

Statement by
H.E. Mr. Phongsavath BOUPHA, Vice-Minister of Foreign Affairs,
Head of the Lao Delegation at the Eighth Session of
Human Rights Council Working Group on Universal Periodic Review,
May 4, 2010, Geneva, Switzerland

Mr. President,
Distinguished delegates,

The Lao Delegation is delighted to participate in the Universal Periodic Review (UPR) of the UN Human Rights Council, which we consider an important process to take stock of achievements, identify constraints and opportunities in promoting and protecting human rights. My Delegation is composed of representatives of Ministry of Foreign Affairs, the National Assembly, Ministry of Justice, Ministry of Public Security, Ministry of National Defense, Lao Front for National Construction, Lao Women's Union, and Lao Journalists' Association.

Mr. President,

In order to undertake a UPR and prepare a national report, the Lao Government has set up a National Steering Committee composed of the representatives of concerned Government agencies and institutions including mass organizations. The UPR was carried out on the basis of participatory principle. In this context, a series of consultations and workshops had been conducted and involved all stakeholders such as politicians, media, social and civil servants, academia, religious practitioners, social organizations namely Lao Bar Association, Lao Journalists' Association, Lao Disabled People's Association, Lao Red Cross Society, as well as the representatives of UN agencies and other international organizations including international non-governmental organizations. The Lao PDR also attended a number of international and regional seminars on UPR with a view to learning and sharing experience with the international community. In this context, let me take this opportunity to express our appreciation to the Geneva-based Center for Humanitarian Dialogue and the Regional Office of the High Commissioner for Human Rights for their support and cooperation in the preparation process for our UPR.

The National Report of the Lao PDR under Universal Periodic Review has already been submitted to the Council and circulated among member states. It provides an extensive account on the development of human rights in the country, particularly in the context of the Universal Declaration of Human Rights. We would like to express our thanks to those countries that have communicated to us advanced written questions and comments, to which we have already responded. Nevertheless, I would like to highlight some of the important areas and address the questions and concerns expressed by member states.

Mr. President,

Almost over a century, the Lao multi-ethnic people had been under the colonialism and foreign aggression; their fundamental rights including human rights had been violated and deprived. The remnant of foreign aggression has continued to impact on the livelihood of the Lao innocent people. It was only after the Lao People's Democratic Republic had been established in 1975 that the Lao multi-ethnic people were liberated and their fundamental human rights have gradually been restored and protected. The fundamental human rights of the Lao multi-ethnic people are now enshrined in the Constitution of the Lao PDR, which provides political, civil, economic, social and cultural rights to all Lao citizens without distinction as to sex, social status, education, religion, ethnicity or any other ground. In addition, these rights are also protected by various national laws and legislations that have been adopted over the past three decades since the establishment of the Lao PDR.

The Lao Government is striving towards a state governed by the rule of laws and promotion of human rights. It pursues a human rights policy that is rooted in the people's morals, the country's history, culture and national development. The struggle for national liberation and independence and national development, the well-being and prosperity of the Lao multi-ethnic people as well as their inherent human dignity and inalienable rights and freedoms have always been the core of the Lao Government's human right policy.

Mr. President,

In order to ensure the prosperity and well-being of the Lao multi-ethnic people, the Lao Government has embarked on various socio-economic development strategies and plans such as an introduction of the New Economic Mechanism that opened up the national economy since

1986. A series of concrete development strategies and plans were adopted with a view to improving the living standard and well-being of the Lao people. As a result, a number of achievements have been recorded, for instance, the economic growth rate averages at 7% annually; per capita income has now reached \$905 in 2009, compared to less than \$200 in the 1970s. Poverty has decreased from 49% in 1990 to about 25% in 2009. In social sector, progress has also been made, for example, school enrolment rate reached 91.6 %; literacy rate of people aged above 15 is 77.09 %; under five child mortality rate has dropped to 98 per 1,000 live births; infant mortality rate has decreased to 70 per 1,000 births. Maternal mortality rate has decreased to 405 deaths per 100,000 births; and life expectancy has risen to over 60 years compared to about 50 years in 1995.

In parallel with socio-economic development, the Lao Government has exerted its greater effort to improve environment conducive to the promotion of human rights and democracy. To this end, the Government has adopted a Legal Sector Master Plan which sets out a vision to build a state ruled by law by 2020. A reform in the governance sector is considered as one of the top priorities to ensure a transparent, accountable and participatory system in providing better public services to the people. Today, the Lao multi-ethnic people have increasingly enjoyed their rights and freedoms and are equal before the law and the court, a judicial independence has been strengthened to ensure a fair trial, and the capacity of judges, prosecutors, lawyers and police officers as well as Lao Bar Association have been enhanced.

Mr. President,

The Lao Government has also undertaken a strong action to promote and protect human rights of the vulnerable and the minor. To protect the rights of women and children and in addition to the implementation of CEDAW and CRC, the Government has adopted Laws on the Development and Protection of Women and Law on the Protection of the Rights and Interests of Children. As a result of the Government's effort, gender equality and the advancement of women in the political, social and cultural life has been enhanced; now women account for 25,2% of the National Assembly deputies. An increasing number of women hold high-ranking positions in the government, including the posts of minister, vice-minister, departmental chiefs, etc. At the local levels, there are many women who are provincial vice-governors, district chiefs, deputy district chiefs, heads and deputy heads of provincial and district departments and

offices. Women are also among the elected village heads and deputy village heads. The Government is determined to further increase the proportion of women working in the public and private sectors and this is being implemented through gender mainstreaming in all fields at the country level and at the local levels.

