

Lao PDR

Mid-term Implementation Assessment



*Promoting and strengthening
the Universal Periodic Review*
<http://www.upr-info.org>



Introduction

1. Purpose of the follow-up programme

The second and subsequent cycles of the review should focus on, inter alia, the implementation of the accepted recommendations and the development of the human rights situation in the State under review.

A/HRC/RES/16/21, 12 April 2011 (Annex I C § 6)

The Universal Periodic Review (UPR) process takes place every four and half years; however, some recommendations can be implemented immediately. In order to reduce this interval, we have created an update process to evaluate the human rights situation two years after the examination at the UPR.

Broadly speaking, *UPR Info* seeks to ensure the respect of commitments made in the UPR, but also, more specifically, to give stakeholders the opportunity to share their opinion on the commitments. To this end, about two years after the review, *UPR Info* invites States, NGOs, and National Institutions for Human Rights (NHRI) to share their comments on the implementation (or lack thereof) of recommendations adopted at the Human Rights Council (HRC) plenary session.

For this purpose, *UPR Info* publishes a Mid-term Implementation Assessment (MIA) including responses from each stakeholder. The MIA is meant to show how all stakeholders are disposed to follow through on, and implement their commitments. States should implement the recommendations that they have accepted, and civil society should monitor that implementation.

While the follow-up's importance has been highlighted by the HRC, no precise directives regarding the follow-up procedure have been set until now. Therefore, *UPR Info* is willing to share good practices as soon as possible, and to strengthen the collaboration pattern between States and stakeholders. Unless the UPR's follow-up is seriously considered, the UPR mechanism as a whole could be adversely affected.

The methodology used by UPR Info to collect data and to calculate index is described at the end of this document.

Geneva, 11 February 2013

Follow-up Outcomes

1. Sources and results

All data are available at the following address:

<http://followup.upr-info.org/index/country/laos>

We invite the reader to consult that webpage since all recommendations, all stakeholders' reports, as well as the unedited comments can be found at the same internet address.

14 stakeholders' reports were submitted for the UPR. 6 NGOs were contacted. 1 UN agency was contacted. The Permanent Mission to the UN was contacted. No domestic NHRI does exist.

4 NGOs responded to our enquiry. The UN agency did not respond. The State under Review did not respond to our enquiry.

IRI: 37 recommendations are not implemented, 7 recommendations are partially implemented, and 4 recommendations are fully implemented. No answer was received for 97 out of 150 recommendations (full list of unanswered recommendations is available at the end of this document).

2. Index

Hereby the issues which the MIA deals with:

rec. n°	Issue	page	IRI
1	Right to education	page 16	not impl.
3	Special procedures	page 20	not impl.
5	Freedom of the press, Civil society,	page 6	not impl.
6	Indigenous peoples, Asylum-seekers - refugees,	page 17	not impl.
7	Human rights education and training, Freedom of religion and belief,	page 6	partially impl.
8	Indigenous peoples, Freedom of movement, Asylum-seekers - refugees,	page 17	not impl.
9	Women's rights, Trafficking, Rights of the Child, Right to health, Right to education,	page 16	not impl.
16	Special procedures	page 20	not impl.



rec. n°	Issue	page	IRI
17	Indigenous peoples	page 18	not impl.
26	Treaty bodies, Special procedures,	page 20	not impl.
27	International instruments, Freedom of opinion and expression,	page 9	not impl.
28	Special procedures	page 20	not impl.
36	Indigenous peoples	page 18	not impl.
37	Freedom of religion and belief	page 10	partially impl.
38	Torture and other CID treatment, International instruments,	page 21	fully impl.
43	Justice, International instruments,	page 22	not impl.
47	Special procedures, Freedom of religion and belief,	page 11	not impl.
48	Freedom of opinion and expression, Civil society,	page 12	partially impl.
49	Justice, International instruments,	page 22	not impl.
52	National plan of action, Civil society,	page 24	not impl.
55	Other	page 24	not impl.
59	Treaty bodies, Technical assistance, Special procedures,	page 24	partially impl.
60	General	page 25	not impl.
61	Women's rights, Rights of the Child, Right to health, Right to education,	page 23	not impl.
62	Right to education	page 16	not impl.
64	Freedom of religion and belief	page 12	partially impl.
65	International instruments, Death penalty,	page 22	not impl.
67	Torture and other CID treatment, International instruments,	page 21	fully impl.
73	Right to education	page 16	not impl.
80	Justice, International instruments,	page 22	not impl.
82	Justice	page 22	not impl.
84	Right to health, Right to education,	page 16	not impl.
85	Technical assistance, Right to health, Right to education,	page 25	-
90	Freedom of religion and belief	page 12	partially impl.
92	Freedom of opinion and expression	page 13	not impl.
94	Freedom of the press	page 13	not impl.
95	Indigenous peoples, Asylum-seekers - refugees,	page 19	-
98	Freedom of religion and belief	page 14	partially impl.
101	Right to education, Minorities,	page 17	not impl.
114	Technical assistance, Indigenous peoples,	page 19	not impl.
115	Freedom of the press	page 15	not impl.
118	Women's rights	page 23	not impl.
120	Special procedures, Justice, International instruments, Human rights education and training, Detention conditions,	page 17	not impl.
121	Special procedures	page 20	not impl.
125	Special procedures, Right to land, Right to housing,	page 22	not impl.
130	Torture and other CID treatment, International instruments,	page 21	fully impl.
133	Technical assistance, Right to health, Right to food,	page 17	not impl.
136	Right to education	page 16	not impl.
138	International instruments	page 15	-



rec. n°	Issue	page	IRI
140	UPR process, Civil society,	page 15	-
141	International instruments, Freedom of religion and belief, Freedom of opinion and expression,	page 15	not impl.
142	Torture and other CID treatment, International instruments,	page 21	fully impl.
150	Treaty bodies, International instruments,	page 22	-

3. Feedbacks on recommendations

CP Rights

Recommendation n°5: *Allow media and civil society organizations to undertake education, advocacy, monitoring and reporting on human rights issues (Recommended by Australia)*

IRI: *not implemented*

Christian Solidarity Worldwide (CSW) response:

In 2012 the Lao PDR Government made welcome steps towards working with civil society organisations, including organisations focusing on women's welfare, development and health. However, this new openness towards NGOs and CSOs does not extend to those working on more sensitive human rights issues, such as freedom of religion or belief and freedom of expression, and vaguely worded national security laws can still be used against such organisations.

Mouvement Laotien pour les Droits de l'Homme (MLDH) response:

En pratique, la liberté d'expression est interdite au Laos, malgré l'article 44 de la constitution de 2003 stipulant que «tout citoyen Lao a le droit et la liberté de parole et d'assemblée; et a le droit de créer des associations et d'organiser des manifestations». Les libertés d'expression et d'opinion sont fortement limitées par les lois protégeant la sécurité nationale, couramment utilisées pour justifier les cas d'arrestations arbitraires des minorités ethniques et religieuses, ou de ceux qui revendiquent une justice sociale. Le gouvernement exerce un contrôle total sur toute forme de média.

Trois parlementaires de l'Asean qui se sont rendus du 13 au 15 janvier [2013] à Vientiane pour demander aux autorités laotiennes où en était l'enquête sur la disparition de Sombath Somphone, un travailleur social laotien enlevé le 15 décembre [2012], avouent leur déception. «Nous sommes loin d'être satisfaits des explications reçues», a indiqué lors d'une conférence de presse à Bangkok le 16 janvier [2013] d'un membre de la délégation. «Notre impression est que nos interlocuteurs au Laos lisaient un script qui leur avait été donné par quelqu'un d'autre».

