

Responses to Recommendations

LAOS

Review in the Working Group: 04 May 2010
 Adoption in the Plenary: 21 September 2010

Laos' responses to recommendations (as of 13.01.2011):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
56 REC accepted; 3 rejected; 48 pending	Out of the 48 pending REC, 15 are accepted, 15 accepted in part (underlined in blue) and 18 rejected.	No additional information provided	Accepted: 86 Rejected: 18 No clear position: 0 Pending: 0

List of recommendations contained in Section II of the Report of the Working Group A/HRC/15/5:

96. The recommendations listed below have been examined by Laos and enjoy its support:

A - 1. Continue its recent efforts in the area of the ratification of important human rights conventions, and ratify the International Convention for the Protection of All Persons from Enforced Disappearance and accede to the Convention against Torture (France);

A - 2. Sign and ratify the Convention against Torture (Italy, Spain); ratify the Convention against Torture (Denmark, Switzerland); ratify the Convention against Torture in a timely fashion (Japan); sign and ratify the Convention against Torture as soon as possible and implement its provisions (United Kingdom); become a party to the Convention against Torture (Canada);

A - 3. Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Spain);

A - 4. Review periodically its reservations to the ICCPR, as recommended by the Human Rights Committee in its general comment 24 (Brazil);

A - 5. Harmonize national legislation with the international obligations under the respective conventions (Germany);

A - 6. Continue its efforts to ensure that the provisions of international human rights conventions to which it is a party are incorporated into domestic law (Thailand);

A - 7. Pursue the adoption of the draft law on the rights of persons with disabilities in accordance with its international obligations, particularly under the International Convention on the Rights of Persons with Disabilities, ratified in 2009 (Qatar);

A - 8. Enhance the level of cooperation with treaty bodies and special procedures mandate holders, which implies submitting overdue national reports, such as in the case of CERD and CESCR, and give consideration to responding to questionnaires and requests for visits of the mandate holders (Hungary);

A - 9. Continue to cultivate its cooperation and interaction with the human rights mechanisms in seeking the support and technical assistance that will enable the Lao People's Democratic Republic to develop and implement its policies consistently and effectively (Indonesia);

A - 10. Follow up on the recommendations addressed to it by the treaty bodies and special procedures (Canada);

A - 11. Adopt and implement efficient measures to combat the persistence of trafficking and sexual exploitation (Slovakia);

A - 12. Continue efforts to curb trafficking, in cooperation with neighbouring countries, non-governmental organizations and the United Nations, including by developing safe channels of labour migration and by strengthening law enforcement, policing and awareness-raising activities (New Zealand);

A - 13. Adopt and implement a comprehensive national action plan for combating trafficking, and improve the implementation of the 2005 memorandum of understanding with Thailand on trafficking, especially along the border areas (Slovenia); examine the possibility of drafting and adopting a special law to combat trafficking in persons (Belarus);

A - 14. Continue to strive for the inclusion of a gender perspective in all of its development plans and programmes, with positive measures to achieve the effective promotion and protection of the rights of women (Bolivarian Republic of Venezuela) ; pay special attention to the promotion of the rights of women and girls by adding a gender perspective to all national strategies and action plans, including development projects (Kazakhstan); incorporate gender policies in all development plans and projects (Belarus);

A - 15. Continue to strengthen its efforts to ensure equal access for girls and women to all levels of education, including by taking concrete steps to overcome obstacles for girls' and women's access to, and completion of, education in rural areas (Norway);

A - 16. Undertake measures to assist and protect the most vulnerable social groups (Kyrgyzstan); strengthen programmes to promote and protect the human rights of vulnerable groups, such as women and children in rural areas, and persons with disabilities (Philippines); continue efforts undertaken to promote the rights of women and children, particularly in areas such as education, safety and health (Islamic Republic of Iran);

A - 17. Strengthen its efforts to combat all forms of exploitation of children in line with the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography (Netherlands);

A - 18. Continue its policies and efforts to enhance the solidarity and equality among its multi-ethnic population (Pakistan);

A - 19. Issue travel and identification documents to all Lao Hmong returnees in a timely manner, and guarantee freedom of movement (Australia);

A - 20. Continue reform programmes with the support of the international community, as reflected in the Government's Development Strategies Plan and Policies, in its efforts to further advance human rights and improve the well-being of its people (Cambodia);

