



Economic and Social Council

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Committee on Economic, Social and Cultural Rights

List of issues in relation to the initial report of the Lao People's Democratic Republic*

1. The State party is invited to submit in writing the information requested below (preferably not exceeding 10,700 words) by 31 October 2024.

A. General information

2. Please provide information on measures taken to ensure that the Covenant rights are fully justiciable in the domestic legal order. Please also provide information on cases in which the Covenant has been invoked before or applied by courts. Please further provide information on any steps taken to establish a national human rights institution. Please describe measures taken to ensure the independence of the judiciary with a view to protecting economic, social and cultural rights. Please provide information on measures taken, and their impact, to facilitate freedom of expression and the work of human rights defenders.

3. Please provide information on any steps taken to produce a national action plan on business and human rights and to introduce a regulatory framework to ensure that all business entities exercise due diligence, in both the private and the public sectors, with regard to economic, social and cultural rights in all their activities. Please include information on the impact of large investment projects, in particular on the effective implementation of laws and other measures related to human rights, and on the environmental impact assessments conducted before such projects are launched. In this regard, please provide information on the extent to which the communities concerned participate in human rights and environmental impact assessments of large investment projects. Please specify measures taken to ensure that individuals and communities affected by such projects can seek effective remedies, and give examples of such cases.

4. Please provide information on measures taken by the State party with regard to the mitigation of climate change, including specific measures, and their impact, to meet the nationally determined contributions for reducing emissions that the State party has set itself under the Paris Agreement. Please also provide information on the progress made in reducing per capita greenhouse gas emissions and on targets that the State party has set for further reductions. With respect to climate change adaptation policies and measures, please provide information on:

(a) How the State party assesses the impacts of climate change on the enjoyment of economic, social and cultural rights, in particular for marginalized and disadvantaged individuals and groups;

(b) Whether the State party has developed or plans to develop a national adaptation plan, with an adequate allocation of all required resources, to address the impacts of climate change on, inter alia, economic, social and cultural rights;

* Adopted by the pre-sessional working group at its seventy-third session (16–20 October 2023).



(c) Measures taken to strengthen preparedness for and responses to natural disasters, disaster risk reduction measures and measures taken to adopt a strategy to this end, with an adequate allocation of financial resources;

(d) Which institutions are tasked with the development and implementation of climate change adaptation measures and policies for slow-onset impacts in different areas, such as agriculture, housing and health, and how coordination among the institutions responsible for disaster preparedness and management is ensured.

B. Issues relating to the general provisions of the Covenant (arts. 1–5)

Right to freely dispose of natural wealth and resources (art. 1 (2))

5. Please provide information on the implementation of the Law on Land, the Law on Waters and Water Resources, the Law on Forestry, the Law on Resettlement and Vocation, the Law on Investment Promotion and the Law on Environmental Protection, including information on how the principles of corporate responsibility have been applied in that context and on cases in which the laws in question have been invoked.

Maximum available resources (art. 2 (1))

6. Please provide information on the results of the Eighth Five-Year National Social Economic Development Plan, for the period 2016–2021, and the preliminary results of the Ninth Five-Year National Social Economic Development Plan, for the period 2021–2025. Please also provide updated information on the evolution of the following, covering the past 10 years:

(a) The proportion of the population living below the nationally defined poverty line;

(b) Levels of inequality, before and after taxes and transfers, if possible defined as the ratio between the total income of the richest 10 per cent of the population and the total income of the poorest 40 per cent and as the ratio between the assets owned by the richest 10 per cent of the population and the assets owned by the poorest 50 per cent;

(c) The economy, in particular through the annual variations of gross domestic product (GDP), GDP per capita and the level of public debt in proportion to GDP;

(d) The proportion of public revenue generated through taxes and as a percentage of GDP, the proportion of public revenue obtained through direct and indirect taxes, the corporate tax revenue rate and the percentage of total revenue generated from personal tax collected on the incomes of the richest 10 per cent of the population, as well as provide an evaluation of the amount of tax evasion and tax avoidance and the fiscal cost of the main tax benefits;

(e) Public expenditure as a percentage of GDP and, within total public expenditure, the proportion of the public budget allocated to social spending, including social security, food, water and sanitation, housing, health and education;

(f) Any fiscal policies adopted in response to the coronavirus disease (COVID-19) pandemic.

