



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

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## Committee on the Elimination of Discrimination against Women

Pre-session working group

Forty-fourth session

20 July-7 August 2009

### List of issues and questions with regard to the consideration of the combined sixth and seventh periodic reports

#### Lao People's Democratic Republic

The pre-session working group examined the combined sixth and seventh report of the Lao People's Democratic Republic (CEDAW/C/LAO/7).

#### General

1. Please provide further information on the process of preparation of the combined sixth and seventh report of the Lao People's Democratic Republic. The information should include which Government departments and institutions were involved in the preparation of the report and whether non-governmental organizations, particularly women's organizations, were consulted.
2. The report contains limited statistical data disaggregated by sex on the situation of women in several areas covered by the Convention, including different groups of women. Please provide information on how the Government intends to improve the collection of data disaggregated by sex and age, urban and rural women and women of ethnic groups, pertaining to the areas of the Convention.
3. In its previous concluding comments, the Committee requested the Government of the Lao People's Democratic Republic to widely disseminate the concluding comments<sup>1</sup> in respect of the combined initial, second, third, fourth and fifth report. Please provide information on the measures undertaken to make administrators, officials and politicians, as well as the general public and the women themselves, including rural women and women of different ethnic and minority groups, aware of the steps taken to guarantee de jure and de facto equality between women and men. The report states that Government officials have limited awareness and understanding of CEDAW and of gender mainstreaming. Please elaborate on

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<sup>1</sup> See CEDAW/C/LAO/CC/1-5, para. 45.



measures undertaken by the State party to raise the awareness of Government officials, judges and lawyers, through adequate training, about gender-based discrimination and the protection of women's human rights.

**Constitutional, legislative and institutional framework and status of the Convention**

4. Please describe further steps taken by the State party since the consideration of the previous report in 2005 to establish a comprehensive legislative framework in conformity with the Convention to ensure adequate protection of women from discrimination, including the availability of effective remedies, and to educate women about their right to be free from discrimination.

5. Further to the Committee's previous concluding comment (para. 18), please explain what measures have been taken by the State party to bring the Convention into the domestic legal system and ensure that it can be invoked in the courts? The report states that a definition of the term "discrimination against women" has been included in the Prime Minister's Decree, No. 26/PM, dated 6 February 2006, on the implementation of the law on development and protection of women. In that regard, please update the Committee on any plans to include a definition of discrimination against women in accordance with article 1 of the Convention in the Constitution or other appropriate legislation, as previously recommended by the Committee.

6. In its previous concluding comments, the Committee recommended that the State party should strengthen its national machinery by providing adequate human and financial resources, as well as setting up mechanisms to strengthen gender mainstreaming in all ministries and at all levels of the Government. It also recommended that governmental supervisory bodies should be created at all levels to monitor the implementation of the national strategic plan for the advancement of women for 2005-2010 (see para. 20). The report acknowledges that the mechanisms for the advancement of women, especially in respect of staff expertise and the limited budget allocations, are not sufficiently strong. Please elaborate on the steps taken to strengthen the mechanisms and institutions involved in the promotion of the advancement of women, including the National Commission for the Advancement of Women, to facilitate liaison with all sectors, including the Lao Women's Union, with regard to gender mainstreaming and the implementation of the Convention. Please provide information on the allocation of financial and human resources for the effective functioning of those national mechanisms and on the implementation of the Prime Minister's Order N.30/PM, of 23 December 2004, instructing ministries, government institutions and local administrations to set up their own committees for the advancement of women.

7. Please describe the progress achieved in realizing equality for women as a result of, inter alia, the implementation of the national strategic plan for the advancement of women for the period 2005-2010, referred to in the report. This assessment should include any impediments to achieving the development strategies and target goals for gender mainstreaming and capacity-building outlined in the strategic plan, remedial measures undertaken and intentions for future strategic plans.

8. Further to the statement in the report regarding women having limited access to legal information, making it difficult to protect themselves about their legal rights, please inform the Committee on measures undertaken by the State party to

increase legal literacy among women. Please clarify what complaint mechanism is in place for women who suffer gender-based discrimination and indicate if legal aid is provided to women in such cases? Furthermore, please indicate if the Lao People's Democratic Republic is considering establishing an independent national human rights institution in accordance with the Paris Principles (see General Assembly resolution 48/134, annex).

### **Stereotypes and discriminatory cultural practices**

9. According to the report, stereotypical attitudes and detrimental traditions continue to exist in the society. Under several articles, the report notes the pervasive impact of culturally entrenched stereotypes on the enjoyment of women of their rights under the Convention, including in the areas of education and employment and in their participation in decision-making. The previous concluding comments of the Committee recommended that a concerted nationwide campaign be undertaken to eliminate the pervasive traditional gender role stereotyping and to promote public awareness on issues of gender equality in all spheres of life. Please elaborate on the measures adopted and activities undertaken to raise awareness of gender roles in society as a whole, and particularly in the rural areas, aimed at bringing about changes in behaviour and the eradication of negative stereotypes and cultural practices that discriminate against women. What is the role envisaged for the media in this respect?