Recommendation n°7: *Ensure that relevant authorities, particularly at the local and district levels, are aware of their duty to protect individuals' right to freedom of religion (Recommended by Australia)*

IRI: *partially implemented*

Tandem Project (TP) response:

The constitution and some laws and policies protect religious freedom; however, enforcement of these laws and policies at the district and local levels was mixed.



Other laws and policies restricted this right in practice, and the government generally enforced these restrictions. The government demonstrated a slight trend toward improvement in respect for and protection of the right to religious freedom through ongoing outreach to the provinces to educate the population on religious freedom – US State Dept. 2011 IRFR

CSW response:

Laos has seen some improvements in religious freedom recently, including a reduction in the number of Christian prisoners of conscience and in the average length of sentence. However, there are still significant restrictions on the observance of Christianity. In general, ethnic minority groups in remote, rural areas are more likely to experience problems with the authorities and with their own communities. CSW is particularly concerned about several recent cases in which non-elected village elders, as opposed to government-appointed village leaders, have attempted to force converts to recant, or have demanded that they be arrested. In October 2012, for example, the provincial authorities ordered the release of three Christian pastors from Phin district of Savannakhet after determining that there were insufficient grounds for their arrest. However, Phin district authorities ignored the order to release the pastors and instead kept them in detention while they sought further evidence. On 18 October the district police authorities summoned the government-elected village chief and the non-elected elders and one detainee's family members to the district police headquarters, where the chief and elders demanded that the detainee and the six other Christian families in the village take part in an animistic ritual which required them to recant their faith by way of an oath. Following their refusal, over 200 believers from six villages were pressured to participate in traditional rituals to indicate their return to their "original" animist religion. The villagers were told that if they refused, they would be evicted and the sentences of the three Christians arrested would be extended for three years. The Governor of Savannakhet and the Lao National Assembly office intervened and prevented these measures from being carried out.

MLDH response:

La RDPL [*editor's note: République démocratique populaire lao*] a accepté ce point, mais a rejeté le point 37, ce qui est totalement contradictoire et démontre la non transparence ou le double langage de la RDPL. L'article 43 de la constitution amendée de 2003 et le décret n°92 de 2002 [ne sont pas] respectés. La répression contre les chrétiens n'a pas diminuée et s'est même intensifiée en 2012. Les intimidations et les menaces prennent des formes différentes, telles que la coupure d'eau courante, le refus des droits sociaux, l'empoisonnement du bétail, et jeter des pierres ou brûler les maisons des chrétiens, comme dans la province de Savannakhet. Les autorités locales auraient encouragé les villageois non-chrétiens à jeter des pierres sur leurs maisons, ou de les brûler avec des torches. Ceux qui ont été libérés après avoir signé une renonciation à leur religion ne sont pas libres de continuer leurs activités, et sont sous la surveillance des autorités locales. Beaucoup de chrétiens du Laos sont aussi des minorités ethniques, donc la répression contre eux correspond souvent à une double discrimination.



Le 11 septembre, la police du district de Phin, dans la province de Savannakhet (au centre du Laos) ont arrêté trois pasteurs - pasteur Bounleuth du village d'Alowma, pasteur Adang du village de Kengsainoy, pasteur Onkeaw du village de Kapang – ils sont détenus dans la prison du district de Phin avec les pieds et les mains enchaînés. Deux autres leaders chrétiens non-identifiés ont aussi été arrêtés et transférés à Savannakhet.

Il faut souligner que chaque fois qu'un média international ou qu'un gouvernement occidental dénonce les arrestations de chrétiens au Laos, les autorités de la RDPL en libèrent quelques uns, et en arrêtent d'autres, parfois les mêmes ultérieurement. Leur détention peut durer plusieurs jours, plusieurs semaines voir plusieurs années. Les autorités ont le pouvoir discrétionnaire de décider de manière arbitraire la durée de leur incarcération.

Le gouvernement ne semble pas vouloir, ou pouvoir mettre un terme à l'intimidation et à la persécution de chrétiens par les acteurs locaux, les autorités incluses, ou d'établir la responsabilité de ceux qui ont perpétré ces violations des droits de l'homme.

Le 21 décembre 2011, les autorités du village de Natou, dans le district de Phalangsay de la province de Savannakhet (centre du Laos), ont convoqué quatre dirigeants d'une communauté de 47 chrétiens dans le village, menaçant de «les chasser du village s'ils ne renonçaient pas à leur foi».

Cet incident s'est passé moins d'une semaine après que les autorités du village de Bounkham (situé à 5 km de Natou), dans le district d'Adsaphangthong de la province de Savannakhet aient arrêté huit dirigeants d'une communauté de 200 chrétiens: Messieurs Phouphet, Oun, Somphong, Ma, Kai, Wanta, Kingmanosorn et Mme Kaithong – pour avoir organisé des célébrations de Noël, et cela après qu'ils aient obtenu l'autorisation au préalable pour la conduite de cet événement. Ils ont été libérés le 30 décembre 2011, suite au paiement de leur caution par l'église évangélique lao.

Le 7 janvier 2012, les autorités du district de Saybouli, dans la province de Savannakhet, ont confisqué l'église du village de Nadeng, empêchant les chrétiens d'entrer dans l'église pour prier.

Le 22 février, les autorités de ce même district ont confisqué une église construite 37 ans auparavant dans le village de Kengweng. Les chrétiens ont été interdits de prier à cause de restrictions strictes sur les rassemblements chrétiens dans le village.

Le 18 février, dix familles chrétiennes du village de Houaykong, dans le district de Pakoo de la province de Luangprabang, ont été forcées par les autorités de choisir entre le renoncement à leur foi ou d'être expulsés du village dans les 30 jours suivants.

Le 5 avril, les autorités ont confisqué et fermé une église protestante dans le village de Khamnonsung, dans le district de Saybouli de la province de Savannakhet.



Le 18 avril, un étudiant Lao appartenant à une minorité ethnique et six chrétiens Thaï ont été arrêtés pour avoir participé à une messe chrétienne dans le district de Luang Namtha, de la province de Luang Namtha (nord du Laos).

Le 6 juin, la police du district de Sing, dans la province de Luang Namtha (nord du Laos), a arrêté le pasteur Asa (appartenant au groupe ethnique Akha), pour avoir «amené les gens vers le christianisme». Il est toujours en prison.

Le 16 juin, la police du district de Long, de la province de Luang Namtha, a arrêté 4 chrétiens, dont 2 citoyens Thaï, pour avoir parlé de la bible avec un homme lao. Les 4 chrétiens ont été détenus pendant six semaines sans aucune charge. Après avoir été interrogés par la police, ils ont dû payer une petite amende pour être libéré.

Le 10 août, les autorités du village de Nongpong, du district de Khamkeut, dans la province de Bolikhamsay (centre du Laos), ont expulsé M. Bountheung de son village pour avoir «converti 300 personnes de son village au christianisme». Il n'a eu droit qu'à une semaine pour vendre sa maison et sa propriété. Il a finalement été arrêté le 20 juin 2012 sous le prétexte que sa religion est inacceptable pour les autres habitants du village. Aucun procès n'aurait eu lieu.

Le 11 septembre, la police du district de Phin, dans la province de Savannakhet (au centre du Laos) ont arrêté trois pasteurs - pasteur Bounleuth du village d'Alowma, pasteur Adang du village de Kengsainoy, pasteur Onkeaw du village de Kapang – ils sont détenus dans la prison du district de Phin avec les pieds et les mains enchaînés. Deux autres leaders chrétiens non-identifiés ont aussi été arrêtés et transférés à Savannakhet.

