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**Committee on the Elimination of
Discrimination against Women**
Pre-session working group for the thirty-second session
10-28 January 2005

**List of issues and questions with regard to the consideration
of initial reports**

Lao People's Democratic Republic

Introduction

The pre-session working group examined the combined initial, second, third, fourth and fifth periodic report of the Lao People's Democratic Republic (CEDAW/C/LAO/1-5).

Articles 1 and 2

1. In the report, it is noted that as a signatory to the Convention, the Lao People's Democratic Republic "accepts its legal commitment to end any form of discrimination against women owing to gender" (p. 8). The report also notes that there are "no acts that specifically define discrimination against women" (p. 8). Yet, according to the report, discrimination against women remains prevalent in nearly every aspect of women's lives. What steps have been taken 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?
2. Please indicate the status of the Convention in the national legal system. In instances of conflict between provisions of the Convention and national law, which provisions would prevail?
3. Do any independent mechanisms (such as an ombudsperson) exist that would enable women to register complaints for rights violations?

Article 3

4. Please describe the progress achieved in realizing equality for women as a result of the implementation of the Development Plan for Lao Women 1998-2003. This assessment should include any impediments to achieving the development strategies and target goals for gender mainstreaming and capacity-building outlined in the Plan, remedial measures undertaken and intentions for future development plans.

5. Please provide information regarding the current status, role and resources of the subsequently established National Commission for the Advancement of Women in the Lao People's Democratic Republic.

6. Please describe the way statistical data are collected, including any efforts to collect sex-disaggregated data.

Article 5

7. Under several articles, the report notes the pervasive impact of culturally entrenched stereotypes on the enjoyment by women of their rights protected under the Convention, including in the areas of education and employment and in their participation in decision-making. The report also notes that a number of measures have been proposed to combat such gender stereotyping and the perceived inferiority of women (pp. 13 and 18). Please describe the progress achieved as a result of these measures, including the current status and reach of the widespread media campaign of the Lao Women's Union and the extent to which the goals established by the Union's Gender Resource Information and Development Centres (p. 18) have been achieved.

8. In the light of the above-noted gender stereotyping, please indicate what practical steps have been taken to use the educational system to combat gender stereotyping in a systematic manner.

Violence against women

9. What measures have been adopted to combat both the underreporting of instances of domestic violence and/or sexual violence and the belief among young people in the Lao People's Democratic Republic that "violent behaviour between spouses is ... fairly normal" (p. 16).

10. The report states that under the Criminal Law, individuals may be granted exemption from penal sanctions where physical violence occurs between close relatives "without serious injuries or physical damages" (p. 16). What legislative provisions, emergency services, health-care protocols or general information networks are available to victims of domestic violence?

11. In accordance with the Committee's general recommendation 19 regarding violence against women, please provide detailed information about steps taken to develop comprehensive legislation on all forms of violence against women, as well as local and/or national services that are available to women who are victims of violence.

Article 6

12. In addition to the trafficking in women and children in the Mekong subregion project, which was designed to collect data on the reasons for women and girls being trafficked, what practical and urgent measures are in place to prevent and combat trafficking in women and girls and to rehabilitate and safely repatriate women and girls who have been trafficked?

13. According to the report, prostitution in the Lao People's Democratic Republic is illegal and punishable and yet it is increasing. Does the Criminal Law provide for the prosecution of male clients? To date, how many people have been charged with assisting or facilitating the exploitation of prostitution? Please provide more information on measures that are planned or in place to combat the exploitation of prostitution, including the status and effectiveness of the project to provide alternative sources of income and vocational training for prostitutes and women who may be vulnerable to becoming prostitutes.

Articles 7 and 8

14. The report indicates that the number of women in public life, at all levels of Government, remains very low. Article 7 of the 1997 Presidential Decree on the Electoral Law of the National Assembly provides that "National Assembly members shall include an appropriate proportion of the representatives of the people of different strata, sex and ethnic minorities" (pp. 14 and 21). Please explain what would constitute an "appropriate proportion" and describe any temporary special measures (such as quotas or incentives) instituted to achieve women's full and equal participation and representation at all levels of government, including the Cabinet of Ministers, the Politburo, the Central Committee and at the district and village levels, taking into account the Committee's general recommendation 25 on article 4, paragraph 1, of the Convention, and recommendation 23 on women in public life.

