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Statement

**By H.E Mr. Thongphane Savanhphet, Permanent Representative
of the Lao PDR to the United Nations Office
and other International Organizations in Geneva,
Head of the Lao Delegation to the 29th Session of the Human Rights
Council on the Adoption of UPR Outcome Report for the Lao PDR,
Geneva, 25 June 2015**

Mr. President,
Ladies and Gentlemen,

It is my great pleasure and honour to present our report, on behalf of the Lao delegation at this 29th Session of the Human Rights Council, on the adoption of the UPR outcome report on the Lao PDR. The Lao Government attaches importance to the UPR process as a useful mechanism in providing States with a good opportunity to highlight their efforts in improving human rights in their respective countries. My delegation welcomes the presence of the Council's members, other UN members, international organizations and non-governmental organizations at today's meeting.

Mr. President,

At the 21st Session of the UPR Working Group in January 2015, the high level Lao delegation had a very constructive and fruitful engagement in the interactive dialogue on the promotion and protection of human rights in the Lao PDR. We would like to sincerely thank the delegations for their positive comments on achievements in the national socio-economic development of our country and on our efforts in advancing human rights for the Lao multi-ethnic people. My delegation also appreciates the recommendations they have made to encourage the Lao PDR to take steps forward in the promotion and protection of human rights.

Following the UPR second cycle in January 2015, the Lao PDR received 196 recommendations from Council members and observer countries. After the January session, the National Steering Committee on Human Rights, comprising the Ministry of Foreign Affairs and key agencies, conducted debriefings, reviews and consultations among government agencies, mass organizations, representatives of the diplomatic community, civil society organizations, international non-governmental organizations on the UPR outcome and recommendations. These include debriefings by the Ministry of Foreign Affairs on the UPR outcome for the media on 30 January 2015 and for

the Government agencies on 16 February 2015, and consultation meetings with key agencies in the National Steering Committee on Human Rights on 22 April 2015 and with representatives of the diplomatic community, CSOs and INGOs on 14 May 2015. This clearly demonstrates the Lao PDR's real interest in raising further awareness of all peoples on human rights. Furthermore, at the 4th Bilateral Human Rights Dialogue between the Lao PDR and Australia, held on 6 March 2015 in Canberra, the UPR was among the topics discussed at the dialogue. All inputs, views and comments from government agencies and stakeholders were taken into account in the consideration by the Government of the recommendations. The on-going process of the amendment of the Lao PDR's Constitution and Penal Code, and the formulation of the 8th Five-Year National Socio-Economic Development Plan 2016-2020 as well as other national action plans also include economic, social, cultural, civil and political rights dimensions, including the UPR recommendations.

I would like to inform the Council that among the 196 recommendations the Lao PDR fully supported 116 of them and noted the remaining recommendations. The noted recommendations did not enjoy the full support of the Lao PDR because some recommendations can be only partially supported or they were not in line with the Lao PDR Constitution and laws or they did not reflect the real situation in the country or the Lao PDR was not prepared to implement them due to certain factors, including the lack of human and financial resources. We also note that most of the noted recommendations are repetitive or overlap which could be clustered into less than 20 recommendations. However, the Lao PDR will take into account those noted recommendations in our efforts in the promotion and protection of human rights in the country. The responses regarding the 196 recommendations with explanations are provided in the Addendum A/HRC/29/7/Add.1.

In this regard, please allow me to briefly provide our positions on some of our responses to the recommendations we have received:

On accession to international human rights conventions. The Lao PDR attaches importance to the international conventions and protocols as recommended by some countries. The Lao PDR is now a party to 7 core Human Rights Conventions namely ICERD, CEDAW, ICCPR, ICESCR, CRPD, CAT and CRC and its two optional protocols concerning sale of children, child prostitution and child pornography, and on the involvement of child in armed conflict. The Lao PDR and the CRC committee members held their meeting to consider reports of the two optional protocols on Lao PDR on 27 May 2015 in Geneva. In this regard, I wish to inform the Council that the Lao PDR is considering to ratify the Convention on the Protection of All Persons from Enforced Disappearance. Regarding other conventions and optional protocols,

the Lao PDR needs more time to study and create necessary conditions for future accession, including the Convention on the Protection of Rights of Migrant Workers and their Family Members and the Rome Statute of the International Criminal Court (ICC). On the recommendations relating to the optional protocols allowing individual complaints, the Lao PDR needs to concentrate its efforts to implement the ratified conventions as the first priority, including strengthening the national procedures in dealing with complaints.

With respect to extending a standing/open invitation to special procedures. The Lao PDR recognizes the role of special procedures in the promotion and protection of human rights in accordance with the principles of the UN Charter and international law. In the spirit of cooperation, the Lao PDR will extend an invitation to the Special Rapporteur on the right to Adequate Housing and will maintain regular dialogue with other special rapporteurs. Invitation to other Special Rapporteurs will be studied and considered by the Government on a case by case basis.

Regarding abolishing death penalty, imposing a moratorium on executions, and on ratification of the 2nd Protocol to the ICCPR. In the Lao PDR, death penalty is intended to deter the most serious crimes. Although death penalty is in existence in the Penal Law, no case of death sentence has ever been executed for a long time in the country. Furthermore, death penalty is not applicable to a minor under 18 and a pregnant woman. A person sentenced to death has the right to appeal for a commuted sentence, and for being pardoned on special national occasions. At this stage, the Lao PDR is determined to consider revising the Penal Law so as to fully be in line with the obligations under ICCPR's Article 6, therefore, we need more time to further study the 2nd Protocol to the ICCPR.

With respect to freedoms of speech, press, expression and assembly. The Constitution, the Media Law, the Law on Publication, Penal Law and other relevant laws and regulations clearly provide for freedom of press and expression in conformity with international norms and practices. All citizens have the right to express their opinions and make comments on the state administration. No laws in the Lao PDR allow for the suppression or obstruction of the exercise of fundamental rights. In 2014, the Government issued a Decree on Internet in order to manage and facilitate internet use. This Decree provides a legal basis in the enjoyment of the right to access to information and expression of opinions in a more responsible manner. On recommendations concerning CSOs and INGOs, the Law on Mass Media, the Decrees on Associations, Foundations, and INGOs and the Guidelines on the Implementation of the INGOs Decree shall provide legal framework for activities of these organizations. Local non-profit associations (NPAs) and

INGOs were consulted on the UPR recommendations of the second cycle review as an example of their involvement in the UPR.

On the missing case of Mr. Sombath Somphone: during the UPR Session for the Lao PDR in January 2015, the Head of the Lao delegation provided clarification and explanation on the missing case. Today, I would like to reassure that the concerned authorities of the Lao PDR have conducted and are still seriously conducting the investigation and will continue to do so to find out the truth and to bring perpetrators to justice in accordance with the law of the Lao PDR. A missing case is complex and difficult to solve quickly, we need time and our concerned authorities are trying their utmost efforts under the law of the Lao PDR.

Mr. President,

The achievements of the country in the national socio-economic development and in the promotion and protection of human rights for the Lao multi-ethnic people over the past years have been possible, thanks to the proper policies of the Lao Government and also to the contributions, cooperation and assistance from the international community.

On behalf of the Lao Government, I would like to express our sincere appreciation to the international community for the valuable support towards our country's development and for the contribution, including through the UPR process, to efforts of the Lao PDR to better promote and protect human rights in the country.

Finally, I look forward to hearing views and comments from delegations present here today at this meeting.

Now I would like to give the floor back to the President to proceed.

I thank you for your kind attention.