

ADVANCE QUESTIONS TO LAO PEOPLE'S DEMOCRATIC REPUBLIC

CZECH REPUBLIC

- Does the Government consider issuing a standing invitation to the human rights special mechanisms?
- What specific measures has the government adopted to ensure protection of human rights of persons belonging to minorities, e.g. Hmong indigenous community?
- Does the Government consider adjusting definition of rape in its criminal legislation to include also marital rape? What measures has the government taken to fight domestic violence and uproot its societal acceptability?
- Does the Government consider acceding to the Convention against Torture, and other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol? How is ensured accountability of members of the police, military, detention and prison staff for any violation of human rights? Does the Government provide this staff any human rights education and training, e.g. on protection of human rights of women, children and persons belonging minorities?
- How is ensured freedom of expression and media, in particular with regard to internet?

DENMARK

- Although torture is an illegal act according to Lao legal framework, the Lao People's Democratic Republic has not yet signed nor ratified the UN Convention Against Torture and other Cruel Inhuman or Degrading Treatment or Punishment (UNCAT). When will the convention be signed and ratified?
- Furthermore, in terms of national legal framework there is a lack of separation between the executive and judicial powers. When will Lao People's Democratic Republic take steps to separate the two powers in order to enhance the reliability of the Laotian legal system and thereby minimize abuse of power and related incidents of torture?
- The Committee on the Elimination of Racial Discrimination (CERD), several Special Rapporteurs as well as other stakeholders have recommended Lao People's Democratic Republic to take further steps to protect indigenous peoples, irrespective of national definitions of various ethnic and minority groups. What will Lao People's Democratic Republic do to ensure the rights of indigenous peoples in order for people such as the Hmong not to be exposed to torture and other forms of human rights abuses?
- What will Lao People's Democratic Republic do to promote the right to practice one's religion of choice without being exposed to acts of discrimination?

LATVIA

- According to the information by the Office of the UN High Commissioner for Human Rights, 67 countries from different regions of the world have issued standing invitations to all special procedures of the Human Rights Council. Considering previous cooperation of Lao People's Democratic Republic with special procedures mandate holders (Special Rapporteur on the sale of children, child prostitution and child pornography (21-25 October, 1998); Special Rapporteur on freedom of religion or belief (23-30 November 2009)) and despite some still pending requests by special rapporteurs to visit Lao People's Democratic Republic - would your country consider extending a standing invitation to all special procedures of the Human Rights Council in the future?

NORWAY

- The Lao People's Democratic Republic writes in their national report that it conducted a series of consultations on the national report drafting where inter alia civil society organizations participated. Which civil society organizations participated in these consultations? How does the Laotian authorities intend to further strengthen the role of civil society, and what measures are being implemented in order to secure the role of civil society as an independent watch dog?
- Norway welcomes the invitation of and visit by the UN Special Rapporteur on freedom of religion and belief in November 2009. We are also noting that the Lao PDR is considering extending invitations to other thematic Special Rapporteurs in the future. Will the Special Rapporteur for Human Rights Defenders be invited in the near future?
- The Constitution provides for freedom of speech, press, assembly and association. However, there are challenges with respect to implementation. How can the Lao PDR ensure these rights for its citizens?
- Norway has taken note of the Lao PDR's commitment to disseminate the Universal Declaration of Human Rights and other human rights principles and norms. Will the Lao PDR also disseminate the UN Declaration on human rights defenders? What will the Lao PDR do to improve the conditions for human rights defenders in the country?
- Norway is happy to see that gender mainstreaming is an important part of the different development programmes, plans and projects in the Lao PDR. Norway has also taken note of information in the national UPR report that 33,5 % of the National Assembly members are women. How does the Lao PDR intend to increase female representation in other decision making processes, also at local level of government?
- Is the Lao PDR considering signing a formal moratorium on the use of the death penalty?

SLOVENIA

- We would like to ask the Government how it intends to follow-up to recommendations and suggestions given by Special Rapporteur on Freedom of Religion or Belief, Ms. Asma Jahangir, regarding individual cases and certain policies that clearly violate freedom of religion or belief.

SWEDEN

- We note that over the last few years Laos has taken a number of normative steps to improve the protection of human rights. Sweden welcomes these efforts – and in particular the decision to ratify ICCPR.

In 2009 a number of persons belonging to the Hmong minority, including 158 persons with the status “persons of concern” were forcibly repatriated from Thailand to Laos. Sweden is concerned by the forced repatriation and by the fact that independent observers have so far been granted only limited access to the areas where the repatriated Hmong have been resettled. With regard to the 158 Hmong refugees recognised as “persons of concern” Sweden would like to remind that these persons are recognised as refugees under the mandate of UNHCR and must be given access to appropriate solutions.

- To our knowledge, Laos has upheld a de facto moratorium on executions for thirteen years, a decision which we welcome. Nevertheless, the death penalty is stipulated for a number of offences and there are credible reports that two death sentences were handed down during 2009. As the Lao Government does not publish any information about the imposition and use of the death penalty it is hard, however, to assess its application with accuracy.
- Could the Government of Laos elaborate on the status of the death penalty in relation to the resolutions of the General Assembly (A/RES/62/149 and A/RES/63/168), including with regard to any plans to abolish the penalty de jure and to sign and ratify the Second Optional Protocol to the ICCPR?

SWITZERLAND

- What measures has the government planned to undertake to protect the right of minorities? Is the government going to guarantee regular and unfettered access for international actors to minorities, including to communities living in resettlement sites such as Phonekham development village?
- Will the government of the Lao People’s Democratic Republic continue to look into the improvements of its detention facilities, and in particular also accept standing offers of support and cooperation by international actors such as the ICRC in this regard?

- Is the government intending to ratify the 1967 Protocol relating to the Status of Refugees as well as the Convention against torture and other cruel, inhumane and degrading treatment?

UNITED KINGDOM

- The UK would be grateful if the Lao PDR could please elaborate on the role played by civil society in the preparation of your national report.
- Please could you tell us whether an independent national human rights institution exists in Laos and if so, whether it operates in accordance with the Paris principles?
- Could you please elaborate on what steps the Government has taken to ensure the internally displaced and refugees' (specifically the Hmong) are treated in accordance with international law, specifically the requirements for access and assistance in facilitating humanitarian solutions for those eligible for third country resettlement?
- There have been reports of Christians facing increased restrictions on their freedom of religion. We should be grateful to know what steps the Government is taking to protect the right to freedom of religion or belief and freedom of expression in this regard?
- We would be interested to know if there is any training for State officials to ensure their respect for freedom of religion or belief in the Lao PDR?
- Could you please tell us what steps the Government is taking to raise understanding and respect for human rights standards in the civil service and local government?
- Could you share with us how the Government will manage the follow-up to the Universal Periodic Review and who will be responsible for oversight of implementation, monitoring and reporting?