15. While the report notes the involvement of international governmental organizations in various projects designed to support the advancement of women (pp. 13 and 24), there is only a brief reference on page 13 to the role that non-governmental organizations have played in community development. Please provide information about 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.

16. At the level of local administration, village chiefs play a key role in the resolution of conflicts. Please describe the election or appointment processes of village chiefs and their deputies and any steps that have been taken to increase women's representation in these positions. Please also provide information regarding the existence of or plans for gender awareness training programmes for village chiefs and their deputies.

17. A statistical breakdown of judges and legal officers in the Lao legal system in 1998 has been provided in the report (p. 58). Please provide up-to-date statistics on the number and percentage of female judges, prosecutors and lawyers.

Article 9

18. Can a woman obtain a passport and travel freely without the prior authorization of her husband?

Article 10

19. Despite recognition that “the starkest education problems appear at the primary level”, the report states that the Government has “decided to postpone the implementation of the compulsory primary education at all levels beyond the year 2000” (pp. 27 and 28). Please clearly identify the reasons for this postponement and indicate when the Government intends to resume a programme of compulsory primary education.

20. The report states that between 1976 and 1985 “massive literacy campaigns were introduced in the rural areas of the country with immediate but unfortunately not with long-term results” (p. 27). Currently, literacy rates are reported to be generally low among Lao women (66.12 per cent), however the report notes that literacy rates are extremely low among ethnic minority women (i.e., Khmu 22.71 per cent; Hmong 8.10 per cent; Akha 0.74 per cent) (p. 30). What is the status of the non-formal education and literacy programmes that are described on page 30 of the report, and to what extent have they been successful in increasing literacy rates, particularly among ethnic minority women in the Lao People’s Democratic Republic?

21. In accordance with the education for all by the year 2000 programme, the report notes that a women’s education project was initiated, inter alia, to increase the gender and ethnic sensitivity of the formal school system, integrate the three main systems of education at the village level, enhance educational sustainability and provide access to education (p. 32). Given the substantial physical, cultural, economic and linguistic obstacles girls face in gaining access to education, as has been described in the report, please indicate what practical measures have been undertaken to achieve the goals of providing educational facilities for girls (particularly for girls in ethnic and rural communities) and of improving access, enrolment and pupil retention in all levels of education.

22. What is being done to address the substantial percentage of teachers who are underqualified (i.e., 35 per cent in urban areas and 70 per cent in rural areas)?

Article 11

23. What steps are being taken to remedy gender disparities between women’s and men’s salaries for equivalent work?

24. Has the Government taken any action to remedy the gender biases that continue to be faced by professional women working in the civil service, including the reduction of their participation that occurred as a result of economic restructuring in 1988 and 1991 (p. 37)?

25. The report suggests that during a tripartite review meeting of the public administration reform project, the Government “emphasized the importance of a policy to advance more women in the public administration” and states that gender issues should be included in the civil service reform action plan (p. 38). However, the Government also noted that implementation of these ideas could be difficult owing to wider socio-economic issues. What are the difficulties envisaged by the Government and what steps are being taken to counteract these impediments?

26. According to the report, the Lao Women’s Union had shown interest in encouraging women as small-scale entrepreneurs and launched a programme to train

women in entrepreneurial skills and to provide them with practical and programmatic support through the extension of small-scale loans and revolving funds. Please indicate the status of the 1998-2003 programme launched by the Union, which was developed to provide practical and programmatic support to women as entrepreneurs and to ensure that women were fully able to take advantage of new economic opportunities, including in areas of modern information and communications technologies.

27. Are maternity benefits universally available to all women throughout the Lao People's Democratic Republic, in the public and private sectors as well as the informal sector?

