



# Convention on the Rights of the Child

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## Committee on the Rights of the Child Fifty-sixth session

### Summary record of the 1601st meeting

Held at the Palais Wilson, Geneva, on Thursday, 27 January 2011, at 3 p.m.

*Chairperson:* Ms. Lee

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*The meeting was called to order at 3.15 p.m.*

**Consideration of reports of States parties** *(continued)*

*Second periodic report of the Lao People's Democratic Republic on the implementation of the Convention on the Rights of the Child (continued) (CRC/C/LAO/2; CRC/C/LAO/Q/2 and Add.1)*

1. *At the invitation of the Chairperson, the Lao delegation took places at the Committee table.*
2. **Ms. Leudedmounsone** (Lao People's Democratic Republic) said that the Government was taking steps to lower the infant and maternal mortality rates by means of a raft of policies aimed at ensuring access to health care for all women and children. It was also focusing on the problem of malnutrition. It aimed, within the framework of the five-year plan, 2011–2015, to reduce the infant mortality rate to below 5 per cent and the malnutrition rate to below 4 per cent. All the stakeholders in the various sectors were working towards those goals, especially the Lao Women's Union, which provided health-care services at local level. Various organizations also provided support, including the United Nations Children's Fund (UNICEF).
3. **Ms. Varmah** (Country Rapporteur) requested further information on the action taken at local level to address the problems of maternal and infant mortality.
4. **Ms. Leudedmounsone** (Lao People's Democratic Republic) said that the Government had implemented various measures to ensure the provision of local medical services to mothers and children, including first aid services. It also conducted vaccination and awareness-raising campaigns on the prevention of certain diseases and campaigns to promote breastfeeding.
5. Primary education was free of charge and compulsory. Considerable efforts had been made to improve the skills of existing teachers and to train new teaching staff. Teacher training had been considerably improved and incentives were offered to those working in remote or isolated areas. Those measures had had the effect of raising the levels achieved by pupils in rural areas and bringing them into line with those achieved by pupils in urban areas. The Government sought to prevent children dropping out of school by offering bursaries and providing free meals. Although funding for school materials and certain infrastructure issues still posed a problem for the Government, it had benefited in that regard from the support of local and international organizations.
6. **Ms. Ortiz** asked whether secondary school education was also free of charge and wished to know the percentage of adolescents enrolled at school. She also wished to know which groups of children and adolescents faced the most serious difficulties in gaining access to education and completing their schooling.
7. **Ms. Leudedmounsone** (Lao People's Democratic Republic) said that children were guaranteed equal access to education, whatever their financial situation. Education was free of charge for all children in rural and remote areas. In certain cities, where the Government was not able to provide educational services for the whole population, there were also private, fee-paying schools.
8. **Mr. Kiattisak** (Lao People's Democratic Republic) said that the vast majority of adoptions took place within the extended family network. If the child concerned was older than 12, his or her consent had to be obtained. Decisions on international adoptions were dealt with on a case-by-case basis, in line with the best interests of the child concerned. The number of international adoptions was low and such adoptions were not subject to any follow-up or monitoring. The Lao People's Democratic Republic was considering the possibility of signing the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption.

