



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

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**Committee on the Elimination of Discrimination
against Women**
Forty-fourth session

Summary record of the 892nd meeting (Chamber A)

Held at United Nations Headquarters, New York, on Friday, 24 July 2009, at 10 a.m.

Chairperson: Ms. Gabr

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The meeting was called to order at 10 a.m.

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

Combined sixth and seventh periodic reports of the Lao People's Democratic Republic (CEDAW/C/LAO/7)

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.*

2. **Mr. Lengsavad** (Lao People's Democratic Republic), introducing the combined sixth and seventh periodic report (CEDAW/C/LAO/7), said that his Government had made progress in its national socio-economic development plan and the National Policy on Women's Empowerment. Legislation had been revised to include discrimination against women as a criminal act and Decree No. 26/PM on the Implementation of Law on Development and Protection of Women of 6 February 2006 had been enacted to address the requirements of the Convention. The women parliamentarians group had been established to strengthen the participation of women in drafting legislation, implementing the national socio-economic development plan and monitoring the work of the People's Court and Prosecutor.

3. The Lao National Commission for Advancement of Women had been established by the Prime Minister's Decree No. 37/PM on 1 April 2003, and it had submitted the National Policy on Women's Empowerment to the Government in 2006. The National Commission enjoyed budget allocations and financial and technical assistance, and it worked closely with Government agencies, including the Ministries of Education and Agriculture, and local administrations to lead awareness-raising campaigns and other gender-mainstreaming activities. It was responsible for drafting and submitting periodic reports to the Committee, and had taken part in the Association of Southeast Asian Nations High-level Meeting on Good Practices in CEDAW Reporting and Follow-up held in Vientiane from 14-15 January 2008.

4. The Lao Women's Union worked to enhance political knowledge and capacity for Lao women of all ethnic groups while focusing on equality and ending family violence. It organized training programmes, protected the interests of women and children, promoted income generation for women, and enhanced

cooperation with international organizations. While there was a coordination mechanism connecting the National Commission, the Lao Women's Union and the women's parliamentary group, methods to improve cooperation were under review.

5. Work remained to be done in addressing old traditions and stereotypes that negatively affected women and girls. While there was no short-term solution, the Government had succeeded in implementing legislation to protect women against discrimination. In an effort to address persistent stereotypes and discriminatory traditions in rural areas with limited access to Government programmes and education, the Government had linked the elimination of discrimination against women within the national socio-economic development plan to the National Growth and Poverty Eradication Strategy. Another area of concern was trafficking in women and children, which targeted mainly poor, rural families. Perpetrators could receive penalties ranging from the death penalty to monetary damages, depending on the gravity of the offence.

6. Women had become increasingly active in political and social life. Numbers of women in the Party Central Committee were on the rise, and there were more women ministers, vice-ministers and parliamentarians. There were also two women ambassadors and one woman consul-general. The Government was committed to implementing more measures to enhance the participation of women in decision-making processes, and called upon women to equal the excellence of their male counterparts. Turning to education, the Government had established the Centre of Education Promotion for Women, Ethnic Groups, and People with Disabilities which served to carry out the policies of the Ministry of Education and which hoped to make compulsory education for all a reality by 2015. The Ministry of Public Health had created a technical team to strengthen the health-care system and its accessibility to all women, in particular for prenatal and maternal health services.

7. Finally, legislation had been passed and training had been provided to empower women to participate freely in the manufacturing, business, and service industries with equal pay and legal protection. The Lao Women's Union had also established women-only vocational schools. The Government of the Lao People's Democratic Republic had highlighted the importance of adhering to labour law and the Law on

Development and Protection of Women to agencies including the Ministries of Labour and Social Welfare and of Education, to trade unions and to the Lao Women's Union. The Government remained committed to ensuring the implementation of the Convention.

Articles 1 to 6

8. **Mr. Flinterman** said that he would be glad to know whether the Convention had been incorporated into the domestic legal system and whether judges knew that they must interpret domestic law in light of the obligations under the Convention. He would like clarification on the obstacles to amending the Law on Development and Protection of Women to include a definition of discrimination that was in line with the Convention. Further, he would appreciate details on the scope of the Law and, in particular, whether it provided for temporary special measures and created individual rights for women and groups of women. He would like to know what remedies were available for women whose rights had been violated and whether there had been any court cases based on the Law or convictions obtained that had invoked the Convention, as well as what government departments were responsible for the implementation, enforcement and monitoring of the Law. He would also be interested in how awareness programmes had been implemented to inform women of their rights under the Convention. Finally, he encouraged the delegation to consider ratification of the Optional Protocol.