Recommendation n°27: *Fully implement legal provisions protecting freedom of speech in accordance with the ICCPR (Recommended by Canada)*

IRI: *not implemented*

MLDH response:

Le code pénal interdit toute critique du gouvernement, de l'État et de la politique du parti unique ou de se lancer dans des actes de propagande ayant pour objectif d'affaiblir l'État. Il est interdit d'écouter, d'être en possession, ou de lire des documents critiquant le gouvernement.

Une loi sur les médias, attendue pendant des années, a été adoptée par l'assemblée nationale en juillet 2008. La loi n'a pas changé les mesures drastiques contre la liberté d'expression, et met l'accent sur les obligations des médias nationaux envers la RDPL. Elle demande notamment aux journalistes: «d'informer, de faire de la propagande, de défendre la ligne du parti et les lois de l'État», et de se maintenir solidaire de la profession en «servant la politique du parti», et enfin elle interdit les journalistes de «critiquer et d'attaquer la RDPL». Dans son index recensant la liberté de la presse 2011/2012, Reporters Sans Frontières place la RDPL au rang de 165e sur 179 pays.

Le 27 juin 2012, les autorités laotiennes ont brusquement annulé la diffusion du très populaire programme radio interactif 'Vao Khao' (Discussion sur les informations), le seul programme de la Radio Nationale Lao qui permettait aux auditeurs de



commenter de manière anonyme, les informations, ainsi que les sujets tabous tels la justice sociale, l'expropriation, ou la corruption depuis novembre 2007. Le présentateur, Ounkèo Souksavanh, attend toujours une raison officielle expliquant l'interruption du programme de la part du ministère de l'information et de la culture. Suite à l'interruption du programme, le présentateur a soulevé le sujet avec des représentants de l'Union Européenne à Vientiane et s'est vu assuré que la question de la liberté d'expression serait soulevée lors de l'ASEM9.

Recommendation n°37: *End all restrictions on the right to practice one's religion of choice without discrimination* (Recommended by Denmark)

IRI: partially implemented

TP response:

The constitution and some laws and policies protect religious freedom; however, enforcement of these laws and policies at the district and local levels was mixed. Other laws and policies restricted this right in practice, and the government generally enforced these restrictions. The government demonstrated a slight trend toward improvement in respect for and protection of the right to religious freedom through ongoing outreach to the provinces to educate the population on religious freedom – US State Dept. 2011 IRFR

Congress of World Hmong People (CWHP) response:

The Hmong people believe in diversity of religions, currently, Animist, Shamanism, Shongluism, and Christian. The most persecuted religions they face today is Christian. The list go on and below are some recently :

- May 5, 2011 Christian killed in Lao ; alarming religious freedom abuses continue (Canada Freepress)
- Jun 27, 2011 UNPO – Hmong Increased Religious Persecution and Human Rights
- July 14, 2011 Massacre of Hmong Christians – Christian Persecution Magazine (Christianpersecution)
- Dec 27, 2011 International Agencies Call to End Persecution of Christians in Laos (Christianpost)
- Dec 31, 2012 Hmong Christians Killed, Imprisoned in Crackdown (worldwatchmonitor)

1971 the Lao government used T-28 fighter bombed the Temple in Hoy Kin Nin, Xaysombun killing the Pastor and his followers, the ethnic war between Hmong and Lao began from here on to today.

CSW response:

Laos has seen some improvements in religious freedom recently, including a reduction in the number of Christian prisoners of conscience and in the average length of sentence. However, there are still significant restrictions on the observance of Christianity, which is seen as a 'foreign' religion. In general, ethnic minority groups in remote, rural areas are more likely to experience problems with the authorities and with their own communities. Violations against Christians include detainment without charge/trial, eviction, confiscation of land and livestock, destruction of property,



harassment and discrimination, and forced disappearance. CSW is particularly concerned about several recent cases in which non-elected village elders, as opposed to government-appointed village leaders, have attempted to force converts to recant, or have demanded that they be arrested. Training in religious freedom legislation for officials at all levels of governance, and for unelected village leaders, is essential to ensure the protection of religious liberty for all religious adherents in Laos.

MLDH response:

[...]

Recommendation n°47: 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 (Recommended by France)

IRI: not implemented

TP response:

Decree 92 reserves for the Lao Front for National Construction (LFNC) - the national agency responsible for religious affairs, ethnic relations, and other issues sensitive to the government and party - the “right and duty to manage and promote” religious practice, requiring that nearly all aspects of religious practice receive the approval of an LFNC branch office. Some cases require approval from the central-level LFNC. - US State Dept. 2011 IRFR

CSW response:

The 2012 Report of the Special Rapporteur on freedom of religion or belief, Asma Jahangir (hereafter SR) specified that all legislative text should “avoid imposing vaguely worded obligations on religious communities, including with regard to registration procedures, and should discontinue the extensive oversight powers currently given to various government entities in this regard”. However, the restrictive clauses in Decree 92, including articles 7-9 and 12-20 relating to registration and management of religious groups, have not been amended at the time of writing.

The SR also encouraged Laos to review its declaration of 25 September 2009 which states that all acts creating division among religions are incompatible with article 18 of the ICCPR. It is unclear to what degree the Government has complied.

The SR also urged central and provincial authorities to ensure that the local administration level ceases ordering evictions or otherwise trying to coerce Christians to renounce their faith. However, CSW is aware of several such cases: in January 2012, 48 people from their village in Saravan province were evicted at gunpoint in an effort to force them to recant. In October 2012, a village chief and elders in Savannakhet pressured over 200 believers from six villages to participate in traditional rituals to indicate their return to their “original” animist religion. In this case, higher authorities intervened: nevertheless, this case indicates the need for training for local officials and for investigations into cases of unlawful imprisonment.



In the 2010 report the SR called for the immediate release of religious prisoners of conscience, including Mr. Boon Chanh. Boon Chanh was released in February 2012; however, rumours of 'dark prisons' where religious prisoners are detained without trial continue to circulate. In 2010, CSW heard that Mr Boonthong of Luang Namtha province, who disappeared on 3 July 2004 along with his wife and then seven-year-old son, was being kept in such a prison. CSW is unable to verify this information. If these 'dark prisons' exist, their operation runs contrary to the recommendation of the SR on FORB that "detention facilities are the object of intense public scrutiny and put in place effective complaints mechanisms".

MLDH response:

Pour ce fait la RDP Lao doit mettre en application : Le décret n°92 de 2002 sur "le contrôle et la protection des activités religieuses dans la RDPL", qui réglemente jusqu'au moindre détail le contrôle du parti sur les organisations religieuses, de la construction de bâtiments, la formation des gestionnaires, les relations avec les organisations étrangères, les donations reçues de l'étranger, jusqu'à l'impression de livres et documents religieux. D'une part, la section 1 de l'article 4 établit que: «les citoyens Lao, les résidents étrangers, les apatrides et les étrangers ayant un permis de séjour temporaire dans la RDPL, ont le droit de pratiquer une activité religieuse ou de prendre part aux célébrations religieuses dans les églises ou les temples de leur religion, situés dans le pays.». D'autre part, la section 1 de l'article 2 rappelle que «le seul but des activités religieuses dans la République Démocratique Populaire Lao, est de soutenir et de servir le développement du pays»

Recommendation n°48: *Lift existing restrictions on freedom of expression, and guarantee the free activity of civil society and human rights organizations* (Recommended by France)

IRI: *partially implemented*

CSW response:

In 2012 the Lao PDR Government made welcome steps towards working with civil society organisations, including organisations focusing on women's welfare, development and health. However, this new openness towards NGOs and CSOs does not extend to those working on more sensitive human rights issues, such as freedom of religion or belief and freedom of expression, and vaguely worded national security laws can still be used against such organisations.