Article 12

28. Considering the "stark" gap in medical services and personnel between rural and urban areas (see, in particular, pp. 50 and 51), what steps have been taken to develop incentive programmes designed to encourage medical personnel to travel to or establish medical practices in rural communities or to train local women in general health-care provision?

29. According to the report, a target to reduce maternal mortality rates by 2000 was established under the safer motherhood programme (p. 42). What have been the results of this and other related programmes, such as those focused on improving women's access to health care and women's nutrition?

30. The report notes that "population education classes" were to be held at all educational levels yet the report also observes that enrolment rates of adolescent girls and boys in schools remained extremely low (p. 44). Have community outreach birth spacing services (such as the National Birth Spacing Programme) been made available to both adolescent girls and boys who are not enrolled in school or those who live in rural areas without access to health-care services?

31. Abortions performed for reasons other than those established by strict medical criteria are criminalized under article 85 of the Criminal Law. Please provide detailed information on prosecutions and imprisonment of women who have had abortions and on measures that are in place to ensure information about and easy access for both women and men to contraceptives and family planning.

32. Please include information regarding the number of women with disabilities in the Lao People's Democratic Republic as well as the availability of services that have been established for their assistance.

33. What is the current status of the draft national population policy and development policy? If these policies are in force, to what extent have the policy goals, target indicators and implementation strategies been realized?

Article 13

34. Articles 7 and 46 of the Property Law guarantee the equal right to women and men to "make contracts and to take loans and to administer these contracts" (p. 47). Further, Regulation No. 5 on the Credit Policies of Commercial Banks and Financial Institutions outlines women's equal rights to loans issued by banks and other financial institutions. However, the report identifies that in practice, women have less access to credit owing to cultural barriers, lack of collateral and a need to obtain the prior authorization of a male "family representative" (p. 47). What measures has

the Government taken to eradicate these discriminatory requirements or to improve women's access to formal credit?

Article 14

35. The report notes that more than 83 per cent of the population lives in rural areas (p. 35) and many women must walk long distances to retrieve household and drinking water (p. 54). Please describe the impact of efforts undertaken to achieve the active participation of rural women in the decision-making processes, in particular with regard to implementation of the water and environment sanitation programme, and the Water User Organizations and to improve their access to water supplies and irrigation schemes.

36. The State party report notes that rural women "face extraordinary barriers to good health" which is often exacerbated by cultural traditions and low levels of education (p. 40). As stated in the report, cultural traditions may include the role of men in determining (thereby restricting) which health-care services may be used by family members (p. 40). Please indicate what specific measures have been undertaken to eradicate cultural, linguistic and physical restrictions to rural women's access to health care as well as efforts aimed at increasing women's knowledge of the importance of health care for themselves and their families.

37. Please provide detailed information regarding the specific measures that have been adopted to protect those women and girls who are particularly vulnerable to discrimination, such as women in rural communities, members of the Khmu, Hmong and Akha minority groups, highland refugees and those who have been exposed to the rapid increase in tourism since the Lao People's Democratic Republic joined the Association of South-East Asian Nations.

38. According to the report (pp. 10, 53 and 54), under the recently introduced land titling process a significant proportion of land originally owned by women has been incorrectly registered on land documents in their husband's name. The report notes the impact of the public information seminars and awareness-raising efforts among district level land titling officers. Do women in the Lao People's Democratic Republic have access to legal mechanisms that would enable them to challenge incorrect land registrations and, if so, to what extent are they being used?

Articles 15 and 16

39. Has the Government instituted any plans to address the recent trend towards early marriages?

40. Article 27 of the Family Law (1990) provides that "husband and wife have equal rights over acquired assets independently of the fact whether the estate was acquired by the husband or by the wife" (p. 59). Please identify any legal provisions that may be available to women to ensure adequate protection of credit or loans received to finance their small business enterprises.

41. Considering the diversity of ethnic groups and differences in cultural traditions and practices in terms of marriage and family life, are women able to seek application of the Civil Code in instances where cultural practices infringe upon women's equal rights? Have any steps been taken to develop women's legal literacy?

42. Is there any research on the possible correlation between the bride price practice and the status of Lao women within marriage?