



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women
Thirty-second Session**

Summary record of the 676th meeting

Held at Headquarters, New York, on Wednesday, 19 January 2005, at 3 p.m.

Chairman: Ms. Manalo

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People's Democratic Republic (continued)*

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05-21330 (E)

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The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Combined initial, second, third, fourth and fifth periodic reports of the Lao People's Democratic Republic (continued) (CEDAW/C/LAO/1-5, CEDAW/PSWG/2005/I/CRP.1/Add.5 and CEDAW/C/PSWG/2005/I/CRP.2/Add.4)

1. *At the invitation of the Chairperson, the members of the delegation of the Lao People's Democratic Republic took places at the Committee table.*

Article 10

2. **Ms. Saiga** welcomed the strong commitment of the President of the Lao Women's Union to the education of women, given the link between education and women's role in society. She was also pleased that women's education was one of the five priorities of the national strategy for the advancement of women for 2005-2010. Noting that the country's illiteracy rate was still very high, she wondered why the Government had decided to postpone the implementation of compulsory primary education until 2010. Referring to the delegation's answer to question 8 of the list of issues, she asked whether there were separate educational programmes for boys and girls.

3. **Mr. Flinterman**, expressing a similar concern about the postponement of the full implementation of compulsory education, noted that the Committee on the Rights of the Child had recommended in 1997 that the Lao People's Democratic Republic should continue to request further international assistance in order to realize that most fundamental right. Referring to the Women's Education Project, he wondered whether its objectives had been achieved and whether it would be continued or expanded in the future.

4. **Ms. Šimonović** noted that there were significant disparities between girls and boys in education, in complete contradiction of the Constitution, which guaranteed the equal right to education. It was therefore important to protect constitutional rights by specifically prohibiting any sort of discrimination. Noting that some minority groups had a very large number of uneducated girls, she wondered what action was being taken by the Government to increase the number of minority girls receiving education and to

change stereotyping of boys and girls in school textbooks.

5. **Ms. Bouphanouvong** (Lao People's Democratic Republic), referring to the postponement of compulsory education until 2010, said that the economic difficulties facing her country had affected its capacity in the field of education. The Government was reviewing its targets and goals and carrying out research on the links between education and development. While she agreed that literacy rates among women in rural areas were low, she noted that her Government did not have the resources required to build schools in all the remote villages of the country. For the time being, the Government's strategy in that regard was to use the resettlement of rural dwellers as the best means of providing them with new educational opportunities and giving them alternative occupation. Developing an educational network for all the rural areas would require time and resources.

6. **Mr. Kiettisak** (Lao People's Democratic Republic), responding to the query concerning the definition of discrimination in national legislation, said that the Government would soon address that issue, including in the context of the implementation of the Law on the Development and Protection of Women.

7. **Mr. Kittikhoun** (Lao People's Democratic Republic) said that education was essential to promoting the advancement of women. The ability to translate women's rights into reality was linked to the country's economic situation. The Lao People's Democratic Republic was a landlocked, poor, multi-ethnic least developed country with some 80 per cent of its population scattered over remote rural areas. Stereotypes could gradually be overcome through education. Funds were needed in that regard and that was why his Government would welcome assistance from the international community.

8. **Ms. Pholsena** (Lao People's Democratic Republic), responding to Ms. Saiga's query, said that there was not a separate curriculum for girls and boys. The response to question 8 had been meant only to stress the need for women to gain access to education on an equal footing with men since, in the past, women had been seen as caretakers of the family, confined to the family home. Her country was very poor and schools were not being built everywhere. Many parents could not afford to send their children to school. Building schools in as many villages as possible was

one of the problems that needed to be addressed and the Lao Women's Union would focus on that issue. Education was a major contributor to national development and the Lao Women's Union had launched an advocacy campaign to promote women's participation in education.

Article 11

9. **Ms. Dairiam**, noting that new economic reforms had led, inter alia, to the promotion of small and medium enterprises and to the diversification of the economy as a whole, wanted to know what steps had been taken to ensure that women actually gained from those macroeconomic reforms. She also wanted to know whether the gender resource development centres had undertaken studies to find out the impact of trade liberalization, especially crop diversification, on women and their entrepreneurial development. It would be particularly interesting to know what special efforts were being undertaken to upgrade women's skills in order to increase access to technology so that they could gradually improve their capacity as entrepreneurs on a scale equivalent to that of men. The delegation should indicate what negotiations had been undertaken with international financial institutions, private banks and foreign investors to ensure that they actually put in place affirmative action or temporary special measures to accelerate women's gainful entry into the market economy on the basis of equality with men. She wondered whether the laws that had been introduced to promote trade liberalization and to encourage private and foreign investments had been studied to assess their impact on women and whether appropriate reforms had been proposed. Finally, how were labour disputes settled?

