



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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4 December 2020

Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Lao People's Democratic Republic and welcome the constructive engagement of your Government during the 35<sup>th</sup> session of the UPR Working Group in January 2020.

As the final outcome report on the review of Lao People's Democratic Republic has been recently adopted by the Human Rights Council at its 45<sup>th</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Lao People's Democratic Republic – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and/or recommendations made by 89 delegations and the presentation made and responses provided by the delegation of Lao People's Democratic Republic. I have also considered the actions taken by the Government of Lao People's Democratic Republic to implement the 116 recommendations supported. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I welcome the adoption of the National Social Protection Strategy 2025 and acknowledge progress in some areas of economic and social rights. I welcome efforts in mainstreaming human rights in the national development strategies in view of the 9<sup>th</sup> National Socio-Economic Development Plan (NSED) 2021-2025. It is also encouraging to see the acceptance of all the recommendations with regards to combat climate change and the conservation of environment.

I also welcome the follow-up to the commitments made by Lao People's Democratic Republic at the Convention on the Rights of the Child 30<sup>th</sup> year anniversary celebrations, and the investments announced to the Nairobi Summit on International Conference on Population and Development in 2019, ensuring a normative anchoring and human rights-based approach to development.

I would encourage the establishment of a National Human Rights Institution (NHRI) in accordance with the Paris Principles, which could serve as a key State institution for the promotion and protection of human rights as well as for advising and assisting the Government to ensure that international human rights standards and obligations are incorporated in and implemented through domestic laws and policies.

I welcome strengthened actions to implement and monitor recommendations from the UPR and other human rights mechanisms. I encourage the Lao People's Democratic Republic to develop a comprehensive national human rights action plan in order to achieve concrete results in the areas highlighted in the annex to this letter and to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in

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His Excellency  
Mr. Saleumxay KOMMASITH  
Minister for Foreign Affairs  
Lao People's Democratic Republic



close consultation and cooperation with all stakeholders, in particular all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I note the establishment of the National Steering Committee on Human Rights, encouraging the Lao People's Democratic Republic to further strengthen the capacity of the Steering Committee as a national mechanism for comprehensive monitoring, reporting and follow-up in relation to recommendations received from all international and regional mechanisms and to treaty obligations, while linking these to the topic, which is available at: Sustainable Development Goals. I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf). In this regard, I understand that my Regional Office is preparing to conduct a training on the NMRF and is awaiting confirmation of dates.

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting them with the implementation of the recommendations, following the review. An important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage Lao People's Democratic Republic to consider submitting a mid-term report on follow-up to the third cycle of the review, by the end of 2022.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *"The Human Rights Council's universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council's recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals."*

I look forward to discussing with your Government ways in which my Office may assist the Lao People's Democratic Republic in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.

Michelle Bachelet  
High Commissioner for Human Rights

cc: His Excellency Mr. Bounkeut SANGSOMSAK  
Minister to the Prime Minister's Office  
Chairman of the National Human Rights Committee  
Lao People's Democratic Republic

Ms. Sara SEKKENES, United Nations Resident Coordinator  
Lao People's Democratic Republic



## Annex

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Concluding the ratification of the International Convention for the Protection of All Persons against Enforced Disappearance.
- Ratifying the international human rights instruments that have not yet been acceded to, among them: the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the ILO Convention No. 169 on Indigenous and Tribal Peoples; the ILO Convention No 189 on Domestic Workers; the ILO Convention No 105 on the Abolition of Forced Labour; the Rome Statute of the International Criminal Court; the Convention relating to the Status of Stateless Persons; and the United Nations Educational, Scientific and Cultural Organization (UNESCO) Convention against Discrimination in Education.
- Extending a standing invitation to all Special Procedures mandate holders of the Human Rights Council and answering positively to their pending visit request.

### **National human rights framework**

- Beginning the process of establishing a national human rights institution with a mandate to protect the full range of human rights and that is fully compliant with the Paris Principles and functions independently, transparently and effectively to promote and protect human rights.
- Strengthening the National Steering Committee on Human rights as the national mechanism for implementation, reporting and follow-up of recommendations stemming from human rights mechanisms.
- Further intensifying efforts on human rights education and capacity-building for duty bearers and stakeholders.