7. Please provide information on the implementation of the State party's anti-corruption legislation and describe efforts made to combat bribery and other acts of corruption, paying particular attention to land administration, public procurement and tax administration. Please also provide statistical data on the number of cases of corruption prosecuted in the past five years, the penalties imposed on the perpetrators and the assets deriving from corruption that have been recovered, taking into account the transnational dimensions of those crimes, where relevant.

Non-discrimination (art. 2 (2))

8. Please provide information on measures taken to adopt a comprehensive anti-discrimination law prohibiting direct, indirect and multiple forms of discrimination on

all grounds and providing for effective remedies for victims, including as part of judicial and administrative procedures. Please also provide information on measures taken, and their impact, to ensure the full enjoyment of human rights by Indigenous Peoples and ethnic minorities.

9. Please provide information on measures taken, and their impact, to address the human rights abuses reportedly perpetrated against members of the Hmong community, including members of the ChaoFa Hmong community in Xaisomboun Province, and on strategies adopted to combat discrimination against them and safeguard their economic, social and cultural rights.

Equal rights of men and women (art. 3)

10. Please provide information on the following:

- (a) Measures taken to monitor and address the underemployment, occupational segregation and overrepresentation in the informal economy of women in the State party;
- (b) Legal and administrative measures taken to address the gender pay gap and promote equal conditions of work between women and men, including statistical data on the evolution of the gender pay gap in the State party over the past five years;
- (c) The impact and results achieved in the implementation of the Third Five-Year National Action Plan for Gender Equality, in particular for young women, women living in rural areas and women with disabilities;
- (d) The implementation of the Law on Gender Equality, including statistical information on the number of petitions lodged and their outcomes.

C. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Right to work (art. 6)

11. Please provide information on the following:

- (a) The specific measures adopted, and their impact, to implement the 10-Year Strategy on the Development of Labour and Social Welfare for the period 2016–2025;
- (b) The specific measures adopted, and their impact, to implement the Strategic Plan on the Development of a Labour Market Information System by 2025;
- (c) The implementation of the second phase (2016–2018) of the persons with disabilities employment support project, including the results achieved, the implementation of the 2018 Law on Persons with Disability, including specific measures such as monitoring and compliance mechanisms and key performance indicators and the impact of such measures on the employment situation of persons with disabilities, and the participation of civil society, the private sector and academia in the design and implementation of that Law.

12. Noting that the latest data provided by the State party date from the period 2017–2019, please provide updated comprehensive data on the realization of the right to work in the State party, including on labour force participation, employment, unemployment and underemployment, disaggregated by characteristics related to the most disadvantaged and marginalized groups, such as age, disability, sex, region, ethnicity or national origin, and by sector of the economy.

Right to just and favourable conditions of work (art. 7)

13. Please provide information on any specific measures taken, and their impact, to ensure the effective application and monitoring of labour legislation protecting the right to just and favourable conditions of work, including adequate wages and timely payment thereof, in the light of the relatively high proportion of the workforce employed in the informal sector. Please also provide information on the practical implementation of laws and conventions to combat hazardous work and the worst forms of child labour.

14. Please provide information on labour inspections, including statistical information on the number of workplace health and safety inspections carried out by relevant national authorities, including in special economic zones, and their outcomes.

Trade union rights (art. 8)

15. Please provide information on the legislative or other measures taken to ensure that employers do not retaliate against or intimidate workers seeking to form a trade union or claiming their rights as guaranteed under the Labour Law. Please indicate measures taken, and their impact, to enhance the effectiveness of the Lao Federation of Trade Unions by fully representing the voices of its members and promoting their rights, and please also identify any trade unions established outside the structure of the Federation and any policy reviews carried out to facilitate collective bargaining.

Right to social security (art. 9)

16. Please provide statistical information on the percentage of the population covered by national social security systems. Please also provide detailed information on measures taken, and their impact, to ensure the inclusion of disadvantaged and marginalized individuals and ethnic groups, including persons with disabilities and communities in rural areas, in social protection programmes.