- A - 21. Expedite reform of governance, public administration and the legal system aimed at deepening and broadening democratic norms, principles and standards (Malaysia);
- A - 22. Continue efforts on public administrative reforms (Viet Nam);
- A - 23. Continue efforts to further strengthen its capacity to effectively implement domestic laws (Democratic People's Republic of Korea);
- A - 24. Pursue efforts to promote a culture of law and transform Lao society into a society ruled by equity and justice (Libyan Arab Jamahiriya);
- A - 25. Focus efforts on successfully achieving improvements in the judicial system (Belarus);
- A - 26. Provide human rights training to judges, police officers, prison guards and all law enforcement officers (Brazil);
- A - 27. Increase efforts to provide human rights education to everyone involved in the judicial process, particularly people working in prisons (Japan);
- A - 28. Intensify training for its police and other enforcement authorities to improve capacities in dealing with the problem of gender violence and trafficking in women and girls (Malaysia);
- A - 29. Continue its effective policies to combat organized crime (Kyrgyzstan);
- A - 30. Strengthen its legal complaints system to ensure that women have effective access to justice (Finland);
- A - 31. Continue efforts to eradicate poverty and ensure sustainable development (Russian Federation); continue efforts to eradicate poverty (Belarus); continue efforts to alleviate poverty as a means to enhance the lives and well-being of the people (Thailand); continue efforts to achieve the country's poverty alleviation goals (Pakistan); continue efforts towards achieving the poverty alleviation goals, and implement strategic plans and programmes related to poverty alleviation, including the national strategy for growth and the realization of the development goals (Libyan Arab Jamahiriya); continue efforts to achieve the country's poverty alleviation goals (Tajikistan);
- A - 32. Continue the implementation of existing programmes and projects to enhance various socio-economic rights with a view to achieving the Millennium Development Goals (Islamic Republic of Iran); continue the steadfast implementation of its national development strategies and plans aimed at poverty alleviation (Philippines); continue to support the implementation of the socioeconomic development plan aimed at the eradication of poverty in the country (Cuba);
- A - 33. Continue to take active measures to develop remote mountainous areas in order to reduce the gap between mountainous regions and urban regions (China); enhance efforts to build and improve infrastructure in rural areas (Pakistan);
- A - 34. Continue its fight against poverty and in particular against malnutrition in rural areas and, to that end, identify its needs in terms of technical and financial assistance, and consider requesting the aid of United Nations agencies and programmes competent in this area (Algeria);
- A - 35. Continue efforts to provide basic health and education services for vulnerable segments of its population, and continue its commitment to a people-oriented development policy by tackling poverty-related issues through investment in social infrastructure and by addressing the probable shortcomings in this regard (Myanmar);
- A - 36. Further strengthen measures to promote health care, the quality of education and job creation for the people living in rural and remote areas (Viet Nam);
- A - 37. Continue the implementation of ongoing policies and programmes to guarantee access for the entire population to health services and quality education (Cuba);
- A - 38. Undertake the efforts necessary to increase the budget for social programmes, particularly regarding education and adequate food (Mexico);

A - 39. Continue the implementation of the national health care programme (Tajikistan);

A - 40. Continue to strengthen efforts to reduce maternal and infant mortality, including by developing the midwifery workforce and making the services of skilled birth attendants available, accessible and, where necessary, free of charge (Norway);

A - 41. Take further action to further reduce the high rate of maternal and infant mortality and provide full access to health care and health education by women, and address problems relating to poverty, hard work and illiteracy (Kazakhstan);

A - 42. Provide vaccination to all segments of society, especially women and children, in order to reduce mortality rates and raise life expectancy (Libyan Arab Jamahiriya);

A - 43. Continue to improve the quality of education and further increase access to education for the Lao multi-ethnic people (Democratic People's Republic of Korea); improve the quality of education and increase access to education (Tajikistan); continue its commendable efforts with a view to improving access to education for its citizens (Algeria);

A - 44. Continue its current reform programme in the education system to provide a better education for its people throughout the country, particularly in rural areas (Islamic Republic of Iran); further pursue efforts to develop education, particularly in rural areas of the country (Kyrgyzstan);

A - 45. Undertake more effective measures to ensure the accessibility of crucial public services, such as education and healthcare, to the general population, particularly those living in rural areas (Malaysia);

A - 46. Continue to increase investment in education to endeavour to raise the level of education for the whole nation in order to meet the requirements for social and economic development (China);

A - 47. Continue activities to increase access for children to education, promote maternal and infant health, and eradicate trafficking in persons (Belarus);

A - 48. Seek to introduce human rights sensitization in school and university curriculums (Qatar);

A - 49. Enhance cooperation at the regional and international levels with relevant stakeholders with a view to achieving relevant Millennium Development Goals, related to poverty eradication, nutrition, sanitation and environmental sustainability (Malaysia);