10. **Ms. Khan** said her impression on reading the report was that women were being exploited as cheap labour in the absence of alternative employment opportunities. In that regard, more information should be provided on the age structure of women engaged in economic activity, the wage structure, wage discrimination, if any, and the job structure. She would be particularly interested in data on the percentage of women engaged in regular paid employment who earned a minimum wage, both in the agricultural sector and the informal and formal sectors. Referring to government service, she wanted to know why women had been retrenched from the civil service during the restructuring of that service and whether any temporary

special measures had been taken in favour of women in the public sector. It would be interesting to receive information on how women balanced their domestic responsibilities with their responsibilities in the workplace.

11. **Ms. Patten** pointed out the importance of women, with their initiative and skills, for a developing economy and society, and the need to support them by giving them control over capital, credit and technology. She wondered what international support was targeted at small and micro-enterprises run specifically by women, and to what extent the conditions imposed by institutions like the International Monetary Fund and the World Bank impeded the Government's plans to adopt gender-sensitive employment policies. She noted that the Central Bank was drafting the regulations for a microfinancial system, and wondered whether that would be on the lines of the Grameen Bank. She urged the adoption of temporary special measures, especially in view of the gender imbalance caused by retrenchments in the civil service, and a visible policy of gender mainstreaming in all employment programmes. Outreach programmes had to be provided, especially for poor, rural women, to raise awareness of technological developments available to them. She asked which ILO Conventions the country had ratified and what measures would be implemented by the Government to prevent employers discriminating against women because of their reproductive role.

12. **Ms. Bouphanouvong** (Lao People's Democratic Republic) said that without the energetic participation of women her Government would be unable to implement its national strategy for poverty reduction. It promoted women's small and medium enterprises (SMEs) through chambers of trade and industry, in a programme set up by prime ministerial decree. Research carried out in cooperation with the ILO had shown that 60 per cent of SMEs were owned by women, and promoting them was a high priority for the Government, for instance through commercial entities in the cities which coordinated the work of women entrepreneurs and helped them to develop their businesses. Women were also helped through training in business and marketing skills and in the application of modern technology to farming and crafts. The banking system had been reformed to provide better access for women, and the Lao Women's Union was working with the Government to enable women to use

title to land as collateral for loans under a programme already implemented in nine provinces and soon to spread to the rest of the country. The country cooperated with many international organizations, for instance ILO, to prevent the use of child labour or forced migrant labour by women, and in training programmes aimed at generating income.

13. **Mr. Kiettisak** (Lao People's Democratic Republic) explained that labour courts were being established in the country at all levels, to hear disputes which had not been settled at the workplace with the help of the local trade union. There was no specific law on trade liberalization, although the country's constitution recognized the market-based economy and the importance of domestic and foreign investment.

14. **Ms. Pholsena** (Lao People's Democratic Republic) stressed the importance of the Gender Resources Information Centre in researching and promoting women's business activities as part of the country's drive to implement market reforms. There was cooperation with friendly countries on programmes for women, such as rural poverty eradication, income generation for the family as a whole and microcredit. Field studies made of the Grameen Bank were to be applied in such a way as to be appropriate for the situation of Lao women. It was important to learn from countries with experience and expertise how to implement such programmes and how to address problems like increasing the use by women of new technologies.

15. **Mr. Kiettisak** (Lao People's Democratic Republic) pointed out that the country was a party to ILO Conventions and regularly took part in the work of that organization.

Article 12

16. **Ms. Coker-Appiah** noted that in spite of the Government's efforts health facilities were still inefficient and inaccessible to most of the population, especially in the rural areas. She suggested the Government might give some basic medical training to the traditional rural healers. She asked what steps were being taken to reverse the trend towards early marriage and childbirth for girls, and cautioned against complacency over HIV/AIDS since the country had many of the factors that put its population at risk, like trafficking in girls, tourism, and women's limited ability to negotiate safe-sex practices.

