rights of the Child, Concluding Observations on the combined third to sixth periodic reports of the Lao People's Democratic Republic, CRC/C/LAO/CO/3-6 (July 2018); and Laos Social Indicators Survey I (2012) and II (2017).
- ^{xxvi} LSIS-II (2017).
- ^{xxvii} See recommendations 121.44, 121.160, 121.179, 121.180, 121.183, 121.184, and 121.186 in A/HRC/29/7.
- ^{xxviii} Laos PDR, *Combined third to sixth periodic reports submitted by the Lao People's Democratic Republic under article 44 of the Convention*, due in 2016, 2017, CRC/C/LAO/3-6, pp. 30, available at: https://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CRC%2fC%2fLAO%2fCO%2f3-6&Lang=en
- ^{xxix} *Id.*, pp. 8.
- ^{xxx} *Id.*, pp. 16.
- ^{xxxi} United Nations in Laos, draft *2018 Progress Report: Lao PDR-United Nations Partnership Framework 2017-2021* (June 2019).
- ^{xxxii} Special Rapporteur on poverty and human rights, Report on visit to Lao PDR, A/HRC/41/39/Add.2 (May 2019).
- ^{xxxiii} *Id.*, para 22.
- ^{xxxiv} UN Country Team (UNCT) in Lao PDR, Joint Submission to the Committee on the Elimination of Discrimination against Women on the occasion of the review of the Government of Lao People's Democratic Republic's Eighth and Ninth Periodic Reports of States' Party Reports on progress towards the implementation of the Convention on the Elimination of all forms of Discrimination against Women (CEDAW) (February 2018).
- ^{xxxv} Education Sector Working Group (ESWG), submission for progress report in preparation for the Round Table Implementation Meeting (RTIM) (November 2016).
- ^{xxxvi} LSIS-II; see also UNICEF inputs.
- ^{xxxvii} UNFPA inputs (May 2019).
- ^{xxxviii} ESGW progress report.
- ^{xxxix} UNCT submission to CEDAW.
- ^{xl} UNDP, "Lao PDR: Gender Equality", <http://www.la.undp.org/content/laopdr/en/home/sustainable-development-goals/goal-5-gender-equality.html>, (accessed 11 July 2019).
- ^{xli} World Bank policy brief: "Lao Poverty Policy Brief: Why Are Ethnic Minorities Poor?" (2017).
- ^{xlii} UNESCO inputs (May 2019).
- ^{xliii} UNESCO Bangkok, "Mother Tongue-Based Multilingual Education: The Key to Unlocking SDG 4 - Quality Education for All" (May 2017) <https://bangkok.unesco.org/content/mother-tongue-based-multilingual-education-key-unlocking-sdg-4-quality-education-all>
- ^{xliv} LSIS-II.
- ^{xlv} See recommendations 121.161, 121.173, and 121.175 in A/HRC/29/7.
- ^{xlvi} Article 25 of the 2015 revised Constitution.
- ^{xlvii} WHO inputs (May 2019).
- ^{xlviii} National Health Accounts (2017); Development Finance Assessment Snapshot: Lao PDR - Financing the future with an integrated national financing framework, report commissioned by UNDP's Regional Bureau for Asia and the Pacific as part of the preparations for the China-UNDP ASEAN Symposium on Financing the Implementation of the SDGs in ASEAN, held in Chang Rai, Thailand in August 2017. <https://www.undp.org/content/dam/rbap/docs/dg/dev-effectiveness/RBAP-DG-2018-Development-Finance-Assessment-Snapshot-Lao-PDR.pdf>
- ^{xlix} National Health Accounts (2017)
- ⁱ LSIS-II.
- ⁱⁱ WHO inputs (May 2019).
- ⁱⁱⁱ UNFPA inputs.
- ⁱⁱⁱⁱ LSIS-I and LSIS-II.
- ^{lv} UN Estimates from WHO
- ^{lv} Special Rapporteur on poverty end-of-mission statement.
- ^{lvi} United Nations in Laos, draft *2018 Progress Report: Lao PDR-United Nations Partnership Framework 2017-2021* (June 2019).
- ^{lvii} LSIS-II.
- ^{lviii} UNCT submission to CEDAW.
- ^{lix} LSIS-II.
- ^{lx} UNFPA inputs.
- ^{lxi} See recommendations. 121.44 and 121.49 in A/HRC/29/7.
- ^{lxii} FAO, Lao PDR Country Gender Assessment on Agriculture and Rural Sector (January 2018), p. 36-37.
- ^{lxiii} UNICEF and Ministry of Planning and Investment of Lao PDR, *SDGs and Children - Measuring Progress on Child Wellbeing in Lao PDR – Final Report* (December 2018).
- ^{lxiv} Lao PDR VNR-SDG report.
- ^{lxv} LSIS-II.
- ^{lxvi} United Nations in Laos, draft *2018 Progress Report: Lao PDR-United Nations Partnership Framework 2017-2021* (June 2019).
- ^{lxvii} See table WS 1.3 in LSIS-II.
- ^{lxviii} Rassapong (2017).
- ^{lxix} Ministry of Natural Resource and Environment (2016).
- ^{lxx} Lao Upland Rural Advisory Service Briefing Note (2018).
- ^{lxxi} *Id.*
- ^{lxxii} See recommendations 121.170, 121.171, and 121.172 in A/HRC/29/7.
- ^{lxxiii} Consultation with UNDP (June 2019).
- ^{lxxiv} See decree 84/PM on Compensation and Resettlement Management in Development Projects (5 April 2016).
- ^{lxxv} FAO inputs (July 2019).
