



Convention on the Elimination of All Forms of Discrimination against Women

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**Committee on the Elimination of Discrimination
against Women**
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Concluding observations of the Committee on the Elimination of Discrimination against Women

Lao People's Democratic Republic

1. The Committee considered the combined sixth and seventh report of the Lao People's Democratic Republic (CEDAW/C/LAO/7) at its 892nd and 893rd meetings, on 24 July 2009 (see CEDAW/C/SR.892 and 893). The Committee's list of issues and questions is contained in CEDAW/C/LAO/Q/7 and the responses of the Lao People's Democratic Republic are contained in CEDAW/C/LAO/Q/7/Add.1.

Introduction

2. The Committee expresses its appreciation to the State party for its combined sixth and seventh periodic report, which follows the Committee's former guidelines for the preparation of reports, but it does not refer to the previous concluding observations. The Committee regrets that the information provided in the report in many aspects was too general and lacked the necessary disaggregated data pertaining to, inter alia, the various ethnic groups so as to permit the Committee to evaluate the specific situation of women. The Committee expresses its appreciation to the State party for its oral presentation, the written replies to the list of issues and questions raised by its pre-session working group and the further clarifications to the questions posed orally by the Committee, but it regrets that not all of those questions were answered.

3. The Committee commends the State party for its high-level delegation, headed by the Standing Deputy-Prime Minister and President of the Lao National Commission for the Advancement of Women, and appreciates the constructive dialogue that took place between the delegation and the members of the Committee.

Positive aspects

4. The Committee welcomes the adoption of the National Strategy for the Promotion of the Advancement of Women for the period from 2006 to 2010, which

aims to remove obstacles that prevent women from advancing their interests and ensure their equal rights and development with their male counterparts in all aspects.

5. The Committee commends the State party for the measures carried out to combat trafficking in women and girls, including the continued activities of the National Committee on Trafficking, the implementation of the regional Plan of Action II as well as the conclusion, in 2005, of the Memorandum of Understanding with Thailand on bilateral cooperation on trafficking.

6. The Committee welcomes that in the period since the consideration of the previous report, the State party has ratified or acceded to the following international instruments:

(a) The International Covenant on Economic, Social and Cultural Rights, in 2007;

(b) The Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, in 2006;

(c) The Optional Protocol to the Convention on the Rights of the Child on sale of children, child prostitution and child pornography, in 2006.

Principal areas of concern and recommendations

7. The Committee recalls the State party's obligation to systematically and continuously implement all the provisions of the Convention and views the concerns and recommendations identified in the present concluding observations as requiring the State party's priority attention between now and the submission of the next periodic report. Consequently, the Committee urges the State party to focus on those areas in its implementation activities and to report on action taken and results achieved in its next periodic report. It calls upon the State party to submit the present concluding observations to all relevant ministries, to the National Assembly and to the judiciary, so as to ensure their full implementation.

National Assembly

8. While reaffirming that the Government has the primary responsibility and is particularly accountable for the full implementation of the State party's obligations under the Convention, the Committee stresses that the Convention is binding on all branches of Government, and it invites the State party to encourage its National Assembly, in line with its procedures, where appropriate, to take the necessary steps with regard to the implementation of these concluding observations and the Government's next reporting process under the Convention.

Legal status of the Convention

9. The Committee reiterates its concern that the status of the Convention vis-à-vis domestic legislation is unclear. While noting that a definition of the term "discrimination against women" has been included in the Prime Minister's Decree No. 26/PM of 6 February 2006 on the Implementation of the Law on Development and Protection of Women, the Committee remains concerned that the Constitution or

other appropriate legislation does not include a definition of discrimination that encompasses both direct and indirect discrimination and discrimination in public and private spheres, in accordance with article 1 of the Convention.

10. The Committee calls on the State party to consider including a definition of discrimination in its Constitution or other appropriate legislation that encompasses both direct and indirect discrimination and discrimination in the public and private spheres, in accordance with article 1 of the Convention. The Committee further calls on the State party to explicitly provide in its Constitution or other appropriate legislation that the provisions of international human rights agreements, in particular the Convention, are directly applicable and prevail over conflicting legislation.

