

STATEMENT

UPR Pre-Session on Lao PDR

Geneva, 11 December 2019

Delivered By: Gender Development Association



Presentation of the Organization

This statement is presented on behalf of the *Gender Development Organization* (GDA), a leading non-profit and grassroots association in Lao PDR that supports social inclusion and the advancement of women, with a particular focus on rural and remote communities. As GDA is the first Lao-based Non-Profit Association to participate in the UPR process, we extend our utmost gratitude and recognition to the Government of Laos and the Lao People's Revolutionary Party for their continued support and commitment to promoting the advancement of women, gender equality, and the elimination of all forms of discrimination against women, as well as the opportunity to engage in the UPR process as a representative of Lao people.

National consultations for the Drafting of the National Report

The Ministry of Foreign Affairs undertook a multilateral consultative approach in developing the National Report. Firstly, an inter-ministerial consultation was held with legislative and judicial representatives. This was followed by two consultation sessions held in 2018 and 2019, which brought together; Foreign Embassies in Lao PDR, UN Network Partners, International Non-Governmental Organizations (INGO's), Private Sector entities, and other development agencies. The Ministry of Foreign Affairs also engaged periodically with Civil Society Organizations (CSO's), offering training workshops on the UPR process and State Reporting mechanisms. Several consultative sessions were organized whereby participating CSO's were divided into subgroups according to sector, to allow for more comprehensive and fruitful discussions based on their relevant rights areas. During the Final Consultative Session in October 2019, the Ministry of Foreign Affairs presented the Draft National Report to CSO's for final comments, before its submission in November.

Plan of the Statement

The following statement will address three key issues: **(1)** Unpaid & Informal Women Workers, **(2)** Women's Political Participation, and **(3)** Child, Early & Forced Marriage. Each issue will present a primary challenge facing women's economic, political, and social development, respectively.

STATEMENT

Unpaid & Informal Women Workers

i) Since the Last Review

The Government of Laos has taken considerable steps to address the socio-economic challenges facing unpaid and informal women workers. In 2015 the Law on Civil Servants was adopted, in addition to the Amended Law on

Labour in 2013, which includes equal employment between men and women, and provisions for women's occupational safety, health and maternity benefits, and protection. Furthermore, the Law on Social Security adopted in 2013, allows for all informal workers to voluntarily contribute to the National Social Security Fund. The Lao Federation of Trade Unions, a mass organization under the purview of the Ministry of Labour & Social Welfare, has been diligent in its endeavours to support the informal labour sector; with special considerations for improving women's economic empowerment, access to employment, and education. Lastly, the Lao Statistics Bureau has made a concerted effort to provide data disaggregated by gender, which has enabled informed and gender-sensitive policy-dialogue and strategic programming.

ii) Developments on the Issue

Despite the multilateral efforts and implementation of temporary special measures under the 8th National Five-Year Socioeconomic Development Plan 2016-2020, women still dominate the informal sector and comprise the largest proportion of unpaid family workers. According to the ILO's Decent Work Country Programme in 2017, 61% of women in the labour force are unpaid family workers. Women also make up 45.6% of contributing family workers, which accounts for the biggest share of employment. As noted in the Concluding Observations of CEDAW during the combined 8th and 9th Report, the primary factors contributing to the high number of women unpaid family workers are; traditional norms and discriminatory stereotypes regarding gender roles; and the low level of educational attainment among women, especially in poor rural and remote communities who are disproportionately marginalized. With limited knowledge and access to labour protection, social benefits, or remuneration, women are especially vulnerable to extreme poverty, poor health, and an overall lower quality of life. Furthermore, traditional gender norms and social structures that prioritize women's roles to household tasks and family care, increases dependence on male family members and can enable conditions for gender-based violence.

iii) Recommendation

The Gender Development Association acknowledges the strong efforts and investment the Government of Laos has made in prioritizing unpaid and informal women workers, and would like to recommend that considerations be made to **increase access to vocational training, especially for rural and remote women, and more importantly to ensure that access is localized.** Effective measures to localize vocational training may include:

- a) Ensuring training and learning materials are available in local dialects to reduce marginalization of non-Lao speaking communities, and in multiple mediums to support oral-based knowledge systems.
- b) Conducting training at the village level to mitigate factors that typically hinder women's participation such as; safety risks, domestic tasks, and family/child care.
- c) Improving access to markets for rural communities so that the benefits of education can be reflected in income generation.

Women's Political Participation

i) Since the Last Review

The Lao National Assembly Women's Caucus has been diligent in collaborating with governmental bodies and contributing valuable input to ensure the rights of women are represented in policy-dialogue and legislative processes, at all levels. The Lao Women's Union has played a strong role in promoting and coordinating will all sectors to foster enabling environments for women's leadership and engagement in the political sphere. Since the

2nd UPR Cycle of Lao PDR, the number of elected women officials has increased, most notably at the National level. The National Assembly saw a 2.5% increase of women as elected officials between the 7th and 8th Legislature. More recently, the National Assembly Women’s Caucus, the Lao Women’s Union, and the National Commission for the Advancement of Women, Mothers, and Children, have merged to strengthen the implementation of legislation and policies on gender equality, and advance the goals iterated in the Lao Women’s Strategic Development Plan 2025. According to the National Review of Beijing +25 (BPfA+25), the Government of Laos identifies ‘increasing women’s political participation’ as one of the top five priorities for accelerating progress for women and girls.