### **Implementation of international human rights obligations, considering applicable international humanitarian law**

#### **A. Cross-cutting issues**

##### *Equality and non-discrimination*

- Adopting comprehensive anti-discrimination legislation that addresses direct and indirect discrimination and encompasses all the prohibited grounds of discrimination, including sexual orientation and gender identity.
- Taking further steps to enhance the access to social services by vulnerable sectors, including women, children, older persons, and persons with disabilities.
- Incorporating the rights of women, children, people with disabilities and other relevant groups into its ninth National Socio-Economic Development Plan, and considering taking integrated approaches in the implementation of the SDGs and human rights policies.



*Development, the environment, and business and human rights*

- Adopting a comprehensive, gender-responsive and disability-inclusive approach to climate change adaptation and mitigation policies, consistent with the United Nations Framework Convention on Climate Change and Sendai Framework for Disaster Risk Reduction, to address the economic, cultural and social impacts and challenges that climate change represents, for the full and effective enjoyment of human rights for all.
- Reviewing the economic strategy taking necessary steps to conserve the environment, by developing guidelines to conduct studies on the environmental impacts of foreign investment projects.
- Managing all infrastructure projects, including dams and their safety, to the best of its ability to avoid forced displacement, including the communities concerned in the decision-making process and, in the event of inevitable displacement, guaranteeing effective compensation and relocation programs in accordance with international standards.
- Improving planning of development and investment projects to avoid forced displacement and improving resettlement and compensation plans for land expropriation.

**B. Civil and political rights**

*Right to life, liberty and security of person*

- Maintaining the moratorium on executions and giving due consideration to the legal abolition of the death penalty.
- Taking all necessary steps to define the crime of enforced disappearance in its national legislation in order to investigate and punish the perpetrators of such acts.
- Preventing and combating arbitrary arrests, enforced disappearances, torture and other ill-treatments, including against members of the Hmong community.
- Amending national legislation to ensure that it is fully consistent with Laos' international human rights obligations and, in particular, to provide for fair trials and freedom from torture and arbitrary detention.
- Implementing measures and programs to improve conditions of detention and guaranteeing the rights of persons deprived of liberty.

*Administration of justice, including impunity, and the rule of law*

- Promoting the rule of law and good governance, notably by strengthening the ongoing process to improve the justice sector and building good governance and public administration through its Legal Sector Master Plan for Rule of Law (LSMP) 2009–2020.
- Strengthening the independence of the judiciary and ensuring full and effective access to judicial remedies to vulnerable people and minorities.



### *Fundamental freedoms*

- Guaranteeing freedom of expression, of the press, assembly and association as well as freedom of religion and belief, in accordance with the International Covenant on Civil and Political Rights.
- Reviewing and amending Decree 315 to ensure that administrative procedures for religious groups are not arbitrary, vague and discriminatory, and eliminating the wide latitude local officials have to discriminate against and persecute religious minorities.
- Repealing all legislation inhibiting freedom of opinion and expression that are not compatible with Article 19 of the International Covenant on Civil and Political Rights.
- Refraining from initiating criminal proceedings against individuals for the peaceful exercise of their civil rights, including the right to privacy, freedom of expression, association and assembly, having regard to the importance of creating and maintaining a safe and enabling environment for journalists, human rights defenders and other civil society actors.
- Ending the arbitrary arrests of individuals for exercising their right to freedom of opinion and expression, including of those who peacefully criticize the government, speak out about negative impacts of infrastructure or investment projects or expose instances of corruption.
- Amending Decree 238 and its associated amendments to align it with international human rights obligations and commitments, including by eliminating the following: burdensome registration requirements; arbitrary curtailment of activities and finances of associations; criminalization of unregistered associations and the government's harassment of their members; and the ability to arbitrarily dissolve non-profit associations, without the right of appeal.

### *Prohibition of all forms of slavery*

- Intensifying efforts to combat human trafficking especially of women and children, including by enhancing the work of the National Steering Committee on Anti-Human Trafficking.
- Developing and implementing a national action plan on human trafficking and modern slavery, using this as a framework to evaluate progress on combatting modern forms of slavery, and allocating funded budgets to the national action plan.
- Increasing further efforts to combat trafficking in persons, especially in women and children, including by improving law enforcement practices with a view to bring to justice and punish the perpetrators, as well as by providing victims of trafficking with protection and rehabilitation.
- Taking all the necessary measures to put an end to child trafficking, including for the purposes of labour and sexual exploitation.