Visibility of the Convention

11. While taking note of the translation of the Convention into Lao, the organization of workshops and seminars on the implementation of the Convention in the Lao People's Democratic Republic as well as the creative methods of dissemination of information through the mass media, the Committee is concerned that there is inadequate knowledge of the rights of women under the Convention, its concept of substantive gender equality and the Committee's general recommendations, in society in general, including among all branches of the Government and the judiciary at all levels, as indicated by the absence of information on any court decisions that refer to the Convention. It is further concerned that women themselves, especially those in rural and remote areas, are not aware of their rights under the Convention and thus lack the capacity to claim them.

12. The Committee urges the State party to take all appropriate measures to ensure that the Convention is sufficiently known and applied by all branches of Government as a framework for all laws, court verdicts and policies on gender equality and the advancement of women. The Committee calls upon the State party to ensure that the Convention and related domestic legislation are made an integral part of education and training for all, including members of the legal profession, law enforcement officers and the judiciary. The Committee also recommends that the State party ensure that judges at all levels be adequately trained in human rights and the provisions of the Convention and that women have access to the courts on equal terms with men. It further urges the State party to ensure that information on the Convention is provided to women through the use of all appropriate measures, including the media and oral tradition, to ensure that such information reaches all areas of the country, including the rural and remote areas.

Legal complaints mechanisms, including a national human rights institution

13. The Committee takes note of the information provided on measures undertaken to increase women's legal knowledge and the existing mechanisms for addressing women's cases, including the Prosecutor's Office and the People's Courts. However, the Committee is concerned that the State party does not have a comprehensive and effective system of receiving complaints, especially from women of ethnic groups, and it regrets the lack of data on complaints filed with the existing mechanisms and their outcome. The Committee regrets that the State party has not yet established a

national human rights institution in compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134, annex, known as the “Paris Principles”).

14. The Committee urges the State party to strengthen its legal complaints system to ensure that women, especially women of ethnic groups, have effective access to justice. The State party is encouraged to consider establishing a national human rights institution in accordance with the Paris Principles. The State party should ensure that this institution is provided with a broad mandate in respect of human rights as well as sufficient human, financial and technical resources for its effective functioning and that its composition and activities will be gender-sensitive and fully address the issue of women’s human rights. Furthermore, the Committee calls upon the State party to collect data on the number of complaints filed with the different mechanisms, classification of the types of complaints received, as well as information on their outcome. The State party should provide such information in its next periodic report.

Temporary special measures

15. The Committee is concerned that the State party’s understanding of the concept of temporary special measures is not in accordance with the Committee’s interpretation of those measures as set out in its general recommendation 25 and that such measures are not systematically applied as a necessary strategy to accelerate the achievement of de facto or substantive equality between women and men in all areas of the Convention.

16. The Committee encourages the State party to familiarize all relevant officials with the concept of temporary special measures described in article 4, paragraph 1, of the Convention and as interpreted in the Committee’s general recommendation 25. The Committee recommends that the State party apply temporary special measures in various forms in areas where women are underrepresented or disadvantaged and allocate additional resources where needed to accelerate the advancement of women. The Committee also recommends that the State party include in its legislation specific provisions on the application of temporary special measures that encourage their use in both the public and private sectors.

National machinery for the advancement of women

17. The Committee notes the activities of the National Commission for the Advancement of Women and the Lao Women’s Union as well as the establishment of Subcommissions for the Advancement of Women at the ministerial and provincial levels. The Committee also notes the information provided by the delegation that a coordination mechanism has been set up among the National Commission for the Advancement of Women, the Lao Women’s Union and the newly established Women Parliamentarian Group. However, the Committee is concerned at the unclear mandates and lack of coordination among the various organizations and entities and that they do not receive sufficient budget allocations from the State party so as to effectively fulfil their policymaking, coordination and implementation responsibilities pertaining to women’s issues. It is further concerned that such inadequacies could prevent them from effectively carrying out their mandates.