Recommendation n°64: *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* (Recommended by Italy)

IRI: *partially implemented*

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Recommendation n°90: *Ensure the right to practice religion freely without discrimination and in accordance with international human rights standards* (Recommended by Netherlands)

IRI: *partially implemented*

TP response:

The law does not recognize a state religion; however, the government's financial support and promotion of Buddhism, along with its willingness to exempt Buddhist



groups from a number of restrictions, gave the religion an elevated status – US State Dept. 2011 IRFR

CSW response:

Laos has seen some improvements in religious freedom recently, including a reduction in the number of Christian prisoners of conscience and in the average length of sentence. However, there are still significant restrictions on the observance of Christianity, which is seen as a ‘foreign’ religion. In general, ethnic minority groups in remote, rural areas are more likely to experience problems with the authorities and with their own communities. Violations against Christians include detainment without charge/trial, eviction, confiscation of land and livestock, destruction of property, harassment and discrimination, and forced disappearance. CSW is particularly concerned about several recent cases in which non-elected village elders, as opposed to government-appointed village leaders, have attempted to force converts to recant, or have demanded that they be arrested. Training in religious freedom legislation for officials at all levels of governance, and for unelected village leaders, is essential to ensure the protection of religious liberty for all religious adherents in Laos.

MLDH response:

D'après l'article 43 de la constitution amendée de 2003, «Les citoyens Lao ont le droit et la liberté de croire ou de ne pas croire aux religions». En pratique, le ministère de l'intérieur, à travers le Front Lao pour la Construction Nationale, surveille et gère les affaires religieuses du pays. La pratique du Christianisme et des religions autre que le bouddhisme sont difficiles, dangereuses et souvent impossibles, surtout dans les petits villages. Dans les zones urbaines, l'Église Catholique, l'Église Évangéliste du Lao, et l'Église Adventiste du Septième Jour, sont reconnues par la RDPL, et strictement contrôlées par le Front Lao National pour la Reconstruction Nationale, et semblent être plus ou moins tolérées.

Recommendation n°92: *Remove all Internet monitoring and control facilities restricting the use of the Internet* (Recommended by Netherlands)

IRI: *not implemented*

MLDH response:

Pas fait

Recommendation n°94: *Allow privately owned media outlets to be established* (Recommended by New Zealand)

IRI: *not implemented*

MLDH response:

En 2000, un décret du Comité National Lao sur l'Internet a interdit à toute personne, organisation, ou compagnie au Laos de mentir, décevoir ou persuader le peuple à l'intérieur ou à l'extérieur du pays, de manifester contre le parti unique ou le gouvernement. Ceux qui violent ce décret sont susceptibles de recevoir une amende ou d'être ré-éduqués, renvoyés ou poursuivis d'après le code pénal. Les fournisseurs de service internet, ainsi que les propriétaires de cybercafés, doivent soumettre un rapport trimestriel aux autorités détaillant le nombre d'utilisateurs internet, leurs profils, leurs noms, leurs professions et les sites qu'ils visitent. Le bureau du Premier



Ministre requiert de tous les fournisseurs de service internet, que ceux-ci soumettent des rapports trimestriels et relient leurs portails afin de faciliter la surveillance. La capacité du gouvernement à faire appliquer cette loi est toutefois limitée. Cependant, avec la mise en place d'un Centre National Internet, le contrôle gouvernementale sur internet risque de s'intensifier, particulièrement avec le soutien de la Chine pour le développement de nouvelles infrastructures de surveillance.

Les journaux quotidiens, hebdomadaires ou mensuels publiés appartiennent au gouvernement ou à des entreprises de télévision par satellite du parti au pouvoir et servent de propagande. Ils publient très souvent les mêmes articles, mot pour mot. Chaque journaliste au Laos est un fonctionnaire du Ministère de l'information et de la Culture. Les publications en langue étrangère telles que 'Vientiane Times' en anglais, ou 'Le Rénovateur' en français, ont recours à l'auto-censure, ou traitent, les traductions officielles de textes du KPL (Khao san Pathat Lao) comme information, l'agence de presse officielle du parti. Quelques magazines culturels ou économiques privés sont sous la surveillance du ministère.

Les journalistes étrangers doivent être en possession d'un visa de travail dans le pays. Ce visa ne leur donne pas accès à des informations confidentielles, et ne leur permet pas de travailler librement ou de se déplacer sans escorte, un 'service' qu'ils doivent payer.

Recommendation n°98: 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 (Recommended by New Zealand)

IRI: partially implemented

TP response:

In its 20 articles, Decree 92 establishes guidelines for religious activities in a broad range of areas. While the decree provides that the government “respects and protects legitimate activities of believers,” it also seeks to ensure that religious practice “conforms to the laws and regulations.” Decree 92 legitimizes proselytizing by Lao citizens (but not by foreigners), printing religious materials, owning and building houses of worship, and maintaining contact with overseas religious groups; however, all of these rights are contingent upon a strict and cumbersome approval process. Decree 92 reserves for the Lao Front for National Construction (LFNC)--the national agency responsible for religious affairs, ethnic relations, and other issues sensitive to the government and party--the “right and duty to manage and promote” religious practice, requiring that nearly all aspects of religious practice receive the approval of an LFNC branch office. Some cases require approval from the central-level LFNC – US State Dept. 2011 IRFR

CSW response:

Laos has seen some improvements in religious freedom recently, including a reduction in the number of Christian prisoners of conscience and in the average length of sentence. However, there are still significant restrictions on the observance of Christianity, which is seen as a ‘foreign’ religion. In general, ethnic minority groups in remote, rural areas are more likely to experience problems with the authorities and with their own communities. Violations against Christians include detainment without



charge/trial, eviction, confiscation of land and livestock, destruction of property, harassment and discrimination, and forced disappearance. CSW is particularly concerned about several recent cases in which non-elected village elders, as opposed to government-appointed village leaders, have attempted to force converts to recant, or have demanded that they be arrested. Training in religious freedom legislation for officials at all levels of governance, and for unelected village leaders, is essential to ensure the protection of religious liberty for all religious adherents in Laos.

MLDH response:

Le gouvernement Lao a toujours refusé ou n'a jamais été capable de prendre des mesures efficaces et significatives contre les autorités provinciales et les représentants de la sécurité qui commettent de véritables violations contre les minorités ethniques protestantes. Les autorités lao continuent de percevoir l'expansion rapide du christianisme parmi les minorités ethniques, particulièrement celles qui ont longtemps résisté ou rejeté le contrôle du gouvernement, comme une importation étrangère susceptible de déstabiliser le système politique. La plupart des chrétiens issus de minorités ethniques étaient de confession animiste auparavant.

La RDP Lao doit libérer immédiatement et sans condition tous les prisonniers détenus pour avoir pratiqué leur religion.

Recommendation n°115: *Amend further its Law on the Media, the Law on Publication and other related regulations to comply with international human rights standards (Recommended by Slovakia)*

IRI: *not implemented*

MLDH response:

Pas fait.

Recommendation n°140: *Involve civil society, including human rights non-governmental organizations, in the follow-up to this review (Recommended by United Kingdom)*

IRI: -

MLDH response:

Il n'y a pas de ONG de protection des droits de l'homme en RDPL car elles ne sont pas autorisées, les seules organisations qui sont impliquées dans l'examen en cours sont des organismes du parti uniques, telles que l'Union des Femmes Lao.