10. Please elaborate on concrete steps taken to use the educational system, including the school curriculum, to modify or eliminate gender stereotypes and negative cultural values and practices in a sustained and systematic manner.

### **Violence against women**

11. In line with the Committee's general recommendation No. 19, and further to the Committee's previous concluding comments (see para. 36), please provide information on the scope of all forms of violence against women and legislative and other measures taken to combat such violence. Please also provide information on the availability of health and social services for the victims and the introduction of capacity-building and awareness-raising programmes for various groups (including the police, lawyers, health workers and the judiciary) and the public at large. Please provide, if available, statistics concerning the number of complaints, investigations, prosecutions, convictions and penalties imposed on the perpetrators and any protective and/or compensatory measures provided to the victims or their families.

12. Please provide more information on the implementation of the Law on the Development and Protection of Women, of 2004, which aims to eliminate discrimination against women and combat violence against women and trafficking in women and children. Please explain whether that law has had an impact in the reduction of such violations of women's human rights. Please inform the Committee if the State party is considering criminalizing domestic violence and marital rape, as recommended by the Committee in its previous concluding comments. Please provide information on the number of shelters and services provided to the victims, disaggregated by urban and rural areas.

**Trafficking in women and girls and exploitation of women in prostitution**

13. According to the report, the State party is actively implementing 20 projects, in cooperation with international organizations and national agencies that directly or indirectly aim at combating human trafficking. Please provide more information on such measures and initiatives and explain whether they have had an impact on the reduction of cases of trafficking. What practical and urgent measures are in place to prevent and combat trafficking in women and girls and to safely repatriate women and girls who have been trafficked? Are any recovery and reintegration initiatives in place for women who wish to leave prostitution, including through discouraging the demand for prostitution, as recommended by the Committee in its previous concluding comments (see para. 30)?

14. Please provide more information on the bilateral agreement signed by the Governments of the Lao People's Democratic Republic and Thailand in 2005 on combating trafficking in persons and explain whether it has had an impact on the reduction of cases of trafficking. Has the State party signed other bilateral agreements on trafficking?

**Participation in political and public life and decision-making**

15. The report states that more than ever, women are participating in decision-making at all levels of society, that the electorate has chosen more women than ever before to the National Assembly and that the Government has appointed an increasing number of women to high-ranking positions. However, the report also acknowledges that the number of women in the leadership of all levels is limited and that there remain a number of factors that prevent women from political participation. Given the underrepresentation of women in the judiciary, at the international and local levels, and further to the Committee's previous concluding comments (see para. 32), please elaborate on concrete measures carried out or measures envisaged to achieve women's full and equal participation and representation in these areas, taking into account the Committee's general recommendation No. 25, on article 4, paragraph 1, of the Convention, and general recommendation No. 23, on women in political and public life.

16. The Committee, in its previous concluding comments, recommended that the State party should introduce measures, including legislative and administrative measures, as necessary, to create space for autonomous women's and human rights organizations (see para. 40). Please provide more detailed information on women's groups and national and international non-governmental organizations in the Lao People's Democratic Republic and any obstacles that may prevent their formation and participation in public life.

**Education**

17. The report states that, in general, although the education of women has improved, the literacy rate of women is still lower than that of men. Only 63 per cent of women are literate while the literacy rate of men is 83 per cent. The report further indicates that the school enrolment rate of girls is also lower than that of boys due to various causes such as family poverty, too many children in a family and lack of income. In its previous concluding comments, the Committee urged the State party to immediately take all appropriate measures, including temporary special measures, to reduce the illiteracy rate of women and to provide education to

women, both formal and informal, especially in rural areas and including ethnic minority women (see para. 24). Please provide more detailed information on the steps taken by the State party to reduce the illiteracy rate of women, including rural women and ethnic minority women, and to improve the school enrolment rates of girls and reduce their drop out rates. Such steps may include specific programmes, initiatives, including scholarships for girls, and other temporary special measures. Please explain whether the State party has sought or is considering seeking international assistance in this respect.

18. Please provide updated information on budgetary allocations for the education of women and girls, including the annual percentages of the total national budget allocated, since the consideration of the combined initial through fifth periodic report in 2005.