18. **The Committee recommends that the State party expeditiously strengthen its national machinery, including the specific mandates and roles of the National Commission for the Advancement of Women and the Lao Women's Union, as well as ensure better coordination and a coherent approach in the activities of the institutional mechanisms for the promotion of gender equality. In particular, the Committee urges the State party to revise existing funding allocation policies and provide adequate human, financial and technical resources to the national machinery to ensure coordinated implementation of gender mainstreaming policies and commitments with regard to its obligations under the Convention, so as to work effectively for the promotion of gender equality and to forge strong linkages with women's civil society groups and non-governmental organizations.**

Non-governmental organizations

19. Recognizing the essential role played by active women's and human rights organizations for the effective implementation of the Convention and the achievement of gender equality, the Committee remains concerned that the Lao People's Democratic Republic lacks lively, autonomous and active women's and human rights organizations. However, the Committee takes note of the new Decree on the establishment of associations that was signed by the Prime Minister of 29 April 2009.

20. **The Committee urges the State party to take concrete steps to create and ensure an enabling environment in which civil society and women's groups focused on gender equality and women's empowerment can be established and conduct programmes and activities. The State party should also take effective steps to encourage and facilitate the active participation of civil society in the full implementation of the Convention, including in the follow-up to concluding observations, for the promotion and protection of women's human rights. The Committee recommends that the State party recognize the value of the contributions made by such organizations and minimize any barriers to non-governmental organizations working in the Lao People's Democratic Republic.**

Stereotypes and cultural practices

21. While noting that the Ministry of Education is developing an educational curriculum that incorporates the teaching of gender roles and gender equality, the Committee is concerned at the persistence of adverse norms, practices and traditions as well as patriarchal attitudes and deep-rooted stereotypes regarding the roles, responsibilities and identities of women and men in all spheres of life, especially within some ethnic groups. The Committee is also concerned that such customs and practices perpetuate discrimination against women and girls, and that they are reflected in the disadvantageous and unequal status in many areas, including in education and public life and decision-making, and the persistence of violence against women and that, thus far, the State party has not taken sustained and systematic action to modify or eliminate stereotypes and negative traditional values and practices. The Committee is further concerned at the reported practice of raping girls before puberty in certain ethnic groups.

22. **The Committee is of the view that cultures should be regarded as dynamic aspects of a country's life and social fabric and are subject, therefore, to change. It urges the State party to put in place without delay a comprehensive strategy, including review and formulation of legislation, to modify or eliminate traditional practices and stereotypes that discriminate against women, in conformity with articles 2 (f) and 5 (a) of the Convention. Such measures should include efforts to raise awareness of this subject, targeting women and men at all levels of society, which should be undertaken in collaboration with civil society. The Committee encourages the State party effectively to use innovative measures to strengthen understanding of the equality of women and men and to work with the media to enhance a positive, non-stereotypical and non-discriminatory portrayal of women. The Committee urges the State party to use all forms of education — formal, non-formal and informal — including the socialization process through parenting and community social interaction, to eradicate negative stereotypes, attitudes and practices. The State party is encouraged to carry out studies on this subject, including among ethnic groups, and such studies should include the reported practice of raping girls before puberty in certain ethnic groups. The State party is further encouraged to seek assistance, if needed, from the international community for this purpose.**

Violence against women

23. The Committee takes note of the enactment of the Law on Development and Protection of Women in 2004, the 2005 amendment of the Penal Law criminalizing discrimination against women in article 177, and the existence of the Counselling and Protection Centre for Women and Children. However, the Committee expresses concern at the high prevalence of violence against women and girls, including domestic violence. The Committee is also concerned at the distinction between seriously harmful and less harmful acts of violence, the latter of which are exempted from penal liabilities; that such violence would appear to be socially legitimized and accompanied by a culture of silence and impunity; that cases of violence are thus underreported; and that those that are reported are settled out of court, including through village mediation units. The Committee regrets the absence of data and information on violence against women, including domestic violence, disaggregated by age and ethnic group, as well as studies and/or surveys on the extent of violence and its root causes. It also regrets the very limited information on the availability of shelters and health and social services for victims and on the introduction of capacity-building and awareness-raising programmes for various groups and the public at large.