17. **Ms. Khan** pointed out that according to UNAIDS, women were the new face of HIV/AIDS in South-East Asia, and programmes to prevent the spread of AIDS should include a women's awareness element in addition to the clinical effort. She wondered how many women there were at the decision-making level in the HIV/AIDS Trust and the AIDS committee of the Ministry of Health. High rates of maternal mortality and fertility were also a concern, with an average of 4.9 children per woman. Measures should be implemented to provide family planning, especially for the rural ethnic minorities who lived in the most inaccessible mountainous areas and whose educational needs also required a special effort on the part of the government.

18. **Ms. Patten** urged the Government to seek as much international aid as possible to ensure household food security throughout the nation, remedying the severe food shortages in rural areas (report, p. 40), and guaranteeing crucial nutrition for girls and women. The limited access of rural women to health care was compounded by traditional attitudes and the women's own ignorance, and she would like to know what the Government was doing to address the situation: did women receive health education and training at all educational levels, was the training of health-care personnel being improved, were environmental hazards to women's health being eliminated, had community strategies to combat HIV/AIDS been developed to protect women, were the special health needs of older women and the disabled being addressed and had there been any increase in the health budget in recent years?

19. **Ms. Pholsena** (Lao People's Democratic Republic) said that the Ministry of Health and other agencies had, with foreign assistance, started a number of projects to safeguard maternal health through education and counselling, and to counsel both women and men on the HIV/AIDS danger. The National Committee on the Prevention of HIV/AIDS had been set up, as well as special programmes to inform adolescent girls about the disease and about safe childbirth.

20. Although the maternal and child mortality rates and the fertility rate were still high, they were low compared to the past. The high death rates were due to the fact that women had too many children, especially in remote areas where there were no childbirth facilities. However, inculcating the principle that deliveries in hospital were safest was not easy and

would require further social and economic development. The Government's population policy — one of its top priorities — was to persuade both sexes that birth spacing was necessary and was a family question. The Lao Women's Union had begun a campaign on that issue addressed to both men and women, and the recently adopted Law on the Family and Development called for consultation between spouses regarding birth spacing and the involvement of women in national development activities.

21. The many challenges the Government was facing stemmed from the fact that the country was poor, among the least developed, and lacked the means to implement programmes. It recognized, for instance, the importance of nutrition for adolescent girls and was trying to raise their awareness, but was unable to provide the needed nutrition for lack of funds. More international assistance was urgent.

Article 14 of the Convention

22. **Ms. Gnacadja** said that since the Government recognized the important role of women in rural development, it should focus on the proper application of the land laws in a country that was 83 per cent rural, and eliminate the discrimination against women with regard to title to land, which was incorrectly registered in the husband's name in most cases (report, pp. 53-54).

23. **Ms. Tan**, commending the Lao Women's Union for its good work and the Government for its political will, asked how it was planning to achieve the target of graduating from least-developed-country status by 2020 and what financial resources would be available. In the written reply (CEDAW/C/PSWG/2005/1/CRP.2/Add.4) to question 38 of the list of issues and questions, it was indicated that the Government had in nine provinces rectified the registration of the wife's land to the husband, and she wondered what percentage of women now held land in their own names and whether the Government could ensure that gender-oriented land titling would be the norm.

24. **Ms. Zou** Xiaoquao asked what the Government's goals were for assisting rural women, whose advancement was closely linked to national economic development in a largely rural population, and what percentage of women had been moved out of poverty as a result of the Lao Women's Union projects.

25. **Ms. Shin** said that the next report should discuss the results of the land titling reform, which should be extended to all provinces. Information should also be provided on the measures taken to change the unfair division of farm labour in rural areas and persuade men to share the burden of the heavy workload, which could also be alleviated if women were taught to use suitable machinery.

26. With reference to decision-making by women at the village level, the written reply to question 35 indicated that less than 14 per cent of women were part of the village water control committees and still fewer were members of the farmers' groups. At least 50 per cent of the membership of such village bodies should be women, and many more representatives from the Lao Women's Union should be assigned to work with them.

27. **Ms. Morvai** said that she had been surprised to read that women were responsible for 70 per cent of the opium production in the country (report, p. 50) and requested clarification about how much opium was produced, whether it was exported and to whom, and who received the profits. Clearly, such women were at risk from organized crime and traffickers of both kinds. The Government seemed willing to end opium production, but she wondered whether it could be done overnight and whether the international community was actually helping. Women were also responsible for 50 per cent of the cash-crop production: had there been any move towards more organic farming methods to cut down on the health hazards to women of toxic chemicals contaminating the soil?