- ^{lxxvi} Land Advisory Group briefing note no. 5 on Tenure security in Forest Land - Final-NA.
- ^{lxxvii} FAO inputs and briefing notes on Land Law (2019).
- ^{lxxviii} United Nations in Laos, draft *2018 Progress Report: Lao PDR-United Nations Partnership Framework 2017-2021* (June 2019).
- ^{lxxix} See recommendations 121.2, 121.40, 121.111, 121.158, and 121.159 in A/HRC/29/7.
- ^{lxxx} UNCT submission to CEDAW.

-
- ^{lxxxix} 2017 labour force survey, Ministry of Labour and Social Welfare in cooperation with ILO.
- ^{lxxxix} Lao PDR VNR-SDG report.
- ^{lxxxix} UNCT Lao, Common Country Assessment/Analysis Report: Lao PDR to inform UN Partnership Framework (2015), p. 83.
- ^{lxxxix} ILO inputs (June 2019).
- ^{lxxxix} See recommendations 121.27, 121.96, 121.98, 121.99, 121.100, 121.103, 121.104, 121.106, 121.107, 121.112, and 121.127 in A/HRC/29/7.
- ^{lxxxix} <https://laovoices.com/national-assembly-comments-on-prosecutors-judges-reports/>
- ^{lxxxix} UN Working Group on Arbitrary Detention, Opinion No. 61/2017 (2017)
- ^{lxxxix} https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session79/A_HRC_WGAD_2017_61.pdf.
- ^{lxxxix} UN Human Rights Committee, General Comment No. 36 on article 6 of the International Covenant on Civil and Political Rights, on the right to life, CCPR/C/GC/36 (30 October 2018), para. 35; Report of the UN Secretary-General on the Question of the Death Penalty, A/HRC/39/19 (14 September 2018) paras. 19-20; Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, A/HRC/4/20 (29 January 2007), para. 51.
- ^{lxxxix} Statement by H.E. Mr. Thongphane Savanhphet, Permanent Representative of the Lao PDR to the United Nations in Geneva, Head of the Lao Delegation to the 29th Session of the HRC on the Adoption of the UPR Outcome Report for the Lao PDR (25 June 2015)
- ^{lxxxix} https://extranet.ohchr.org/sites/hrc/HRCSessions/RegularSessions/29thSession/OralStatements/Lao_PDR_UPR.pdf
- ^{xc} See recommendations 121.96, 121.98, 121.99 and 121.100
- ^{xc} See recommendations 121.136, 121.138, 121.99/121.139, 121.152, 121.153, and 121.142/154 in A/HRC/29/7.
- ^{xc} Australia, Belgium, Estonia, Finland, France, Ireland, Japan, Latvia, Luxembourg, Netherlands, New Zealand, Norway, Poland, Switzerland, United Kingdom, the United States, and Uruguay.
- ^{xc} Consultation with UNDP (June 2019).
- ^{xc} Human Rights Committee concluding observations on Lao PDR (2018), para. 35.
- ^{xc} CEDAW concluding observations on Lao PDR (2018), paras. 19-20.
- ^{xc} Mandates of the UN Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression; the Special Rapporteur on the rights to freedom of peaceful assembly and of association; and the Special Rapporteur on the situation of human rights defenders, Allegation Letter Lao 1/2015 (29 May 2015),
- ^{xc} <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=16269>.
- ^{xc} European Development Partners' Statement at the Lao PDR's 2017 Round Table Implementation Meeting (23 November 2017)
- ^{xc} https://eeas.europa.eu/delegations/lao-pdr/36069/european-development-partners%E2%80%99-statement-lao-pdrs-2017-round-table-implementation-meeting_en
- ^{xc} Marcia Kran, "Consultations with the Government of the Lao PDR and Partners on Potential Directions for Future Cooperation related to UN Human Rights Recommendations (December 2018).
- ^{xc} See recommendations 121.3, 121.113, and 121.124-126 in A/HRC/29/7.
- ^c UNDP and the Government of Lao PDR, "Final Project Report: Support Project for Implementation of Legal Sector Master Plan" (July 2017).
- ^{ci} FAO brief no 6 on grievance mechanism, citing UNDP.
- ^{ci} Summary Report: A study on Violence against Women in Lao PDR, Available at http://www.la.one.un.org/images/publications/Lao_PDR_Violence_Against_Women_Summary_Report.pdf
- ^{ci} Special Rapporteur on sale and exploitation of children mission report (2019).
- ^{civ} World Bank, "Lao PDR Public Finance Management Reform Grant," (2018), <http://documents.worldbank.org/curated/en/611241536118876855/pdf/Project-Information-Documents-PID-Lao-PDR-Public-Finance-Management-Reform-Grant-P167661.pdf> p. 6.
- ^{cv} Marcia Kran report.
- ^{cv} OHCHR, *National Mechanisms for Reporting and Follow-up: A Practical Guide to Effective State Engagement with International Human Rights Mechanisms* (2016) https://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf
- ^{cvi} See recommendations 121.112, 121.114, and 121.115-123 in A/HRC/29/7.
- ^{cvi} UNODC, citing UNICEF/Lao Ministry of Labour and Social Welfare.
- ^{cix} UNODC, *Trafficking in persons from Cambodia, Lao PDR and Myanmar to Thailand* (August 2017), citing UNICEF & Lao PDR, Ministry of Labor and Social Welfare, *Broken Promises Shattered Dreams, A Profile of Child Trafficking in the Lao PDR* (2009), page 18.
- ^{cx} UNCT submission to CEDAW.