Mr. President,

The Lao Government considers international cooperation in the area of human rights as one of our international commitments. In this regard, the Lao PDR has already acceded to a number of human rights related international instruments including the six core human rights conventions and two optional protocols. In addition, the country is also a signatory to the Convention on the Protection of All Persons from Enforced Disappearance, making it one of the few countries in the region to sign this core human rights treaty. These international instruments have gradually been translated into the Lao national laws and concrete measures. Furthermore, the Lao PDR has played an active role in the ASEAN Inter-Governmental Commission on Human Rights, engaged in a bilateral exchange of lessons, experience and good practices in the promotion and protection of human rights through the human rights dialogues with Sweden, Australia and the European Union.

The recent visit to the Lao PDR by Ms. Asma Jahangir, the UN Special Rapporteur on Freedom of Religion or Belief, has also reflected the Government's sincerity to work with the international community in addressing human rights related concerns. We appreciate the Special Rapporteur for a positive assessment and constructive recommendations on how to proceed further in this regard. I can assure that the Lao PDR would take appropriate measures to ensure that no incidence infringing upon this fundamental freedom is tolerated in the Lao PDR as religious freedom is guaranteed in the Constitution and the Prime Minister's Decree on religious activities, whereby, all Lao citizens have the rights to believe or not to believe in any religion; all religions are equal before the law and receive the protection of the law on an equal footing.

Mr. President,

Let me now address some of the more specific aspects of human rights issue that member states have raised.

Firstly, I would like to stress that, torture has long been outlawed in the Lao PDR. Acts of torture, illegal measures and maltreatment in relation to suspects and prisoners are considered criminal offences. The Law on Criminal Procedure does not allow anyone in any circumstances to conduct a torture or other inhumane treatment to prisoners. The Government has undertaken measures to improve prison conditions and ensure that all inmates regardless of their backgrounds including religion or ethnicity are humanely treated. To this end, a series of trainings on the UN minimum standards for prison management and on treatment of offenders have been organized for prison officers and other related personnel. Furthermore, the Lao PDR will soon consider signing the Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment.

Secondly, as regard the death penalty, I would like to emphasize that it is intended to deter the most extreme and serious crimes, particularly drugs trafficking. Although death penalty is still in existence in the Lao legal system, no case of death sentence has ever been executed. Furthermore, death penalty is not applicable to a minor and a pregnant woman. A person condemned to death has the right to appeal for a commuted sentence, and for being pardoned on special national occasions. The country has upheld a moratorium on executions already for many years and with a new development, the Lao Government will consider revising the Penal Law in the coming years.

Thirdly, Freedom of expression, assembly and association are guaranteed by the Constitution and laws. The Constitution stipulates that Lao citizens have the rights and freedoms of speech, press and assembly; and have the right to form associations and to stage demonstrations which are not contrary to the laws. The Law on Media, Law on Trade Unions and Decree on Associations have been adopted recently. These legal instruments together with the already existing constitutional and legal provisions are the firm basis for the people to enjoy these fundamental freedoms for all, violations of which are sanctioned as criminal offences in the Penal Law. The Lao Government recognizes that media plays a crucial role in promoting and protecting human rights. To date, private media including printing press, Radio and TV has significantly increased. High speed internet access and internet café/shops are available in most of major cities and towns and even in the rural areas internet access is also available and affordable without any restriction. Live radio and TV broadcasting of National Assembly debates is organized as well as a telephone hotline is

available to allow the general public to voice their concerns and complaints to the deputies.

Mr. President,

The Lao PDR is a multi-ethnic nation consisted of 49 ethnic groups living together in peace and harmony. The Constitution and the national laws as well as all Government policies encourage solidarity among all ethnic groups and strongly condemn any ethnic discrimination. The Lao Government upholds the policy of equal treatment to all ethnic groups including Lao Hmongs. Therefore, ensuring the safety and well-being of the Lao Hmongs who find themselves at risk anywhere is the duty and obligation of the Lao Government. In this regard, I would like to reiterate that all Lao Hmongs who found themselves illegal immigrants in Thailand have been safely welcomed back and resettled in the development areas and reunited with their families and relatives in the Lao PDR. These Lao Hmong people were the victims of human trafficking and economic hardship. They are at home country, they all enjoy the rights to freedom and movement within the country and to leave and return back home according to the procedures set forth in the law.

Mr. President,

While we have recorded a significant progress and achievements in advancing human right in the Lao PDR, we do recognize the constraints and challenges that we need to address for instance, limited public awareness about the laws, regulations and State's policies among the people, mostly those living in the mountainous and remote areas; legal system is still young and the implementation and enforcement of the law is inefficient.

Against this backdrop, the Lao Government has identified a number of national priorities to better promote and protect human rights of our people. The Lao Government, among others, will continue its efforts to achieve the country's poverty alleviation goals. Through continued reform of public administration as well as the legal system, the Lao PDR will enhance its efforts and further strengthen its capacity to effectively implement domestic laws, gradually build a state governed by the rule of law where human rights are fully guaranteed. Furthermore, the Lao PDR will continue to improve its judicial system to effectively ensure human rights and serve the legitimate interests of all Lao multi-ethnic people.

On this note, I wish the review session a success and we look forward to your constructive engagement and contribution to our UPR.

Thank you for your kind attention.