Recommendation n°141: *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 (Recommended by United Kingdom)*

IRI: *not implemented*

+

Recommendation n°138: *Continue its efforts to ensure that the provisions of international human rights conventions to which it is a party are incorporated into domestic law (Recommended by Thailand)*

IRI: -



CSW response:

The ICCPR guarantees the “right to freedom of thought, conscience and religion”, including “the right to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching”. Limitations on this right are only permitted if they are “necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others”. However, the 2002 Decree Regarding Governance and Protection of Religious Activity in the Lao PDR (popularly known as “Decree 92”) confines protection to “legitimate activities of believers”, without defining what constitutes legitimate activities (Article 3). This leaves the definition of legitimacy to the arbitration of local officials. In addition, religious groups are required to register (Article 7) and state approval is required for a wide range of religious activities. Registration depends on the cooperation of local officials, which puts religious groups in a vulnerable position. There are reports that Decree 92 is to be revised; however, it is unclear when this will take place.

ESC Rights

Recommendation n°1: *Continue its commendable efforts with a view to improving access to education for its citizens* (Recommended by Algeria)

IRI: not implemented

+

Recommendation n°9: *Continue activities to increase access for children to education, promote maternal and infant health, and eradicate trafficking in persons* (Recommended by Belarus)

IRI: not implemented

+

Recommendation n°62: *Continue its current reform programme in the education system to provide a better education for its people throughout the country, particularly in rural areas* (Recommended by Iran)

IRI: not implemented

+

Recommendation n°73: *Further pursue efforts to develop education, particularly in rural areas of the country* (Recommended by Kyrgyzstan)

IRI: not implemented

+

Recommendation n°84: *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* (Recommended by Malaysia)

IRI: not implemented

+

Recommendation n°136: *Improve the quality of education and increase access to education* (Recommended by Tajikistan)

IRI: not implemented



+

Recommendation n°101: *Continue to improve the quality of education and further increase access to education for the Lao multi-ethnic people* (Recommended by DPR Korea)

IRI: *not implemented*

CSW response:

The forced eviction of Christians from their homes is an obstacle to their children's access to education. In 2011, 22 children evicted from a village in Saravan Province were unable to attend school. The children and their families were evicted by police, officials and villagers in January 2010 in order to pressure them to renounce their faith. Forced evictions disrupt family life and prevent children from attending school. To improve access to education for Lao citizens, the Lao Government must protect ethnic and religious minorities from unlawful evictions by village leaders.

Recommendation n°120: *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* (Recommended by Spain)

IRI: *not implemented*

MLDH response:

Pas fait.

Recommendation n°133: *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* (Recommended by Switzerland)

IRI: *not implemented*

MLDH response:

Pas fait.

Indigenous & Minorities

Recommendation n°6: *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* (Recommended by Australia)

IRI: *not implemented*

MLDH response:

Ceci n'a pas encore été autorisé par la RDPL,

Recommendation n°8: *Issue travel and identification documents to all Lao Hmong returnees in a timely manner, and guarantee freedom of movement* (Recommended by Australia)

IRI: *not implemented*



MLDH response:

A ce jour, la majorité des Lao-Hmongs renvoyés de Thaïlande n'ont pas de pièces d'identité les reconnaissant comme des citoyens de la RDPL.

Recommendation n°17: *Deepen dialogue with UNHCR regarding the situation of individuals belonging to the Hmong minority returned from third countries (Recommended by Brazil)*

IRI: *not implemented*

CWHP response:

Incidents reported so far on the Hmong returnee.

We have received intelligent information from Mong Kao Camp that on November of 2010, four of the individuals from the Nong Kai Refugees Camp that face repatriated to Lao facing going to the re-education camp, they are:

1. Lee Vang age 49
2. Vang age 41
3. Vang Vang age 55
4. Hue Thao Vang age 27

The above individuals have gone to the re-education system 2 times and Mr. Hue Vang was missing never came home for the 3rd times. The family was told that he is still continuing his education.

On November 2010, the local resident spots a dead body at the intersection of River Nam Nge and Nam Kong; the relative in the camp went to see the dead body and it was Mr. Hue Vangs' body.

The other three people were nowhere to be found after Mr. Vangs' murder. Mr. Chong Toua Vang, Assistant to Mr. Bla Shoua Her now in Kasi also disappeared. On 5 July 2011, a handmade grenade was detonated behind Mr. Chia Soua Yang bedside wall but missed him because he was not home at the time. The next day he was questions by Lao authorities and taken away. Because of his non return, a day later they found him hang face down into a water wells. He died from severed beaten, and drowning. Investigation was poorly exercise into these matters.

CSW response:

CSW has received reports which claim that Hmong Christians have been forced to recant their faith or have been put under extreme pressure to do so. Sources inside the country claim that the Hmong community are still suffering the effects of previous ill treatment including confiscation of their land.

Recommendation n°36: *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 (Recommended by Denmark)*

IRI: *not implemented*



CSW response:

CSW has received reports which claim that Hmong Christians have been forced to recant their faith or have been put under extreme pressure to do so. Sources inside the country claim that the Hmong community are still suffering the effects of previous ill treatment including confiscation of their land.

MLDH response:

En mars 2010, la RDPL a organisé et dirigé une visite pour les diplomates et les journalistes étrangers, mais ne permettant pas d'interactions libres et sans supervision avec les Hmongs afin d'établir le traitement qui leur est infligé par les autorités. Depuis, la RDPL a interdit l'accès à ces camps aux organisations humanitaires internationales indépendantes. Malgré ce qu'affirment les autorités, les Hmongs rapatriés ont été victimes d'emprisonnement, de ré-éducation et de discrimination et ils n'ont pas reçu de cartes d'identités.

Selon de nombreuses sources, le gouvernement de la RDPL utilise fréquemment les charges draconiennes associées à la culpabilité par association pour punir les Hmongs, poussant des milliers d'entre eux à fuir vers la jungle, et à se disperser afin d'échapper aux autorités, en particulier l'armée. Ils survivent de racines et de feuilles en évitant de faire du feu, de faire pousser des légumes ou de construire des abris permanents. A la fin des années 70, leur population était estimée à 20 000. Il n'en resterait plus que 3'000 aujourd'hui.

Depuis la guerre du Vietnam, Les Hmongs sont la minorité ethnique la plus persécutée, et ce à cause du soutien de leurs dirigeants pour les troupes américaines.

Recommendation n°95: Allow the international community meaningful and confidential access to Lao Hmong returnees from Thailand (Recommended by New Zealand)

IRI: -

CSW response:

CSW has received reports which claim that Hmong Christians have been forced to recant their faith or have been put under extreme pressure to do so. Sources inside the country claim that the Hmong community are still suffering the effects of previous ill treatment including confiscation of their land.

Recommendation n°114: 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 (Recommended by Slovakia)

IRI: not implemented

TP response:

The prime minister's Decree on Religious Practice (Decree 92) is the principal legal instrument defining rules for religious practice. Decree 92 defines the government's role as the final arbiter of permissible religious activities. Although this decree has contributed to greater religious tolerance since it was promulgated in 2002,



authorities have used its many conditions to restrict aspects of religious practice, particularly at the district and local level. US State Dept. 2011 I RFR

CSW response:

CSW has received reports which claim that Hmong Christians have been forced to recant their faith or have been put under extreme pressure to do so. Sources inside the country claim that the Hmong community are still suffering the effects of previous ill treatment including confiscation of their land.

MLDH response:

Pas fait.

International Instruments

Recommendation n°3: *Consider extending an open invitation to the special procedures* (Recommended by Armenia)

IRI: *not implemented*

+

Recommendation n°16: *Consider issuing a standing invitation to special procedures* (Recommended by Brazil)

IRI: *not implemented*

+

Recommendation n°28: *Issue a standing invitation to the special procedures* (Recommended by Canada)

IRI: *not implemented*

+

Recommendation n°121: *Extend an open and standing invitation to all special procedures* (Recommended by Spain)

IRI: *not implemented*

CWHP response:

[...]