9. Cases of child abuse were rare. In the most serious cases, the perpetrators were prosecuted.
10. **Ms. Ortiz** said that signing the Hague Convention did not in any way commit the State to increasing the number of international adoptions.
11. **Ms. Aidoo** asked whether the State party collected statistical data on early marriages.
12. **Mr. Kiattisak** (Lao People's Democratic Republic) said that the Government was opposed to early marriage and that children under 18 were not permitted to marry, even if the girl was pregnant. There were therefore no data on early marriages.
13. **Ms. Ortiz** said that the practice nevertheless continued to exist; it was precisely because the Government was opposed to it that it was important to have data on the subject, since they would give an insight into the scale of the problem and provide the authorities with some back-up when they considered preventive and remedial measures.
14. **Mr. Phommachanh** (Lao People's Democratic Republic) said that the Lao People's Democratic Republic had ratified the Convention on the Rights of Persons with Disabilities in 2009. With regard to the illicit transfer of children, he said that it was an offence to encourage a person to leave the country illegally. The vast majority of cases of illegal emigration involved workers travelling to Thailand, a country with which the Lao People's Democratic Republic had a common border and where the labour market was more readily accessible for Lao nationals, particularly from the point of view of language. The Governments of the two countries had therefore signed a memorandum of understanding with regard to cooperation on labour recruitment, in order to end the illegal movement of workers, and had set up a mechanism to facilitate the repatriation of illegal workers. The Government ran information campaigns on the harmful effects of illegal emigration to Thailand and on the sanctions faced by persons who encouraged others to leave the country illegally.
15. **The Chairperson** asked whether the review of the Education Act had taken into account the right of children with disabilities to education.
16. **Ms. Southichack** (Lao People's Democratic Republic) said that a policy aiming to guarantee children with disabilities an education within a mainstream school environment would shortly be adopted by the Government. There was also a centre that cared for children with disabilities.
17. **Mr. Chanthalangsy** (Lao People's Democratic Republic) said that it was impossible to translate laws and other legislative texts into all the dialects in the country, the majority of which had no written form. Radio and television programmes were broadcast at national and local level to disseminate the provisions of the Convention in the languages of the main ethnic groups and in the languages spoken by subgroups that had a written form.
18. **Ms. Southichack** (Lao People's Democratic Republic) said that the previous report, which had been due in 2005, had been submitted only in 2008 owing to lengthy consultations with the various ministries at central and provincial level and a lack of human resources. In order to draw up the next periodic report, the Lao People's Democratic Republic wished to ask the Committee for assistance in strengthening its human resources capacity.
19. **Mr. Detphommatheth** (Lao People's Democratic Republic) said that there were social security funds for State officials and public sector employees. Poor children received free health care. Children with disabilities were cared for by associations that enabled them to obtain training and, in particular, to learn English, electronics and various crafts.

Sporting activities were organized for children, both within the country and abroad, in cooperation with various associations and organizations from member countries of the Association of Southeast Asian Nations (ASEAN).

20. The Deputy Prime Minister chaired the National Steering Committee against People-Trafficking established by the Ministry of Security, which comprised representatives of various ministries and bodies, including the Ministry of Security, the Ministry of Employment and Social Welfare and the Lao Women's Union. In addition, various working groups to combat human trafficking had been set up in the provinces.

21. **Ms. Ortiz** asked what progress had been made with regard to the implementation of a child protection network in five provinces, with the support of UNICEF and various non-governmental organizations (NGOs). She asked whether the network was staffed only by NGOs and UNICEF or whether local collectives and municipalities were also involved. Finally, she asked whether the State party planned to decentralize children's services.

22. **Mr. Detphommatheth** (Lao People's Democratic Republic) said that the project was at the pilot stage and was to be implemented initially in the north of the country and later in the central and southern regions. Various communities and associations were working together with NGOs to establish the network, under the supervision of the Ministry of Employment and Social Welfare.

23. **The Chairperson**, after recalling that the Committee on the Elimination of Discrimination against Women had, in its most recent concluding observations, recommended that the State party take all necessary measures to raise public awareness of the risk of HIV/AIDS infection (A/60/38, para. 101), asked whether the State party had increased the annual budget earmarked for combating HIV/AIDS and whether there were special health centres for adolescents, where they could obtain free reproductive health services and advice.

24. **Mr. Chanthalangsy** (Lao People's Democratic Republic) said that, although the Lao People's Democratic Republic shared a border with countries or regions, such as the Chinese province of Yunnan, Thailand and Cambodia, that had high rates of HIV/AIDS infection, the prevalence of HIV/AIDS in the population remained low, partly thanks to awareness-raising measures — aimed at migrants, among others — in cooperation with ASEAN countries. There were nevertheless cases of Lao migrant workers returning home from Thailand who had been infected with HIV during their stay in that country. A system for providing home-care services for such people had been introduced, especially in the provinces of Savannakhet, Khammuane and Champasak, through which significant numbers of migrants passed into Thailand.