28. **Ms. Schöpp-Schilling** asked whether any land had actually been re-registered to women in the nine provinces in which the land titling project was in effect, whether in those provinces the daughters of the family would inherit the land, and whether any opposition from husbands had been encountered. She would like to know whether the number of rural girls working in urban garment factories had gone beyond 15,000, whether they were informed of their labour rights and what results had been achieved by the inter-ministerial committee set up to attend to their needs. Also, in its HIV/AIDS prevention efforts, the Government should focus on the danger spots, such as the construction workers building roads into neighbouring countries, whose lifestyle undoubtedly made them carriers.

29. **Ms. Simms** said that the report and the delegation had provided eye-opening information. The relocation of rural populations from the mountains to the plains had been justified by the economic hardship and limited educational opportunities in the remote mountainous communities. However, traditional and rural women in particular had a strong spiritual link to the land from which they came and derived their sense of identity from it, a reality that should not be underestimated or ignored. She suggested that friendly countries could help set up programmes of distance education that would bring skills to the rural areas without displacing the population, which should at the same time be made aware of the rich natural resources that were waiting to be tapped in their lands.

30. **Mr. Kiattisak** (Lao People's Democratic Republic) said the problem of land title for married couples had been resolved; title to land could be registered to a woman and women throughout the country were being educated about their land rights. For married couples, the common assets of the household must be registered in the names of both spouses and the husband could not use any common assets for his own purposes without receiving approval from his wife.

31. **Mr. Kittikhoun** (Lao People's Democratic Republic) said that the reference in the report (p. 50) to the situation where 70 per cent of opium in ethnic minority villages was produced by women was really only valid for one ethnic group, the Hmong, who were mountain dwellers. In their culture, traditionally the woman was responsible for agriculture. Although his Government was attempting to increase awareness of the opium problem and also change mentalities, the situation could not be remedied overnight, especially given the poor overall economic situation in the country.

32. There were varying opinions on the appropriateness of relocating mountain tribes to the plains; his Government would be most happy to receive any recommendations from the Committee or be informed of the experience in other countries and adopt its policies to take into account women's close ties to their ancestral lands. The central issue was how to develop rural and remote areas; his Government felt it was best to help people help themselves although it was also fully aware of their attachment to the land. He stressed that mountain dwellers were not forced but rather encouraged to relocate in order to take

advantage of development projects in lower-lying areas. His Government was aware of the challenges it faced in that area but was committed to finding appropriate solutions.

33. **Ms. Pholsena** (Lao People's Democratic Republic) said her Government was committed to the goal of leaving the ranks of the least developed countries by 2020 and had implemented numerous programmes to promote that goal. The Women's Union likewise was working with partners such as employers and cooperation agencies to reduce women's illiteracy rates, provide greater education to rural women, increase their income and ensure they had access to health care. Women were especially disadvantaged because of their heavy workload, which left them little time for education; for that reason, programmes to combat illiteracy had been included in development programmes. Steps were also being taken to reduce women's workload; for example, since even young girls were expected to fetch water, her Government had a programme to install water pumps in villages to ease the burden on women; there were also programmes to eliminate stereotypes about the traditional roles of men and women and to encourage men to assume more responsibility for raising children and for household chores.

34. She said the situation concerning opium production had improved; in some provinces opium production had been eradicated although it would not be possible completely to eliminate opium production before 2010. Her Government was attempting to educate women about the risks of growing opium both for the environment and for their health; in some areas, mountain tribes had been encouraged to move to low-lying areas and plant alternative crops. Efforts were also being made to protect women factory workers in cooperation with the National Chamber of Commerce and in accordance with the Law on the Development and Protection of Women (future CEDAW/PSWG/2005/I/CRP.2/Add.4, answer 1).

35. Her Government was aware of the ease with which HIV/AIDS could spread along the new road links with neighbouring countries in the north and programmes had been undertaken to educate the population living near the roads. Education and counselling were also being provided to Lao women on how to protect themselves against transmission of HIV/AIDS.

36. The Lao Women's Union was trying to educate married women and men about their rights with regard to land titles. Part of the problem in the past had been that women were too preoccupied with other issues to devote much attention to their land rights; however, they were increasingly aware of their rights. Lao women perhaps had a tendency to be too accommodating and simply allow the man to manage their household. In an attempt to protect the interests of Lao women, the Women's Union had suggested that in cases of divorce, where the partner at fault was the man, which was usually the case, two thirds of the common assets of the marriage should be turned over to the woman.