9. **Ms. Popescu** said that she would welcome information on institutional mechanisms for gender advancement, including detail about the National Commission and its subcommissions, and in particular how its efficiency and effectiveness were ensured. She wondered whether the new budget was operational and whether it had been applied to the National Commission and its subcommissions. She asked how coordination between the National Commission and the Lao Women's Union was handled, and in particular whether the Lao Women's Union was also responsible for working with women in ethnic groups. She wondered how the work of the Lao Women's Union connected to the National Commission and its task to design policy, and how both organizations incorporated matters specific to ethnic groups into gender policies. She would like more detail on the Prime Minister's Decree on Associations, including on the types of non-government organizations (NGOs) that it allowed

to be created. She also would like to know the relationship between the Lao Women's Union and Lao autonomous organizations. It would be helpful to have a detailed assessment of the implementation of the strategic plan for gender mainstreaming and the advancement of women, in particular its inclusion of gender-mainstreaming elements and its connection with the National Growth and Poverty Eradication Strategy.

10. **Ms. Hayashi** asked whether the Government had implemented any temporary special measures, including budgetary measures, to improve the capacity of women candidates to reach the target number of women elected officials, and whether political parties had been encouraged to increase the number of women candidates. She wondered whether there were rules to establish target numbers of women in political parties or the Parliament. She would like to know how challenges women faced in elections were recognized and whether any steps had been taken to remove obstacles to their election.

11. **Ms. Pimentel** said that the fact that most victims of domestic abuse eventually returned to their husbands was a serious concern and conflicted with statistics given in the report. She wondered whether there were any specific measures taken to change traditional patterns that negatively impacted the decisions, education, and independence of women. Harmful traditions, such as rape of ethnic girls before menarche to avoid early death, were alarming. She wondered whether the Law on Development and Protection of Women included measures to penalize aggressors, whether they were being implemented, and whether they were sufficient to eradicate gender violence against ethnic and rural women.

12. **Ms. Halperin-Kaddari** said that the delegation did not seem to fully understand the gravity of violence against women as an issue. The criminalization of discrimination provided in the Law on Development and Protection of Women was vague and ineffective, and did not include specific legal mechanisms for domestic violence. Further, the definition of rape was narrow and should be amended to include all cases in which sexual acts were performed without consent, including cases involving unconscious women and marital rape. She encouraged the Government to study best practices to combat violence against women in and out of the home, and to detail such measures in the next report with specific data including charges

brought against aggressors, trial and punishment mechanisms, and police and judiciary training programmes. She was concerned that domestic violence cases were handled through village mediation units, and welcomed more detail about the units. She would also like to learn how many shelters there were, and whether there were separate shelters for victims of domestic violence and victims of human trafficking.

13. **Ms. Ara Begum** said that she would like information on initiatives to eradicate pervasive traditional gender-role stereotyping, in particular on nationwide outreach and awareness-raising campaigns targeting ethnic and rural communities. She asked how electronic and print media had been used to eradicate negative stereotyping and cultural practices. She would like more information on the implementation of the Law on Development and Protection of Women, the Family Law and the Penal Law of 2005, and whether they had impacted the reduction of violence against women. It would be helpful to have statistics on the prosecution of aggressors and their punishment, and on the number of shelters, including data on the health, social and legal services that they provided, broken down by urban and rural location. She would also like to learn of programmes to eliminate violence against rural ethnic women, including gender-policy training programmes for police officers, judges, and border-control officers and programmes to raise awareness of and access to justice for women in ethnic groups.

14. **Ms. Chutikul** said that she would like more information about the National Steering Committee for Combating Human Trafficking, including the composition of its membership, its mandates, secretariat, achievements and current concerns. She would appreciate information on how work to combat trafficking was handled at the provincial level, including the repatriation of girls trafficked outside of the country and their reintegration. She would like statistics on girls trafficked disaggregated by destination. The Memorandum of Understanding Between the Government of the Kingdom of Thailand and the Government of the Lao People's Democratic Republic on Cooperation to Combat Trafficking in Persons, especially Women and Children was a positive step, and she wondered what could be done further to combat trafficking, including with other countries in the region.

15. **Ms. Leudedmounsone** (Lao People's Democratic Republic) said that laws and regulations of the country

were clearly defined and in line with the Convention. The definition of discrimination was included in the Law on Development and Protection of Women, which also included requirements that the Convention must be incorporated into domestic law and cover public and private sectors. Women victims of violence had the right to seek legal protection, and aid was provided through the Prosecutor's Office, the People's Court, and the legal office of the Lao Women's Union. In addition, Convention documents had been disseminated to raise legal awareness of women.

16. There were institutions similar to the National Commission at the provincial and village levels. The National Commission was funded through budget allocations of a number of ministries, while provincial and village commissions were funded through provincial and village budget allocations. The National Commission, the Lao Women's Union and women parliamentarians were linked, and coordination with provincial and village administrations was handled by the National Commission. Those bodies had implemented initiatives and workshops for women in remote areas, including ethnic women. The Lao Women's Union had begun to implement the Government policy to create Lao non-governmental organizations and, as a result, a number of women's groups had been established. Coordination with other stakeholders nationwide was under way, resulting in successes, including increased women's participation in leadership positions, more widespread knowledge of the Convention and greater understanding of domestic violence.