### **Health**

19. According to the report, access to health-care services remains a challenge, particularly in the rural areas; health indicators in the Lao People's Democratic Republic mark the lowest standard in the region; maternal and infant mortality rates are high and there are huge gaps between rural and urban areas in respect of access to health care. Since the consideration of the report in 2005, what specific measures have been undertaken by the State party to ensure access to health-care services for women throughout the country, including in rural and remote areas?

20. Please provide updated information on budgetary allocations for the health of women and girls, including the annual percentages of the total national budget allocated, since the consideration of the combined initial through fifth periodic report in 2005.

21. The report indicates (see table 16) that a very high number of women (36,066 out of 114,165 women) gave birth to children at home in 2004 and 2005, without the assistance of a midwife. Further to the Committee's previous concluding comments (see para. 26), please elaborate on concrete steps undertaken to reduce the high maternal and infant mortality rates. In this respect, please provide additional data on the maternal mortality rate, disaggregated by the age of the women, and urban or rural sectors, since the consideration of the combined initial through fifth periodic report in 2005 to date. Please also provide additional data on the infant mortality rate, disaggregated by sex, age and cause of death of the infant.

22. In its previous concluding comments, the Committee recommended that the State party should take all measures necessary to raise awareness among men and women, especially in rural areas, around construction sites and existing and emerging trade routes, to the risk of HIV/AIDS infection (see para. 28). According to the report, the number of women infected with HIV/AIDS increases at an average rate of 8 per cent per year. Please provide more information on the implementation of the plans and programmes to combat HIV/AIDS referred to in the report. This should include details on progress, challenges and gaps in implementation, monitoring and evaluation mechanisms established and results achieved. Please indicate whether the existing programmes and policies integrate a gender perspective, whether there are any special measures for prevention in place that target women and what other concrete measures are undertaken by the State party to address the feminization of HIV/AIDS.

**Employment, rural women, access to property and poverty**

23. In its previous concluding comments, the Committee recommended that the State party should study the impact of its economic reforms on women, with a view to improving equality between women and men in the labour market, including strengthening formal and informal mechanisms for the resolution of labour disputes through appropriate representation of women (see para. 34). Please elaborate on the steps undertaken by the State party to implement those recommendations. Please provide details of the sectors where women predominately work and also indicate how occupational segregation, pay inequalities, sexual harassment in the workplace and issues of occupational health and safety of women in both the public and private sectors are being addressed.

24. According to the report, villagers, especially the poor, do not have opportunities for self-development and do not have access to socio-economic services, such as self-help funding, education and health care. In this regard, please provide data and trends showing the rates of rural women's education levels, health-related issues and access to health services, the nature of their participation in the formal and informal labour sectors and access to loans and financial credit. What steps has the State party undertaken to improve women's access to such economic opportunities as production capital, market information and production technologies?

25. According to of the report, poverty is mostly found in rural and remote areas, especially among women. In its previous concluding comments, the Committee urged the State party to accelerate its plan to eradicate poverty among women, especially rural and ethnic minority women, by seeking international assistance more actively and, at the same time, by applying gender perspectives in all development programmes and fully integrating women into decision-making on those programmes and in their implementation processes (see para. 22). Please elaborate on measures undertaken by the State party to implement those recommendations. What has the State party done to ensure that ethnic minority women who depend on opium poppy production are provided with alternative and sustainable means of livelihood?

**Vulnerable groups of women**

26. Given that, according to the report, the Lao People's Democratic Republic is one of the most multi-ethnic nations in the world, with 49 official ethnic groups, please provide more information on the human rights situation of women belonging to ethnic and minority groups, in respect of education, employment, health-related issues and access to health services, access to land rights and protection from violence. Similar information should be provided in respect of women belonging to other vulnerable groups, including elderly women and disabled women.

27. Taking into account Security Council resolution 1325 (2000), please indicate whether both women and men war veterans have benefited from equal recognition and rehabilitation, including medical care.

**Marriage and family relations**

28. According to the report, article 17 of the Law on the Development and Protection of Women provides that men and women have the right to marry at 18 years of age and that, in special and necessary cases, the limit may be lowered to less than 18 years of age, but not less than 15 years of age. In its previous concluding comments, the Committee recommended that the State party should prohibit underage marriage in all circumstances (see para. 38). Please indicate any steps taken to raise the minimum age of marriage for both boys and girls to 18 years in order to bring it in line with article 16 of the Convention and the Committee's general recommendation No. 21, and whether a timetable has been established for enacting such an amendment. Furthermore, please inform the Committee of the extent of the practice *mia noi* (minor wife) in the State party, despite polygamy being formally prohibited.

**Optional Protocol and article 20, paragraph 1, of the Convention**

29. Please indicate any progress made towards ratification of or accession to the Optional Protocol to the Convention and acceptance of the amendment to article 20, paragraph 1, of the Convention, as recommended by the Committee in its previous concluding observations (see para. 41).

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