Articles 15 and 16

37. **Ms. Tan** expressed concern that although the legal marriage age was 18, in some cases marriage was possible at the age of 15 (CEDAW/C/LAO/1-5, p. 60); that provision could be used as a way to get around the theoretical minimum age of marriage and to justify early marriage. She was also concerned that the low figures for domestic violence could simply mean that violence was not being reported and she wondered whether an accurate survey of the real situation had been undertaken.

38. **Ms. Gnacadja** said it was not enough to introduce more educational programmes for girls in rural and remote areas in order to reduce the rate of early marriage, as indicated in the delegation's written replies (CEDAW/PSWG/2005/I/CRP.2/Add.4, answer 39). The fact remained that by law marriage was possible in certain cases at the age of 15; she wondered what conditions might be used to justify early marriage. Furthermore, since compulsory schooling ended at age 10, many young girls could be considered to be available for marriage by 15, especially in rural areas. The law must therefore be amended to eliminate any exceptions to the minimum marriage age of 18.

39. She was also concerned at the practice of providing a bride price. Although in its written replies (CEDAW/PSWG/2005/I/CRP.2/Add.4, answer 42), the delegation stated that the bride price was simply a reward to the bride's parents for her upbringing and had nothing to do with the status of the woman within the marriage, the fact was that the very idea of providing a bride price implied a sort of purchase and an affirmation of the woman's inferiority to the man.

She noted that in the State party's report (CEDAW/C/LAO/1-5, p. 15), for the Lao Theung minority a bride price was received in 77 per cent of marriages and family authority lay almost solely with the husband; in the Hmong group a bride price was received in 67 per cent of marriages and a woman's status was subordinate to the man. The State party must rethink its attitude towards the provision of a bride price, which contributed to the stereotype of women's inferiority to men.

40. **Mr. Kiettisak** (Lao People's Democratic Republic) said that although marriage was allowed at age 15 in some cases, that was an improvement over the previous situation, when in rural areas marriage had at times occurred at the age of 12 or 13. Marriage could for example be allowed before the age of 18 in cases where a couple had had sexual relations and a pregnancy had resulted, forcing them to marry. His Government was, however trying to educate parents and the population to understand that marriage should not occur before the age of 18 and similar efforts were under way within the school curriculum. As for domestic violence, the reason that few cases were reported might be because in Lao culture issues such as physical abuse were shameful and kept hidden. He stressed that domestic abuse was not acceptable to Lao society and was punishable under the terms of the Law on the Development and Promotion of Women.

41. Lao society did not consider that the bride price represented the value or price of a bride; it was rather a gift to the parents for the bride's upbringing and to encourage them to accept the groom in the bride's family. The bride price did not define the status of the bride and even a large bride price did not mean that the bride was expected to be subordinate to her husband. The amount of the bride price was in fact discussed by the parents along with the sharing of the wedding costs; increasingly, it was not large and had a mostly symbolic value, often a sum based on the number 9, which was a symbol of good luck.

42. **Mr. Kittikhoun** (Lao People's Democratic Republic) reiterated that the problem regarding land titles could be resolved through education and trust between the partners; the current situation was that the common property in a marriage was registered in the name of both the husband and the wife.

43. **Ms. Pimentel** said the issue of prostitution was a delicate one; while it was difficult to accept

prostitution, which objectified women, the rights of prostitutes must be protected. The best way to address the problem of prostitution was through education and prevention. The criminalization of prostitution made women prostitutes double victims because they were already victims of poverty and lack of economic opportunity, which left them exposed to exploitation and trafficking. The State party should amend its legislation to decriminalize prostitution.

44. **Ms. Popescu** said although she recognized the many problems, including a colonial heritage, faced by the State party, nothing could justify toleration of any sort of discrimination against women. The Government had a responsibility to take measures, including in cooperation with international partners, to put an end to both direct and indirect discrimination against women. Although wholesale changes were not possible overnight, the Committee, through its consideration of periodic reports, sought to assist the State party in meeting its obligations under the Convention with a view to ensuring the economic and political empowerment of women, for the greater benefit of families and societies in general.

45. **Ms. Pholsena** (Lao People's Democratic Republic) thanked the Committee for the keen interest it had shown in the situation of women in the Lao People's Democratic Republic. She welcomed the opportunity to learn about the situation of women's rights in other countries and stressed her Government's commitment to promoting the advancement of women. International support for the cause of women's rights, including in the context of the reporting process to the Committee, was essential and she looked forward to receiving the Committee's conclusions and recommendations.

The meeting rose at 5.25 p.m.