25. **Ms. Ortiz** asked how many children, including those without families or those who, for various reasons, did not live with their families, were cared for by SOS Children's Villages or in pagodas and temples, what measures were taken to ensure that they received the best possible care and whether it might not be preferable for a child to be returned to its parents or other members of the family. She also asked how such institutions were monitored.

26. **Ms. Aidoo** said that the State party had indicated in its report that there was no adequate system for monitoring the spread of HIV/AIDS and that the actual figures could be higher than those presented in the report. She asked whether the State party envisaged improving HIV/AIDS detection methods.

27. **Mr. Detphommatheth** (Lao People's Democratic Republic) said that there were six SOS Children's Villages in the country, caring for over 900 children who had been orphaned or whose parents were in difficult circumstances. In the north of the country, programmes had been set up to promote the return of children to their families. The Lao

authorities had no data on the number of children living in pagodas and temples. The Ministry of Employment and Social Welfare cooperated with the organization Friends International to provide street children in Vientiane with food, clothing, basic health care, education and vocational training.

28. **The Chairperson** asked when and how the decision was taken to remove a child from its family.

29. **Mr. Kiattisak** (Lao People's Democratic Republic) said that such a decision could be taken when a child had committed an offence. Children living in pagodas and temples were frequently sent there by their parents if they had serious educational problems, as the monks were well known for being able to instil excellent discipline and educational principles.

30. **The Chairperson** asked whether children living in pagodas or temples could file a complaint if they were subjected to abuse.

31. **Ms. Leudedmounsone** (Lao People's Democratic Republic) said that cases of abuse were dealt with by those in charge of the pagodas or temples and by the village authorities.

32. **Ms. Chanthalangsy** (Lao People's Democratic Republic) said that, apart from awareness-raising measures and information campaigns on HIV/AIDS, the authorities ran programmes to distribute condoms and had set up centres in every province specializing in sexually transmitted diseases. The services provided were free of charge and strictly confidential. The centres were operated by the Communicable Diseases Department of the Ministry of Health, which also ran awareness-raising programmes on HIV/AIDS and the prevention of mother-to-child transmission of HIV. It was true that there was no systematic HIV/AIDS testing programme and that the actual number of HIV-positive persons was unknown; much still remained to be done in that regard.

33. **Ms. Varmah** (Country Rapporteur) asked whether there were public libraries for children. She also requested further information on school dropout rates and wished to know what happened to children who did not even attend primary school, particularly girls who remained at home to perform household duties and look after their younger siblings. Lastly, she asked whether all villages had road links to schools and whether the State party planned to expand schools and allocate additional resources so that all primary schools consisted of five classes, corresponding to each stage of a child's schooling.

34. **Mr. Pollar** requested information on the situation of children with mothers in prison.

35. **Ms. El-Ashmawy** asked about the legal minimum age for entering the labour market. She requested further information on street children, including statistics on sexual exploitation. She also asked whether there was a telephone helpline for children and what role civil society organizations played in that connection. She requested information on the national plan to combat sexual exploitation and asked what body was responsible for ensuring that sufficient resources were earmarked for the implementation of the plan and whether there was a body in place to assess results. She also wished to know what measures were taken to protect vulnerable children living in regions close to the Thai border and to ensure that they were not trafficked into that country for the purposes of sexual exploitation. Lastly, she asked what measures were taken to protect children belonging to minority groups from being pressed into forced labour by transnational organized criminal groups.

36. **Mr. Krappman** wished to know the delegation's opinion concerning the difficulties encountered in allocating adequate budgetary resources to the education sector. He pointed out that not all children received their five years of compulsory schooling and asked whether the State party planned to extend the period of compulsory schooling.

37. In view of the fact that children needed extra-curricular and leisure activities, he asked whether the State party planned to increase the number of play, sports and leisure facilities in general, in order to ensure that all children in the country had access to recreational and cultural activities, as provided for under article 31 of the Convention.