A - 50. Seek further technical assistance from relevant international organizations to ensure continual success on the path towards achieving human rights and equal access to education, health, employment and livelihood for all (Maldives);

A - 51. Seek the technical assistance of the international community, in light of the present stage of development in Laos, in order to provide it with needed assistance in strengthening the capacity of its national mechanisms responsible for preparing periodic reports for treaty bodies, and in training its law enforcement officials, judges and police officers in the area of human rights (Egypt);

A - 52. Further enhance and strengthen the work of the ASEAN Intergovernmental Human Rights Commission to effectively promote and protect the human rights and fundamental freedoms of the peoples of ASEAN (Indonesia);

A - 53. Involve civil society, including human rights non-governmental organizations, in the follow-up to this review (United Kingdom).

97. The following recommendations enjoy the support of Laos, which considers that they are already implemented or in the process of implementation:

A - 1. Strengthen its commitment to ensuring that the fundamental rights of minorities are better respected (Switzerland);

A - 2. Allow privately owned media outlets to be established (New Zealand);

A - 3. Remove all Internet monitoring and control facilities restricting the use of the Internet (Netherlands).

98. The following recommendations will be examined by Laos, which will provide responses in due course, but no later than the fifteenth session of the Human Rights Council, in September 2010:

R - 1. Ratify the two optional protocols to the ICCPR (Canada, Luxembourg, Spain);

R - 2. Accede to and ratify the Second Optional Protocol to the International Covenant on Civil and Political Rights, aimed at the abolition of the death penalty (Australia, Slovenia);

R - 3. Ratify the Second Optional Protocol of the ICCPR, and formally establish a moratorium on the use of the death penalty with a view to its abolition (Italy);

R - 4. Sign and ratify the Optional Protocol to the Convention against Torture (Switzerland, Spain);

R - 5. Ratify the Optional Protocol to CEDAW (Canada, Spain);

A - 6. Ratify/accede to the Rome Statute of the ICC (Canada, France, Luxembourg);

R - 7. Sign and ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Spain);

A - 8. Consider acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Egypt);

R - 9. Ratify the 1967 Protocol relating to the Status of Refugees (Switzerland);

A - 10. Become a party to the Ottawa Convention on Landmines (Canada);

A - 11. Further harmonize its national legislation with the international obligations of Laos under the respective conventions, and accede to instruments allowing for individual complaints (Finland);

A - 12. Develop a national human rights plan of action to improve awareness of the conventions to which the Lao People's Democratic Republic is a party, and encourage civil society engagement on human rights issues (Germany);

R - 13. Consider issuing a standing invitation to special procedures (Brazil); consider extending an open invitation to the special procedures (Armenia);

R - 14. Extend an open and standing invitation to all special procedures (Spain); issue a standing invitation to the special procedures (Canada);

R - 15. Invite the Special Rapporteur on human rights defenders to visit the country in the near future (Norway);

A - 16. Seek the assistance of the Special Rapporteur on adequate housing to mitigate the problem of the lack of adequate land and assistance to the rural population (Spain);

R - 17. Adopt measures to legally abolish the death penalty (Germany);

R - 18. Broaden the current de facto moratorium on the death penalty so as to abolish it in all cases, including serious crimes, and sign and ratify the Second Optional Protocol to the ICCPR (Spain);

R - 19. Impose an immediate de jure moratorium on executions, with a view to the complete abolition of the death penalty for all crimes (Belgium);

R - 20. Commute without delay death sentences to prison terms, and definitively abolish capital punishment in all circumstances (France); abolish the death penalty, which is still in effect despite the de facto moratorium on capital punishment (Finland);

A - 21. Adopt and implement a national action plan to combat trafficking in persons, emphasizing the protection of indigenous women and migrants (Mexico);

A - 22. Take measures to guarantee effective access for women victims of gender-based violence to justice, redress and protection (Brazil); heed the advice of CEDAW by adopting comprehensive measures to address all forms of violence against women and girls, in accordance with CEDAW general recommendation 19 (Hungary);

A - 23. Widen the definition of rape in its Penal Code to include any sexual relations without the woman's consent, and remove the exception for marital rape (Slovenia);

A - 24. Recognize the rights of persons belonging to minorities and indigenous peoples as set out in international law, regardless of the names given to such groups in domestic law (Hungary);

A - 25. Ensure equitable treatment of all groups in society and, as a first step, invite the Independent Expert on Minority Issues to undertake a country visit (New Zealand);

A - 26. Include a definition for discrimination in the Constitution or other legislation (Germany);

A - 27. Consider the greater participation and incorporation of indigenous peoples in governmental decisions, and ensure that the Hmong are integrated into society on an equal footing with other citizens (Denmark);