Protection of the family and children (art. 10)

17. Please provide information on measures taken, and their impact, to combat internal trafficking in boys for labour exploitation, including in mining areas and special economic zones, and internal trafficking in girls for sexual exploitation.

18. Please also provide information on the following:

- (a) Measures taken, and their impact, to demine former conflict areas;
- (b) Measures taken, and their impact, to increase assistance to and strengthen rehabilitation services for children who are victims of explosive remnants of war;
- (c) Measures taken, and their impact, to address the development gap and intensify efforts to combat child malnutrition and multidrug-resistant malaria;
- (d) Measures taken, and their impact, to educate children about road safety risk factors and appropriate behaviour to prevent traffic accidents;
- (e) Measures taken, and their impact, to strengthen and enforce road safety regulations;
- (f) Measures taken, and their impact, to strengthen the capacity of the provincial and local branches of the National Commission for the Advancement of Women, Mothers and Children;
- (g) Any steps taken to pass legislation to remove exceptions to a minimum age of marriage of 18 for both boys and girls.

Right to an adequate standard of living (art. 11)

19. In the light of the COVID-19 pandemic, and with reference to the information provided in the State party report,¹ please provide updated information on the poverty rate and measures taken to combat poverty, including child poverty and poverty among disadvantaged and marginalized groups and among families with three or more children. In the context of rising inflation and worsening climate change, please also provide information on measures taken to tackle child malnutrition and ensure that everyone has access to adequate food supplies. In the same context, please further provide information on measures taken, and their impact, to support the livelihoods of small-scale farmers, pastoralists, people living in rural areas and people displaced by natural disasters.

¹ E/C.12/LAO/1, paras. 82–87.

20. Please describe the specific measures taken to ensure access to decent and affordable housing, including social housing programmes, in particular for disadvantaged persons and families living in slums, and on the impact of those measures. Please provide updated information and statistical data for the past 10 years on measures adopted to ensure access to safe drinking water and sanitation, in particular in informal settlements and rural areas.

Right to physical and mental health (art. 12)

21. Please provide information on the impact of the COVID-19 pandemic on the viability of the health-care system as a whole, including on the backlog of operations, medical examinations and other medical procedures. Please also provide information on the results of the World Health Organization country cooperation strategy for the Lao People's Democratic Republic for the period 2017–2023. Please further provide information on the status of the adoption of the mental health bill.

22. Please provide information on specific measures taken, and their impact, to implement the National Strategy on HIV Prevention for the period 2016–2020, the National Strategy for the period 2021–2030 and action plans for the period 2021–2025 in order to improve HIV prevention, provide screening and offer access to care for persons living with HIV.

23. Please provide information on the provision of health care and medical services in practice to persons deprived of their liberty, in particular measures taken, and their impact, to screen for and prevent tuberculosis and support those living with HIV. Please also provide disaggregated statistics on the number of drug-related deaths over the past five years and on any harm reduction programmes implemented for persons who use drugs or misuse controlled substances.

24. Please outline the impact of measures taken to increase access to basic services in the area of sexual and reproductive health. Please provide information on educational programmes regarding sexual and reproductive rights in the school system, including with regard to the prevention of teenage pregnancy and child marriage. Please also provide information on any developments towards the decriminalization of abortion. Please further provide information on the results of the implementation of the Law on Immunization over the past five years.

Right to education (arts. 13 and 14)

25. Please provide information on the preliminary results of the Education Sector Development Plan for the period 2021–2025, including updated disaggregated statistical information on literacy rates, school attendance and school completion. Please also provide information on measures taken, and their impact, to enhance the quality of education and school infrastructure and increase the supply of qualified teachers. Please further provide information on specific measures taken to address the negative impact of school closures in the context of the COVID-19 pandemic on children's access to education, taking into account any disproportionate effects on disadvantaged and marginalized children.

Cultural rights (art. 15)

26. Please provide information on measures taken to uphold the right of everyone to enjoy the benefits of scientific progress and its applications, including steps taken by the State party to ensure affordable access to the Internet for disadvantaged and marginalized groups, in particular in rural areas. Please also provide information on measures taken to ensure religious and cultural freedom and diversity.