CSW response:

The Special Rapporteur on Freedom of Religion or Belief last visited Laos in November 2009. No further invitation has been issued and Lao PDR has rejected the recommendation that it extend an open invitation to all special procedures.

Recommendation n°26: *Follow up on the recommendations addressed to it by the treaty bodies and special procedures* (Recommended by Canada)

IRI: *not implemented*

CSW response:

The 2012 Report of the Special Rapporteur on freedom of religion or belief, Asma Jahangir (hereafter SR) specified that all legislative text should “avoid imposing vaguely worded obligations on religious communities, including with regard to registration procedures, and should discontinue the extensive oversight powers



currently given to various government entities in this regard”. However, the restrictive clauses in Decree 92, including articles 7-9 and 12-20 relating to registration and management of religious groups, have not been amended at the time of writing.

The SR also encouraged Laos to review its declaration of 25 September 2009 which states that all acts creating division among religions are incompatible with article 18 of the ICCPR. It is unclear to what degree the Government has complied.

The SR also urged central and provincial authorities to ensure that the local administration level ceases ordering evictions or otherwise trying to coerce Christians to renounce their faith. However, CSW is aware of several such cases: in January 2012, 48 people from their village in Saravan province were evicted at gunpoint in an effort to force them to recant. In October 2012, a village chief and elders in Savannakhet pressured over 200 believers from six villages to participate in traditional rituals to indicate their return to their “original” animist religion. In this case, higher authorities intervened: nevertheless, this case indicates the need for training for local officials and for investigations into cases of unlawful imprisonment.

In the 2010 report the SR called for the immediate release of religious prisoners of conscience, including Mr. Boon Chanh. Boon Chanh was released in February 2012; however, rumours of ‘dark prisons’ where religious prisoners are detained without trial continue to circulate. In 2010, CSW heard that Mr Boontheong of Luang Namtha province, who disappeared on 3 July 2004 along with his wife and then seven-year-old son, was being kept in such a prison. CSW is unable to verify this information. If these ‘dark prisons’ exist, their operation runs contrary to the recommendation of the SR on FORB that “detention facilities are the object of intense public scrutiny and put in place effective complaints mechanisms”.

Recommendation n°38: *Ratify the Convention against Torture* (Recommended by Denmark)

IRI: *fully implemented*

+

Recommendation n°67: *Sign and ratify the Convention against Torture* (Recommended by Italy)

IRI: *fully implemented*

+

Recommendation n°130: *Ratify the Convention against Torture* (Recommended by Switzerland)

IRI: *fully implemented*

+

Recommendation n°142: *Sign and ratify the Convention against Torture as soon as possible and implement its provisions* (Recommended by United Kingdom)

IRI: *fully implemented*

MLDH response:

République démocratique populaire lao a signé le 21 sept 2010 et ratifié le 26 sept 2012



Recommendation n°49: *Ratify-accede to the Rome Statute of the ICC*
(Recommended by *France*)

IRI: *not implemented*

+

Recommendation n°80: *Ratify-accede to the Rome Statute of the ICC*
(Recommended by *Luxembourg*)

IRI: *not implemented*

MLDH response:

Le Statut de Rome de la Cour pénale internationale [n'est ni] signé ni ratifié à ce jour
(vu le 04/01/2013)

Recommendation n°65: *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* (Recommended by *Italy*)

IRI: *not implemented*

MLDH response:

Non-appliquée/dernière exécution 1989, l'application de la peine de mort toujours maintenue.

Recommendation n°125: *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* (Recommended by *Spain*)

IRI: *not implemented*

MLDH response:

Pas fait.

Justice

Recommendation n°43: *Further harmonize its national legislation with the international obligations of Laos under the respective conventions, and accede to instruments allowing for individual complaints* (Recommended by *Finland*)

IRI: *not implemented*

MLDH response:

Pas fait.

Recommendation n°82: *Expedite reform of governance, public administration and the legal system aimed at deepening and broadening democratic norms, principles and standards* (Recommended by *Malaysia*)

IRI: *not implemented*

MLDH response:

Cela n'a été ni "accéléré", ni simplement fait.

Recommendation n°150: *The Lao PDR will endeavour to incorporate provisions of the conventions to which it is a party into domestic legislation, and to enhance the*

*implementation of those conventions in the country in a more effective way.
(Voluntary pledge made by Laos)*

IRI: -

CSW response:

The ICCPR guarantees the “right to freedom of thought, conscience and religion”, including “the right to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching”. Limitations on this right are only permitted if they are “necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others”. However, the 2002 Decree Regarding Governance and Protection of Religious Activity in the Lao PDR (popularly known as “Decree 92”) confines protection to “legitimate activities of believers”, without defining what constitutes legitimate activities (Article 3). This leaves the definition of legitimacy to the arbitration of local officials. In addition, religious groups are required to register (Article 7) and state approval is required for a wide range of religious activities. Registration depends on the cooperation of local officials, which puts religious groups in a vulnerable position. There are reports that Decree 92 is to be revised; however, it is unclear when this will take place.

Women & Children

*Recommendation n°61: Continue efforts undertaken to promote the rights of women and children, particularly in areas such as education, safety and health
(Recommended by Iran)*

IRI: *not implemented*

CSW response:

The forced eviction of Christians from their homes is an obstacle to their children's access to education. In 2011, 22 children evicted from a village in Saravan Province were unable to attend school. The children and their families were evicted by police, officials and villagers in January 2010 in order to pressure them to renounce their faith. Forced evictions disrupt family life and prevent children from attending school. To improve access to education for Lao citizens, the Lao Government must protect ethnic and religious minorities from unlawful evictions by village leaders.

*Recommendation n°118: 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
(Recommended by Slovenia)*

IRI: *not implemented*

MLDH response:

Pas fait.

Other

Recommendation n°52: *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 (Recommended by Germany)*

IRI: *not implemented*

CSW response:

In 2012 the Lao PDR Government made welcome steps towards working with civil society organisations, including organisations focusing on women's welfare, development and health. However, this new openness towards NGOs and CSOs does not extend to those working on more sensitive human rights issues, such as freedom of religion or belief and freedom of expression, and vaguely worded national security laws can still be used against such organisations. A human rights plan of action should include a commitment to address all human rights concerns in the country, and a pledge to hold accountable officials and other perpetrators of human rights violations.

MLDH response:

La société civile n'est pas encouragée à s'exprimer ou s'impliquer librement sur les questions des droits de l'homme, la disparition troublante de Sombath Somphone le 15 décembre 2012 à Vientiane, figure respectée et lauréat du prix Magsaysay en 2005, sert d'exemple de ligne à ne pas dépasser dans le pays. cette disparition forcée a interpellée les sociétés civiles régionales, l'ASEAN, la Commission Européenne et le Haut Commissaire des Nations Unies.

Recommendation n°55: *Include a definition for discrimination in the Constitution or other legislation (Recommended by Germany)*

IRI: *not implemented*

CSW response:

Article 8 of the Lao Constitution prohibits "All acts creating division and discrimination among ethnic groups". However, the term 'discrimination' is not defined here or at any other point in the Constitution. Any definition of the term should include the unfair treatment of religious minorities.

MLDH response:

Pas encore fait,

Recommendation n°59: *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 (Recommended by Indonesia)*

IRI: *partially implemented*



MLDH response:

Des séminaires, avec le soutien financier extérieur, sont tenus dans différents ministères sur le respect des droits de l'homme. Dans la pratique, les règles internationales des droits de l'homme ne sont pas respectés.