A - 28. Adopt and implement the measures necessary to grant the Hmong the same rights and freedoms as the other members of the Lao population in accordance with international human rights standards, including through genuine engagement with the international community on the issue (Slovakia);

A - 29. Take all measures necessary to find a lasting solution to the situation of the repatriated Hmong, notably by settling the question of the legal status of persons concerned and granting refugee status to those to whom the United Nations High Commissioner for Refugees (UNHCR) has accorded the status of "person of concern", in full cooperation with UNHCR, and allowing the delivery of international assistance for resettlement, as proposed by certain States (France);

R - 30. Deepen dialogue with UNHCR regarding the situation of individuals belonging to the Hmong minority returned from third countries (Brazil);

A - 31. Allow international humanitarian organizations, including UNHCR and the diplomatic community, unfettered access to Hmong returnees, and further ensure that the Hmong people repatriated from Thailand are treated in accordance with international law, including the 158 eligible for third-country resettlement (United Kingdom); allow the international community meaningful and confidential access to Lao Hmong returnees from Thailand (New Zealand); ensure independent access for UNHCR and other international humanitarian agencies to all Lao Hmong returnees from Thailand to Lao, including in Phonekham, and assess their well-being (Australia); allow meaningful and confidential access for international groups to persons returned to the Lao People's Democratic Republic from Thailand (Canada);

A - 32. Fulfil its obligation under article 12 of the ICCPR by allowing the Lao Hmong refugees who have received third-country invitations to migrate to these countries if they wish to do so, and provide the means for them to do so (Netherlands);

A - 33. Conduct more human rights training programmes for law enforcement and judicial officials; allow access for independent international observers, especially to the penitentiary and detention centres; and offer more guarantees of independence to the judicial power, in accordance with article 14 of the ICCPR (Spain);

A - 34. Take effective measures, assigning adequate resources, to ensure respect for international standards, notably concerning the food, health and sanitation of persons deprived of their liberty, and accept the assistance and cooperation of international actors such as the ICRC (Switzerland);

A - 35. Adopt adequate measures to protect freedom of religion or belief with a view to ensuring for all the full enjoyment of the right to practice one's religion (Italy); ensure the right to practice religion freely without discrimination and in accordance with international human rights standards (Netherlands);

R - 36. End all restrictions on the right to practice one's religion of choice without discrimination (Denmark);

A - 37. Implement measures, including through legislation, to protect all citizens from discrimination due to their religious beliefs; and prosecute those involved in the persecution of religious groups (New Zealand);

A - 38. Implement all recommendations made by the Special Rapporteur on Freedom of Religion in order to remedy the situation described in her most recent report, which noted the persistence of discriminatory legal provisions and practices, which run counter to freedom of religion (France);

A - 39. Reform decree No. 92 such that it guarantees the rights to freedom of religion and belief, opinion and expression as set out in the ICCPR, and take steps to improve the awareness of State officials of their duty to protect these rights (United Kingdom);

A - 40. Ensure that relevant authorities, particularly at the local and district levels, are aware of their duty to protect individuals' right to freedom of religion (Australia);

A - 41. Fully implement legal provisions protecting freedom of speech in accordance with the ICCPR (Canada);

R - 42. Lift existing restrictions on freedom of expression, and guarantee the free activity of civil society and human rights organizations (France);

A - 43. Review domestic legislation on the media in order to bring it into line with article 19 of the ICCPR (Italy);

A - 44. Amend further its Law on the Media, the Law on Publication and other related regulations to comply with international human rights standards (Slovakia);

R - 45. Revoke laws that allow for the suppression of the rights to freedom of assembly and expression (New Zealand);

A - 46. Allow media and civil society organizations to undertake education, advocacy, monitoring and reporting on human rights issues (Australia);

A - 47. Comply fully with article 25 of the ICCPR, relating to the right to political participation (Mexico);

A - 48. Increase the budget for health so as to strengthen primary care, in particular in rural areas, including sexual education, and ensure that programmes for family planning and awareness duly take into account the traditions and physical obstacles faced by women in rural areas (Luxembourg).

99. The recommendations set out below did not enjoy the support of Laos:

R - 1. Consider establishing a national human rights institution in accordance with the Paris Principles (Egypt);

R - 2. Establish an independent national human rights institution, in conformity with the Paris Principles (Germany); establish a national human rights institution in accordance with the Paris Principles (Canada);

R - 3. Free those persons who were detained owing to their participation in peaceful demonstrations, and in particular the student leaders who were arrested in 1999 (Belgium).

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