38. **Mr. Filali** said that there were no statistics available on the number of children deprived of their liberty, that children were detained together with adults, that children did not always know the charges against them and that the time spent by children in police cells or in pretrial detention was not recorded anywhere. He requested comments from the delegation on those points, together with additional information on the functioning of the mediation system and the child protection network existing at village level.

39. **Mr. Zermatten** requested additional information on the mobile vocational training programme mentioned in paragraph 152 of the report under consideration. He was concerned by the fact that 12 per cent of children aged between 5 and 14 were employed either as domestic workers or in the agricultural sector, in both the formal and the informal economy and therefore asked whether the labour inspectorate also intervened in the informal sector and whether the State party planned to harmonize the age at which compulsory education ended, namely 15, with the minimum age for entering the labour market, which was 14.

40. The delegation should indicate what court was responsible for ruling on 15-year-old offenders, whether they enjoyed the right to a defence or the right to appeal and what measures were taken to protect and rehabilitate them. He also requested additional information on the specific functions of the Central Coordinating Committee on juvenile justice.

41. **Ms. Aidoo** asked whether the State party had implemented a development programme for young children to enable the very youngest — especially those who did not speak Lao as their mother tongue — to be better prepared for primary school. Such a programme should have an impact on school dropout rates.

42. **Mr. Citarella** wished to know whether the State party planned to abolish the death penalty for minors and to establish juvenile courts. He asked whether economic reasons had led to children being detained in the same penal institutions as adults and whether the Government intended to remedy the situation.

43. **The Chairperson** wished to know whether, bearing in mind that the Lao People's Democratic Republic was party to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, the International Labour Organization (ILO) Minimum Age Convention, 1973 (No. 138) and the ILO Worst Forms of Child Labour Convention, 1999 (No. 182), the State party planned to criminalize the forced conscription of children or the coercion of children into working in conditions that were equivalent to the worst forms of child labour.

44. Lastly, she requested the delegation to tell the Committee how a minor was defined in the Criminal Code.

*The meeting was suspended at 4.35 p.m. and resumed at 4.55 p.m.*

45. **Ms. Leudedmounsone** (Lao People's Democratic Republic) said that there were many libraries, including mobile ones, in the Lao People's Democratic Republic.

46. In order to cut school dropout rates and improve the general standard of education, village schools had been established. Furthermore, the Government planned to set up a distance learning scheme for primary school pupils who had dropped out of school and was working towards drawing up a policy of inclusive education for preschool-age children.

47. **Mr. Kiattisak** (Lao People's Democratic Republic) said that, in general, children whose mothers were in prison were cared for by their fathers or by family friends. Those who lived in prison with their mothers were permitted to go out during the day and attended ordinary schools. Owing to the lack of penal institutions in the country and the lack of resources to build new ones, children were sometimes detained with adults. However, no minor was currently in detention in the country.
48. A telephone hotline had been established to receive complaints from child victims of sexual violence or sexual exploitation.
49. The National Commission to Combat Trafficking in Persons had been set up and the Government was due to receive assistance from the United Nations to draft a law, in the near future, prohibiting trafficking in persons.
50. Village reconciliation units were extremely useful for resolving minor disputes, such as those involving family problems or the theft of animals. They often imposed educational measures aimed at preventing reoffending. The units were supported by the Ministry of Justice, which issued promotional pamphlets describing how they were set up and organized. They were made up of young people, women and members of local organizations with knowledge of the law and they achieved excellent results.
51. Regional courts were the chambers of first instance, while appeals went to the provincial courts. Cases relating to serious offences went to the People's Supreme Court. Owing to a lack of resources, juvenile courts no longer existed. However, half of all police officers had received training on juvenile justice.
52. **Mr. Citarella**, noting that the age of criminal responsibility was 15, wanted to know whether a minor aged 15 who committed a serious offence would be sentenced to imprisonment or subject to a rehabilitation order.
53. **Mr. Kiattisak** (Lao People's Democratic Republic) said that, in such a case, the minor would be sent back to his or her family for rehabilitation. The death penalty was never applied to juveniles.
54. **Mr. Zermatten** considered the community-based system of resolving disputes that aimed to reintegrate children into their community to be a good one, so long as it was used to deal only with petty offences. Such a system was totally unsuitable for serious offences, such as murder, the aggravated crime of drug trafficking and rape. For cases such as those, it was essential that the State party should implement a juvenile justice system.
55. **Ms. Leudedmounson** (Lao People's Democratic Republic) said that the dropout rate for primary school was 17 per cent. The Government was striving, despite a lack of resources, to equip schools to the standard necessary to ensure the well-being of pupils throughout their schooling.
56. **Ms. Southichack** (Lao People's Democratic Republic) said that, thanks to the involvement of local communities, nurseries and preschools provided special rooms for early childhood development.
57. **Mr. Detphommatheth** (Lao People's Democratic Republic) said that, between 2001 and 2007, approximately 1,600 children, of whom only 64 were boys, had been victims of trafficking in the country. A memorandum of understanding had been drawn up between Thailand and the Lao People's Democratic Republic in an attempt to deal with the problem. To date, some 20 cases had been heard and the guilty parties convicted. Several measures to combat trafficking in persons had been implemented with the cooperation of the Lao Women's Union, the National Commission for Mothers and Children, the Ministry of Justice and the Ministry of Security. The National Commission to Combat Trafficking in Persons was also responsible for the social aspects of the problem, to which end it coordinated the mechanisms for providing assistance and counselling to victims.