Recommendation n°60: *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 (Recommended by Indonesia)*

IRI: *not implemented*

CSW response:

While it is a positive step to include the right to freedom of thought, conscience and religion in the ASEAN Human Rights Declaration (article 22), domestic legislation must conform to the provisions of this article. In addition, the Declaration's emphasis on the prime importance of "national and regional contexts" and "different cultural, religious and historical backgrounds" has the potential to justify discriminatory practices against Christians in Laos, where Christianity is seen as an outsiders' religion which runs against the cultural norms of the country.

MLDH response:

La RDPL est l'un des pays qui ralentit la construction de la promotion des droits de l'homme dans l'ASEAN.

Recommendation n°85: *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 (Recommended by Maldives)*

IRI: -

CSW response:

The forced eviction of Christians from their homes is an obstacle to their children's access to education. In 2011, 22 children evicted from a village in Saravan Province were unable to attend school. The children and their families were evicted by police, officials and villagers in January 2010 in order to pressure them to renounce their faith. Forced evictions disrupt family life and prevent children from attending school. To improve access to education for Lao citizens, the Lao Government must protect ethnic and religious minorities from unlawful evictions by village leaders.



Methodology

A. First contact

Although the methodology has to consider the specificities of each country, we applied the same procedure for data collection about all States:

1. We contacted the Permanent Mission to the UN either in Geneva (when it does exist) or New York;
2. We contacted all NGOs which took part in the process. Whenever NGOs were part of coalitions, each NGO was individually contacted;
3. The National Institution for Human Rights was contacted whenever one existed.
4. UN Agencies which sent information for the UPR were contacted.

We posted our requests to the States and NHRI, and sent emails to NGOs and UN Agencies.

The purpose of the UPR is to discuss issues and share concrete suggestions to improve human rights on the ground. Therefore, stakeholders whose objective is not to improve the human rights situation were not contacted, and those stakeholders' submissions were not taken into account.

However, since the UPR is meant to be a process which aims at sharing best practices among States and stakeholders, we take into account positive feedbacks from the latter.

B. Processing the recommendations

The persons we contact are encouraged to use an Excel sheet we provide which includes all recommendations received by the State reviewed.

Each submission is processed, whether the stakeholder has or has not used the Excel sheet. In the latter case, the submission is split up among recommendations we think it belongs to. Since such a task is more prone to misinterpretation, we strongly encourage stakeholders to use the Excel sheet.

If the stakeholder does not clearly mention neither that the recommendation was “fully implemented” nor that it was “not implemented”, UPR Info usually considers the recommendation as “partially implemented”, unless the implementation level is obvious.



UPR Info retains the right to edit comments that are considered not to directly address the recommendation in question, when comments are too lengthy or when comments are defamatory or inappropriate. While we do not mention the recommendations which were not addressed, they can be accessed unedited on the follow-up webpage.

C. Implementation Recommendation Index (IRI)

UPR Info developed an index showing the implementation level achieved by the State for the recommendations received at the UPR.

The **Implementation Recommendation Index (IRI)** is an individual recommendation index. Its purpose is to show an average of stakeholders' responses.

The *IRI* is meant to take into account stakeholders disputing the implementation of a recommendation. Whenever a stakeholder claims nothing has been implemented at all, the index score is 0. At the opposite, whenever a stakeholder claims a recommendation has been fully implemented, the *IRI* score is 1.

An average is calculated to fully reflect the many sources of information. If the State under Review claims that the recommendation has been fully implemented, and a stakeholder says it has been partially implemented, the score is 0.75.

Then the score is transformed into an implementation level, according to the table below:

Percentage:	Implementation level:
0 – 0.32	Not implemented
0.33 – 0.65	Partially implemented
0.66 – 1	Fully implemented

Example: On one side, a stakeholder comments on a recommendation requesting the establishment of a National Human Rights Institute (NHRI). On the other side, the State under review claims having partially set up the NHRI. As a result of this, the recommendation will be given an *IRI* score of 0.25, and thus the recommendation is considered as “not implemented”.

Disclaimer

The comments made by the authors (stakeholders) are theirs alone, and do not necessarily reflect the views, and opinions at UPR Info. Every attempt has been made to ensure that information provided on this page is accurate and not abusive. UPR Info cannot be held responsible for information provided in this document.



Uncommented recommendations

Hereby the recommendations which the MIA does not address:

2	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	Accepted	2	Technical assistance, Right to food, Poverty,
4	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	Rejected	5	International instruments, Death penalty,
10	Continue efforts to eradicate poverty	Belarus	Accepted	2	Poverty
11	Examine the possibility of drafting and adopting a special law to combat trafficking in persons	Belarus	Accepted	3	Trafficking
12	Focus efforts on successfully achieving improvements in the judicial system	Belarus	Accepted	4	Justice
13	Incorporate gender policies in all development plans and projects	Belarus	Accepted	5	Women's rights
14	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	Rejected	5	Freedom of association and peaceful assembly, Detention conditions,
15	Impose an immediate de jure moratorium on executions, with a view to the complete abolition of the death penalty for all crimes	Belgium	Rejected	5	Death penalty
18	Provide human rights training to judges, police officers, prison guards and all law enforcement officers	Brazil	Accepted	5	Human rights education and training
19	Review periodically its reservations to the ICCPR, as recommended by the Human Rights Committee in its general comment 24	Brazil	Accepted	3	Treaty bodies, International instruments, CP rights - general,
20	Take measures to guarantee effective access for women victims of gender-based violence to justice, redress and protection	Brazil	Accepted	4	Women's rights
21	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	Accepted	2	Development



22	Allow meaningful and confidential access for international groups to persons returned to the Lao People's Democratic Republic from Thailand	Canada	Accepted	5	Asylum-seekers - refugees
23	Become a party to the Convention against Torture	Canada	Accepted	5	Torture and other CID treatment, International instruments,
24	Become a party to the Ottawa Convention on Landmines	Canada	Accepted	5	International instruments, International humanitarian law,
25	Establish a national human rights institution in accordance with the Paris Principles	Canada	Rejected	5	NHRI
29	Ratify the Optional Protocol to CEDAW	Canada	Rejected	5	Women's rights, International instruments,
30	Ratify the two optional protocols to the ICCPR	Canada	Rejected	5	International instruments, Death penalty, CP rights - general,
31	Ratify-accede to the Rome Statute of the ICC	Canada	Accepted	5	Justice, International instruments,
32	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	Accepted	2	Right to education
33	Continue to take active measures to develop remote mountainous areas in order to reduce the gap between mountainous regions and urban regions	China	Accepted	2	Development
34	Continue the implementation of ongoing policies and programmes to guarantee access for the entire population to health services and quality education	Cuba	Accepted	2	Right to health, Right to education,
35	Continue to support the implementation of the socioeconomic development plan aimed at the eradication of poverty in the country	Cuba	Accepted	2	Poverty, Development,
39	Consider acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	Egypt	Accepted	3	Migrants, International instruments,
40	Consider establishing a national human rights institution in accordance with the Paris Principles	Egypt	Rejected	3	NHRI



41	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	Accepted	1	Treaty bodies, Technical assistance, Human rights education and training,
42	Abolish the death penalty, which is still in effect despite the de facto moratorium on capital punishment	Finland	Rejected	5	Death penalty
44	Strengthen its legal complaints system to ensure that women have effective access to justice	Finland	Accepted	4	Women's rights
45	Commute without delay death sentences to prison terms, and definitively abolish capital punishment in all circumstances	France	Rejected	5	Death penalty
46	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	Accepted	2	Torture and other CID treatment, International instruments, Enforced disappearances,
50	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	Accepted	5	Indigenous peoples, Asylum-seekers - refugees,
51	Adopt measures to legally abolish the death penalty	Germany	Rejected	5	Death penalty
53	Establish an independent national human rights institution, in conformity with the Paris Principles	Germany	Rejected	5	NHRI
54	Harmonize national legislation with the international obligations under the respective conventions	Germany	Accepted	5	International instruments
56	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 CESCRC, and give consideration to responding to questionnaires and requests for visits of the mandate holders	Hungary	Accepted	5	Treaty bodies, Special procedures, Racial discrimination, ESC rights - general,