24. **The Committee urges the State party to give priority attention to combating violence against women and girls and to adopting comprehensive measures to address all forms of violence against women and girls, in accordance with its general recommendation 19. It calls upon the State party to adopt a specific law on domestic violence and gender-based violence against women and to develop and implement a coherent and multisectoral national action plan to prevent violence against women, including through legal remedies, effective protection measures and systematic data collection, in a participatory process between the Government and non-governmental sectors. It also requests the State party to raise public awareness, through the media and education programmes, of the fact that all forms of violence against women**

are a form of discrimination under the Convention and, therefore, are in violation of women's human rights. The Committee requests the State party to remove any impediments faced by women victims in gaining access to justice and to immediate means of redress and protection and recommends the implementation of training for the judiciary and public officials, in particular law enforcement personnel, health-service providers and the Village Mediation Units in order to ensure that they are sensitized to all forms of violence against women and can provide adequate gender-sensitive support to victims. It also recommends the establishment of quality counselling services and additional shelters for victims of violence. The Committee requests the State party to provide information on the laws and policies in place to deal with violence against women and girls and on the impact of such measures, as well as data and trends on the prevalence of various forms of such violence, disaggregated by age and ethnic group. The Committee also recommends that the State party undertake studies and/or surveys on the extent of such violence and its root causes.

25. The Committee is concerned about the narrow definition of rape in the current Penal Code and that the State party has not criminalized marital rape.

26. **The Committee urges the State party to widen the definition of rape in its Penal Code to include any sexual relations without the woman's consent, to reflect the realities of sexual abuse experienced by women and to remove the exception for marital rape from the definition of rape. It recommends that the State party consult widely with women's groups in its process of reform of laws and procedures relating to rape and sexual abuse.**

Trafficking

27. While noting the measures included in paragraph 5 above, as well as training and awareness-raising activities and the establishment of temporary shelters for women and child victims of human trafficking, the Committee expresses its concern at the persistence of trafficking and sexual exploitation of women and girls in the country, including cross-border and urban to rural trafficking. It is particularly concerned that 60 per cent of the victims are reportedly girls between 12 and 18 years of age. It is further concerned at the inadequate protection procedures available to returned trafficked victims from abroad, especially from Thailand, along the border areas, and at the State party's failure to address the root causes of migration into and from Thailand, China and other countries in the region, which impedes the State party's efforts to address the trafficking problem in a serious way.

28. **The Committee urges the State party to adopt and effectively implement a comprehensive national action plan for combating trafficking, including the prevention of trafficking, timely prosecution and punishment of traffickers, both those who are directly or indirectly involved in trafficking and those who are negligent in dealing with or preventing trafficking cases, as well as the provision of protection from traffickers/agents and support to victims. The Committee calls upon the State party to improve the implementation of the 2005 Memorandum of Understanding with Thailand on trafficking, especially along the border areas. The Committee also recommends that information and training on the anti-trafficking legislation be provided to the judiciary, law enforcement officials, including border police, public officials and social**

workers in all parts of the country. In addition, the Committee recommends that the State party conduct comparative studies on trafficking, covering both cross-border and rural to urban trafficking, and address the root causes of trafficking in order to eliminate the vulnerability of girls and women to sexual exploitation and traffickers and to undertake efforts for the recovery and social integration of the victims. In this respect, the State party should take the necessary steps to ensure that trafficked women and girls have access to quality medical care, counselling, financial support, adequate housing and opportunities for further training, as well as access to free legal services. The Committee calls upon the State party to ensure systematic monitoring and periodic evaluation in this respect, including the collection and analysis of data.

Exploitation of prostitution

29. While noting the increase in the number of entertainment places, such as nightclubs, the Committee reiterates its concern about the exploitation of prostitution of women, and it regrets the limited information provided on the prevalence and magnitude of the problem, including in the border regions, as well as the lack of information on any recovery and reintegration initiatives in place for women who wish to leave prostitution. It also regrets the absence of efforts by the State party to discourage the demand for prostitution, as requested by the Committee in its previous concluding observations.