17. The Government was working hard to involve as many women candidates as possible in the National Assembly elections. Meetings were organized to identify and select potential women candidates, who underwent training programmes and were subsequently backed for election. The number of women in the Party Central Committee had increased. However, it was not easy for Lao women to overcome the challenges impeding election. They had to learn to assert themselves and understand that they had the right to a profession. The Lao Women's Union was the agency that outlined programmes for the advancement of women.

18. Stereotypes were prevalent worldwide, and the Lao People's Democratic Republic had implemented measures with the Lao Women's Union to combat negative stereotypes at the provincial and village

levels. While it was not a problem that could be easily eradicated since it was rooted in tradition, progress had been made. There was now a broader understanding of stereotypes among urban and rural scholars and intellectuals, and relevant authorities had implemented advocacy strategies to establish health services, schools, and communication facilities in remote areas. Domestic violence remained a concern at all levels. It had been classified into two types: harmful and not harmful. There was a counselling centre for women seeking legal advice and social services. Data indicated that 400 cases of domestic violence had been reported from 2006-2009, and most were not considered serious. There were three cases of incestuous rape. Specific organizations addressed domestic violence, including the Lao Women's Union, the Ministry of Public Security, the Ministry of Justice and the Prosecutor's Office. The Lao Women's Union was a national union with branches in the provinces; it carried out advocacy campaigns targeting victims of domestic violence.

19. **Mr. Kiattisak** (Lao People's Democratic Republic) said that the implementation of the Law on Development and Protection of Women was monitored by the Prosecutor's Office and the National Assembly. The revised Penal Law clarified the criminalization of discrimination and outlined prosecution of aggressors. The Government considered prosecution of aggressors under the Penal Law as a last resort, and every effort was made to eradicate domestic violence through awareness. Those efforts were included in the duties of the Lao Women's Union, the National Commission, the Lao Youth Union, trade unions and all governmental agencies. The Ministry of Foreign Affairs would study the ratification of the Optional Protocol. Domestic NGOs did have a connection with the National Commission and the Lao Women's Union. The Prime Minister's Decree on Associations had not yet been fully implemented.

20. **Mr. Phommachanh** (Lao People's Democratic Republic) said that the National Steering Committee to Combat Human Trafficking included representatives from the Lao Women's Union, the Supreme Court, the Prosecutor's Office, the Ministry of Labour and Social Welfare, the Ministry of Justice, and the Ministry of Public Security, with its secretariat in the Ministry of Public Security. The mandate of the Steering Committee was to prevent human trafficking and to coordinate with other countries. It had adopted a plan of action and training had been organized for law

enforcement officers, and for investigative and prosecuting authorities including lawyers. The 2005 Memorandum of Understanding provided measures for the prevention of human trafficking, in particular of women and children, and had reduced trafficking significantly. Measures to assist in victim repatriation and counselling were included in the memorandum. Still, full and timely cooperation between the countries could be improved, and unfortunately some officials were complicit with traffickers. While there was no formal agreement with other countries, the Government cooperated closely with them through diplomatic channels.

21. **Ms. Leuedmounsone** (Lao People's Democratic Republic) said that often women returned to their husbands after having been abused because they were not economically independent. The Lao Women's Union and other agencies were addressing the issue by creating income generation opportunities for women.

22. **Mr. Kiattisak** (Lao People's Democratic Republic) said that marital rape had been thoroughly studied by the National Commission. The delegation would carefully study the phenomenon, which was not considered serious.

23. **Ms. Leuedmounsone** (Lao People's Democratic Republic) said that the Government provided assistance to all victims of human trafficking. The Ministry of Public Health also provided assistance to victims. While the Lao Women's Union provided some health and social services, owing to shortfalls in budget allocations it was not uncommon for victims of trafficking to turn to their families for aid upon repatriation.

24. **Ms. Pimentel** said that education and legislation had to be implemented simultaneously to combat violence against women. The data on incestuous rape was unreliable and the issue should be studied further. She would like details on stereotyping of ethnic girls, in particular the ritual rape of girls before menarche.

25. **Mr. Flinterman** said that he would like more information on the status of the Convention and the substance of the Law on Development and Protection of Women. Specifically, he wondered where a Lao woman could submit a claim of discrimination and whether she could invoke the provisions of the Law and of the Convention. He wondered how many claims had been submitted since 2004, and what remedies were available for women victims of discrimination.

He would like to know whether and how a foreign woman could submit a claim of discrimination. The Government should consider expanding the general provision on the criminal prohibition of discrimination, as it was insufficient.