57	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	Accepted	4	Women's rights, Treaty bodies, Rights of the Child,
58	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	Accepted	4	Minorities, Indigenous peoples,
63	Continue the implementation of existing programmes and projects to enhance various socio-economic rights with a view to achieving the Millennium Development Goals	Iran	Accepted	2	ESC rights - general, Development,
66	Review domestic legislation on the media in order to bring it into line with article 19 of the ICCPR	Italy	Accepted	3	International instruments, Freedom of the press,
68	Increase efforts to provide human rights education to everyone involved in the judicial process, particularly people working in prisons	Japan	Accepted	4	Human rights education and training, Detention conditions,
69	Ratify the Convention against Torture in a timely fashion	Japan	Accepted	5	Torture and other CID treatment, International instruments,
70	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	Accepted	5	Women's rights, Rights of the Child,
71	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	Accepted	4	Women's rights, Rights of the Child, Right to health, Right to education, Poverty, Labour,
72	Continue its effective policies to combat organized crime	Kyrgyzstan	Accepted	2	Public security
74	Undertake measures to assist and protect the most vulnerable social groups	Kyrgyzstan	Accepted	4	Minorities
75	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	Libya	Accepted	2	Poverty, Development,
76	Provide vaccination to all segments of society, especially women and children, in order to reduce mortality rates and raise life expectancy	Libya	Accepted	5	Women's rights, Rights of the Child, Right to health,
77	Pursue efforts to promote a culture of law and transform Lao society into a society ruled by equity and justice	Libya	Accepted	2	Justice



78	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	Accepted	5	Women's rights, Right to health,
79	Ratify the two optional protocols to the ICCPR	Luxembourg	Rejected	5	International instruments, Death penalty, CP rights - general,
81	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	Accepted	1	Right to health, Right to food, Poverty, Environment, Development,
83	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	Accepted	4	Women's rights, Trafficking, Rights of the Child, Human rights education and training,
86	Adopt and implement a national action plan to combat trafficking in persons, emphasizing the protection of indigenous women and migrants	Mexico	Accepted	5	Women's rights, Trafficking, National plan of action, Migrants, Indigenous peoples,
87	Comply fully with article 25 of the ICCPR, relating to the right to political participation	Mexico	Accepted	4	CP rights - general
88	Undertake the efforts necessary to increase the budget for social programmes, particularly regarding education and adequate food	Mexico	Accepted	4	Right to food, Right to education,
89	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	Accepted	2	Right to health, Right to education, Poverty,
91	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	Accepted	4	International instruments, Indigenous peoples, Asylum-seekers - refugees,



93	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	Accepted	4	Rights of the Child, International instruments,
96	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	Accepted	4	Trafficking, Technical assistance, Human rights education and training,
97	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	Accepted	4	Special procedures, Minorities,
99	Revoke laws that allow for the suppression of the rights to freedom of assembly and expression	New Zealand	Rejected	5	Freedom of opinion and expression, Freedom of association and peaceful assembly,
100	Continue efforts to further strengthen its capacity to effectively implement domestic laws	DPR Korea	Accepted	2	Justice
102	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	Accepted	4	Women's rights, Rights of the Child, Right to health,
103	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	Accepted	4	Women's rights, Rights of the Child, Right to education,
104	Invite the Special Rapporteur on human rights defenders to visit the country in the near future	Norway	Rejected	5	Special procedures, Human rights defenders,
105	Continue efforts to achieve the country's poverty alleviation goals	Pakistan	Accepted	2	Poverty
106	Continue its policies and efforts to enhance the solidarity and equality among its multi-ethnic population	Pakistan	Accepted	2	Minorities
107	Enhance efforts to build and improve infrastructure in rural areas	Pakistan	Accepted	4	Development
108	Continue the steadfast implementation of its national development strategies and plans aimed at poverty alleviation	Philippines	Accepted	2	Poverty



109	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	Accepted	4	Women's rights, Rights of the Child, Disabilities,
110	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	Accepted	2	International instruments, Disabilities,
111	Seek to introduce human rights sensitization in school and university curriculums	Qatar	Accepted	1	Human rights education and training
112	Continue efforts to eradicate poverty and ensure sustainable development	Russian Federation	Accepted	2	Poverty, Development,
113	Adopt and implement efficient measures to combat the persistence of trafficking and sexual exploitation	Slovakia	Accepted	4	Trafficking
116	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	Slovenia	Rejected	5	International instruments, Death penalty,
117	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	Accepted	5	Trafficking, National plan of action,
119	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	Rejected	5	International instruments, Death penalty,
122	Ratify the International Convention for the Protection of All Persons from Enforced Disappearance	Spain	Accepted	5	International instruments, Enforced disappearances,
123	Ratify the Optional Protocol to CEDAW	Spain	Rejected	5	Women's rights, International instruments,
124	Ratify the two optional protocols to the ICCPR	Spain	Rejected	5	International instruments, Death penalty, CP rights - general,
126	Sign and ratify the Convention against Torture	Spain	Accepted	5	Torture and other CID treatment, International instruments,
127	Sign and ratify the Optional Protocol to the Convention against Torture	Spain	Rejected	5	Torture and other CID treatment, International instruments,



128	Sign and ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities	Spain	Rejected	5	International instruments, Disabilities,
129	Ratify the 1967 Protocol relating to the Status of Refugees	Switzerland	Rejected	5	International instruments, Asylum-seekers - refugees,
131	Sign and ratify the Optional Protocol to the Convention against Torture	Switzerland	Rejected	5	Torture and other CID treatment, International instruments,
132	Strengthen its commitment to ensuring that the fundamental rights of minorities are better respected	Switzerland	Accepted	4	Minorities
134	Continue efforts to achieve the country's poverty alleviation goals	Tajikistan	Accepted	2	Poverty
135	Continue the implementation of the national health care programme	Tajikistan	Accepted	2	Right to health
137	Continue efforts to alleviate poverty as a means to enhance the lives and well-being of the people	Thailand	Accepted	2	Poverty
139	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	Accepted	5	International instruments, Indigenous peoples, Asylum-seekers - refugees,
143	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	Venezuela	Accepted	2	Women's rights
144	Continue efforts on public administrative reforms	Viet Nam	Accepted	2	Other
145	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	Accepted	4	Right to health, Right to education, Development,
146	The Lao PDR will consider signing the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment and Punishment (CAT), ratifying the Convention on the Protection of All Persons from Enforced Disappearance, acceding to human rights conventions and other conventions such as the International Labour Organizations (ILO) conventions, etc.	Laos	Voluntary Pledge	3	Torture and other CID treatment, Labour, International instruments, Enforced disappearances,



147	The Lao PDR will continue to disseminate information about human rights conventions to officials, civil servants, officers at the central and local levels and to the general public, including the youth and children.	Laos	Voluntary Pledge	2	International instruments, Human rights education and training,
148	The Lao PDR will continue to exchange lessons and experiences with the international community in order to enhance cooperation and technical assistance to promote and protect human rights.	Laos	Voluntary Pledge	2	Technical assistance
149	The Lao PDR will cooperate and support the work of the UN human rights mechanisms, including the Human Rights Council, fulfill the reporting obligations under human rights treaties, cooperate with the Special Procedures by extending invitation to Special Rapporteurs on thematic issues to visit the country as appropriate.	Laos	Voluntary Pledge	5	Special procedures

A= Action Category (see on [our website](#))
 SMR = State making recommendation

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