58. Child labour was not a major issue: at most, children helped their parents in the plantations or looked after livestock. The Ministry of Employment and Social Welfare was working in cooperation with the Lao People's Revolutionary Youth Union to combat sexual violence against children.

59. **The Chairperson** asked whether the recruitment of people aged under 18 to engage in armed conflict was prohibited.

60. **Mr. Kiattisak** (Lao People's Democratic Republic) replied that the minimum age for recruitment into the armed forces was 18.

61. **Mr. Krappmann** asked whether the education system offered vocational training courses and, if so, whether children who had dropped out of school thus had the opportunity to learn a trade in the relevant establishments.

62. **Ms. Leudedmounsone** (Lao People's Democratic Republic) replied that students could choose to undertake technical training on completion of their studies and could study in vocational training establishments. To ensure equal opportunities for all, such training was also available to adolescents who had dropped out of school.

63. **Ms. El-Ashmawy** wanted to know whether any programmes existed to encourage young people who had dropped out of school, in particular those living on the streets, to return to education.

64. **Mr. Detphommatheth** (Lao People's Democratic Republic) said that such young people were offered support by specialist education centres, where they were provided with textbooks and clothes and had access to health care. Special training was given to children who were illiterate.

65. **Mr. Krappmann** requested further information on the assistance provided by civil society organizations in the country.

66. **Mr. Detphommatheth** (Lao People's Democratic Republic) said that national assistance programmes for street children were implemented with the assistance of Friends International, UNICEF and Save the Children, which all provided free training and offered work placements. A proportion of the revenues generated by the booming tourist industry was used to fund some NGOs.

67. **Mr. Krappmann** asked whether any children had been involved in the drafting of the report.

68. **Ms. Southichack** (Lao People's Democratic Republic) replied that consultations had been held with teenagers during the drafting of the report and that young people would also be involved in the drafting of the reports on the two Optional Protocols.

69. **Ms. Varmah** (Country Rapporteur) welcomed the open and constructive discussion that had been held with the delegation and said that the information provided during the meetings would be taken into account in the concluding observations.

70. **Ms. Leudedmounsone** (Lao People's Democratic Republic) said that her country still had much to do to give effect to all the provisions of the Convention, but it would endeavour to follow the Committee's recommendations in order to overcome the obstacles that prevented children who lived in poverty or in remote areas from enjoying all the rights that the Convention accorded them. In the same way as other developing countries, the Lao People's Democratic Republic needed the international community's assistance to achieve the Millennium Development Goals.

*The meeting rose at 6 p.m.*