26. **Ms. Popescu** said that she would like to know more about activities of the Lao Women's Union specific to ethnic groups, and how the Union reached out to remote ethnic groups. She asked whether national NGOs could be independent and autonomous. Finally, she would like clarification on the classification of domestic violence as harmful and non-harmful.

27. **Ms. Halperin-Kaddari** asked for further clarification of the definition of rape, as it was unclear and narrow. She would like more information on village mediation unit operations and safeguards to ensure their objectivity.

28. **Ms. Leudedmounsone** (Lao People's Democratic Republic) said that there had been only three reports of incestuous rape received by the Lao Women's Union and the Prosecutor's Office. The Lao Women's Union had conducted surveys in ethnic communities and there were no reports of rape of girls before menarche. When women could not access health-care services they could lodge a complaint. The Lao Women's Union had no activities that were specific to ethnic groups. Income-generating funds had been established for Lao women regardless of their ethnic group, and particular attention was paid to providing access to education for ethnic girls. The Lao Women's Union assisted in establishing independent, autonomous organizations such as the Lao Female Entrepreneurs' Group.

29. **Mr. Kiattisak** (Lao People's Democratic Republic) said that all infractions were categorized as less or more serious according to the crime committed. Less serious cases of domestic violence would include cases that did not cause physical disability or a life-threatening risk. Village mediation units were grass-roots organizations that handled less serious crimes including petty theft, family disputes, and less serious cases of domestic violence. The units included the head of village and representatives from the Lao Women's Union and the security unit. The Government had implemented training and awareness-raising programmes to improve the capacity of village mediation units. More serious cases went to the Prosecutor's Office. Foreign women had the same

rights as Lao women to lodge a complaint and seek justice. Criminal complaints had to be submitted to the police or the Prosecutor's Office; only civil cases could be taken directly to local courts.

Articles 7 to 9

30. **The Chairperson**, speaking in her capacity as an expert, said that she would like to know the specific numbers and percentages of women in foreign affairs, broken down by administrative staff and career diplomats.

31. **Ms. Popescu** said that she would like to know how many women lawyers and magistrates there were, and how many women were in the police and military forces. Women seemed to be underrepresented at the local level and she wondered what measures had been taken to increase representation and to address women's low self-esteem. She wondered who established the village mediation units. She would like information on temporary special measures taken to amend electoral law in the interest of women's participation, how appropriate proportions for women's representation were established and what temporary special measures were taken to attain targets of increased representation of women in political parties, the National Assembly, and organizations. She would like to know how women were involved in the process of public administration reform at all levels.

32. **Mr. Flinterman** said that he welcomed information on provisions governing citizenship after marriage to a foreigner or giving birth in a foreign country, including the rights of children in such circumstances.

33. **Ms. Leudedmounsone** (Lao People's Democratic Republic) said that there was no data on the number of women lawyers. The delegation would include the numbers of women in the police and military forces in the next report. She clarified that there were a number of women in decision-making positions and the number of female parliamentarians was increasing. If women were able to meet the criteria of the National Assembly then they could present their candidacy. There were no temporary special measures to increase women's participation, but the delegation would consider them in accordance with the Human Resource Development Strategic Plan. The Lao Women's Union had implemented specific training programmes for women and hoped to reach its target by 2020. The Government would study ways to further fulfil its obligations.

34. **Mr. Kiattisak** (Lao People's Democratic Republic) said that a Lao bar association had been established recently and there were fewer than ten women members. While the Government did not recognize dual nationality, a child could claim Lao nationality through registration at age 18. Family Law was undergoing revisions in the areas of birth and divorce registration.

35. **Mr. Phommachanh** (Lao People's Democratic Republic) said that while there were no exact figures on the number of women in foreign affairs, there was no discrimination against women in the field. Women were encouraged to work abroad, but that career entailed a great deal of personal and family sacrifice. Therefore, the number of women working in foreign affairs within the country was far higher than those working abroad.

36. **Ms. Halperin-Kaddari** said that it was alarming that marital rape was not included in the definition of rape. She recommended that a debate should be opened on the inclusion of marital rape as a criminal act.

37. **Mr. Flinterman** said that he would like further clarification of provisions governing citizenship of children born to Lao nationals outside of the Lao People's Democratic Republic.

38. **Mr. Kiattisak** (Lao People's Democratic Republic) said that as the Government did not recognize dual citizenship, when children reached the age of 18 they had to choose their nationality. The Government would carefully consider the issue of marital rape, taking into account the dignity of the woman.

Articles 10 to 14

39. **Ms. Pimentel** said that she would like to know whether the Government would increase the education budget every year to attain the Millennium Development Goals by 2015. She would also be interested to hear whether there were multilingual educational services for ethnic groups and whether and how such services reached rural ethnic groups. She would like to know how radio was used as an educational tool.

The meeting rose at 1 p.m.