ii) Developments on the Issue

According to the Concluding Observations of CEDAW in the combined 8th and 9th Report, the Government of Laos has made notable progress in increasing the participation of women in public office, especially the National Assembly. However most targets for the representation of women, which are set at 20-25%, are unable to produce a critical mass for change. Furthermore, efforts to increase the number of women in decision-making positions have not been reflected in provincial and local levels, where women constitute only 8% of Deputy Provincial Governors, and 6% of District Mayors. These figures are marginally reduced in rural and remote communities, where women constitute only 2.6% of Village Chiefs, as of 2018. Criteria for earning political affiliation, which requires a minimum level of education and socio-economic status, is typically a factor that intensifies intersections among women and favours traditionally privileged groups. Moreover, criteria based on high moral standing and reputation within the community may indirectly deter women from reporting domestic abuse or situations of gender based violence. In rural and remote communities, patrilocal structures, capacity gaps from lower levels of education, and disproportionate workloads that occupy women with domestic responsibilities, are all factors which limit their decision-making capacity, political participation, and leadership opportunities. Without pluralistic representation in all levels of governance, the needs and interests of marginalized women will remain largely unaddressed.

iii) Recommendation

The Gender Development Association firstly recognizes the consistent endeavours the Government of Laos has undertaken in prioritizing women’s political participation. In providing continued support to national initiatives which promote women’s leadership and engagement at the local level, particularly in rural and remote communities, the Gender Development Association would like to recommend the **enforcement of a 30% quota for women’s representation in all levels, especially Village Committees**. Additional measures that would offer meaningful impact in achieving this goal include:

- a) Improving systematic accountability by ensuring District Authorities strictly apply the gender parity quota.
- b) Increasing localized gender awareness training to change traditional patrilocal structures and enhance social awareness.
- c) Mitigating capacity gaps by amending political affiliation requirements.

Child, Early & Forced Marriage

i) Since the Last Review

After the 2nd UPR Cycle Review, the Government of Laos has acknowledged the correlation between high female secondary school dropout rates and early marriage. To address this, the Government has since invested resources

in education to promote girls' completion of secondary school, including; increasing the quota for teachers in remote areas, approving education development projects that target equality for men and women, and providing conducive environments for girls to attend school. Since early marriage remains widely accepted, particularly in rural and remote areas, the Government has taken a multi-sectoral, comprehensive, and coordinated approach which is reflected in the Noi 2030 Framework. The Noi approach aims at monitoring the progress towards addressing early marriage and adolescent pregnancy, and works to shift cultural norms and social behaviours that perpetuate harmful practices. Finally, the Family Law (amended in 2015) sets the minimum age of marriage at 18 years. Penalties for unlawful marriage include; a 1-3 year prison sentence, and fine of 1-3 million LAK (\$110 - \$340 USD). Reporting mechanism have also been implemented at the Provincial and District levels. Furthermore, action plans have been implemented to disseminate information and raise awareness of the provisions in the Family Law through the Lao Women's Union, as they have representatives in all levels of Government.

ii) Developments on the Issue

Lao PDR has the highest rate of child, early and forced marriage in the ASEAN region. Despite the efforts made to legally prohibit early marriage, unless sufficient measures are taken to address the root causes, harmful practices will continue unfettered. According to the Lao Social Indicator Survey (LSIS 2016/2017), 23.5% of girls aged 15-19 years are already married, and the proportion of girls of the same age group in rural areas is up to 27.1%. As high rates of early marriage contributes to increased adolescent birth rates, Lao PDR also has the highest figures in South East Asia with 83 births per 1000 girls aged 15-19 years. In rural and remote areas, early marriage is widely accepted as a cultural norm. In addition to traditional practices, early marriage offers economic benefits to girls' families as they are provided with labour and financial support by dowries. Despite initiatives under the National Action Plan (2016-2020) to disseminate information and promote awareness of provisions under the Family Law and legal ramifications, unless effective measures are taken to ensure; information is available in multiple languages and mediums to account for non-Lao dialects and oral-based knowledge systems, especially in rural and remote communities where early marriage is most prevalent; strict enforcement and application of the Family Law by District Authorities; and multilateral efforts to shift social behaviour, future initiatives will not be successful.

iii) Recommendation

Further to the efforts the Government of Laos has already undertaken in amending the Family Law, the Gender Development Association recommends a **more focused approach on future initiatives to ensure the strict application and enforcement of the Family Law, and undertaking effective measures for increasing knowledge and awareness, especially in rural and remote communities**. Proposed strategies for the coordinated achievement of implementing this recommendation and achieving progress on reducing the rates of child, early and forced marriage include:

- a) Improving legal literacy, particularly on the minimum age for marriage and subsequent penalties, through localized information dissemination that accounts for multiple dialects and mediums of knowledge transfer.
- b) Engaging community leaders in raising awareness and shifting social behaviour and harmful traditional practices.
- c) Taking comprehensive measures to support girls' completion of secondary school.

Thank you kindly for your time and consideration.