## C. Economic, social and cultural rights

### *Right to an adequate standard of living*

- Implementing the National Action Plan for Poverty Reduction, in order to alleviate poverty and to improve the standards of living of the population and providing necessary services, especially in rural areas.
- Implementing poverty alleviation measures and investment in health and education sectors, including by incorporating human-rights knowledge in such measures as well as in the education curricula in order to sensitize and increase nationwide awareness of human rights principles.
- Scaling up the investment and improving the availability and quality of services in rural and remote areas, in particular access to education and health, including sexual and reproductive health, addressing the specific needs and vulnerabilities of women, girls and members of ethnic minorities.
- Accelerating efforts to achieve economic growth aimed to raising the living standard of all people including those living in remote areas.
- Ensuring that population relocations as a result of land concessions to development projects are carried out in accordance with relevant international standards, in particular the principle of non-discrimination, and with adequate consultation and compensation.
- Ensuring that the adoption and enforcement of laws, including the Land Law of 2019, and implementation of policies in land management and use are consultative, transparent and fully compliant with international human rights law and standards.
- Reinforcing efforts to support inclusive growth and prioritizing budgetary allocations in primary education and in the reduction of malnutrition and maternal and infant mortality rates.

### *Right to health*

- Continuing ongoing efforts to develop the health sector and achieve the universal health coverage.
- Implementing policies to improve access to and quality of public health services, with special focus on rural areas and the reduction of infant mortality.
- Ensuring that all women and girls have access to appropriate sexual and reproductive health services and implementing policies, including awareness raising, to prevent and respond to violence against women and girls.
- Ensuring the full and effective implementation of the National Strategic Plan on Reproductive Health, Services for Mothers and New-borns and Child Healthcare and the National Plan of Action on Mothers and Children.
- Strengthening national and sub-national resource allocations to develop and maintain an enabling environment for young people, women and men, and those living in remote areas to access quality sexual and reproductive health and family services.



### *Right to education*

- Keep moving towards full and free access to quality primary and secondary education, for all children, boys and girls, and adolescents.
- Taking the necessary measures for all children to have equal access to quality education, especially those who live in rural and remote areas.
- Taking concrete action to address disparities in access to education, especially among rural ethnic groups, as means to combat poverty, early marriage and human trafficking.
- Ensuring that all girls and women, especially those living in rural and remote areas, have access to education, eliminating discriminatory stereotypes keeping girls from attending school, and building awareness among parents and local authorities on the importance of education for women.

## **D. Rights of specific persons or groups**

### *Women*

- Continuing its efforts to empower women in decision-making roles at all levels.
- Taking measures to increase the representation of women in politics, particularly applying the 25% quota for the representation of women at all levels of government.
- Consolidating national mechanisms that enable greater participation of and equality for women, as well as promotion and protection of the rights and well-being of women and girls.
- Reforming legislation to prohibit forced marriages and putting an end to impunity for perpetrators of violence against women and girls.

### *Children*

- Taking measures to further develop a comprehensive national policy and strategy for child protection with the aim to eliminate discrimination against children in marginalized or vulnerable situations, including girls.
- Developing a comprehensive child protection system with specific budget allocation, human resources and adequate follow-up mechanisms to ensure the full and effective implementation of the Convention on the Rights of the Child.
- Adopting legal provisions to criminalize all forms of sexual exploitation of children in compliance with international legal standards, specifically on sexual exploitation of children in prostitution and online child sexual exploitation, in order to afford substantive protection to all children, including those belonging to ethnic minorities.
- Adopting a comprehensive strategy to eliminate discrimination against children in marginalized or vulnerable situations.

### *Persons with disabilities*

- Allocating financial and human resources to implement the National Plan of Action on Persons with Disabilities.



*Minorities*

- Taking the necessary measures to prevent and combat discrimination and persecution against ethnic and religious minorities, and to guarantee their right to freedom of expression and conscience, as well as their access to health care, education and an adequate standard of living.

*Refugees and asylum seekers*

- Ensuring that refugees and asylum seekers are protected and any attacks on them are subject to prompt, thorough and independent investigation.