30. **The Committee recommends that the State party study the extent of prostitution in the Lao People's Democratic Republic and include in its next report sex-disaggregated data and information on the exploitation of prostitution. The Committee urges the State party to increase the attention given to the exploitation of prostitution and to formulate comprehensive strategies, including programmes to discourage demand for prostitution and discourage women from entering prostitution, and to establish programmes of recovery and support for women who wish to discontinue their lives in prostitution.**

Participation in political and public life

31. While noting the recent establishment of the Women Parliamentary Group and the continued increase in the number of women in the National Assembly, the Committee is concerned at the very low participation of women in all areas of public, political and professional life, including in the realms of the Government, diplomacy and public administration, mainly at senior levels. It is also concerned at the lack of information about the representation of women in the judiciary, police and the military areas. The Committee also regrets the low number of women in senior management in general. Considering the fact that almost 80 per cent of the population lives in rural areas and that the village chief and the village council handle most everyday matters, the Committee is very concerned that just above 1 per cent of village chiefs are women.

32. **The Committee recommends that the State party pursue sustained policies aimed at the promotion of women's full and equal participation in decision-making in all areas of public, political and professional life. It recommends that the State party fully utilize general recommendation 23, concerning women in public life, and calls upon the State party to adopt, wherever necessary,**

temporary special measures, as referred to in paragraph 16 above, in order to accelerate women's full and equal participation in public and political life, in particular at high levels of decision-making. It recommends the implementation of awareness-raising activities about the importance of women's participation in decision-making for society as a whole and the development of targeted training and mentoring programmes for women candidates and women elected to public office. It further recommends that the State party offer training programmes on leadership and negotiation skills for current and future women leaders. The Committee also urges the State party to take measures to empower village women so that they can participate equally in village matters and serve as village chiefs. The Committee recommends that the State party carefully monitor the effectiveness of measures taken and results achieved and to inform the Committee thereof in its next report. The State party is also called upon to provide statistical data on the representation of women in all areas of political and public life, including in the judiciary, police and military areas.

Education

33. While noting the adoption of the Educational Sector Development Framework 2009-2015, the amended Law on Education of July 2007 and a variety of measures and projects in the realm of education, the Committee remains seriously concerned at the very high illiteracy rates of women (37 per cent) and the large discrepancies between male and female literacy rates and between urban and rural women's level of education, respectively. The Committee is especially concerned about the extremely low literacy rate among women belonging to ethnic groups. It also expresses its concern at the inadequate educational infrastructure, including the high number of incomplete schools, the limited number of qualified teachers, and the marked difference in the quality of, and access to, education between urban and rural or remote areas. The Committee is further concerned about traditional attitudes that constitute obstacles to girls' education as well as drop-out rates owing to involvement in domestic chores. The Committee notes that education is a key to the advancement of women and that the low level of education of women and girls remains one of the most serious obstacles to the full enjoyment of their human rights.

34. **The Committee urges the State party to enhance its compliance with article 10 of the Convention, including in the context of the Educational Sector Development Framework. It urges the State party to ensure equal access of girls and women to all levels of education, take steps to overcome traditional attitudes that in some rural areas constitute obstacles to girls' and women's education and retain girls in school. The State party should accelerate efforts to enable each primary school to offer the full five grades of primary education, including expansion of classroom construction; training of teachers in multigrade methodology; and, taking special measures to bring more women from ethnic communities into the teaching profession. The Committee also recommends that the State party explore the possibility of multilingual education, particularly for the learning of Lao for speakers of other languages with due attention to their mother tongue, as well as the possibility of setting up a sustained project of sending university student volunteers to rural ethnic villages to teach Lao. The Committee urges the State party to ensure the necessary budgetary allocation for the implementation of various projects and**

programmes and it requests the State party to provide information on the measures taken and on their gender impact in its next report.

Employment

35. The Committee expresses its concern at the poor work conditions in the garment factories, where 80 per cent of the workers are young women from rural areas. It is also concerned about the persistence of a gender wage gap and vertical and horizontal labour force segregation and that women usually engage in temporary and seasonal employment with less job security. The Committee is further concerned that women involved in small- and medium-size enterprises face a number of obstacles and challenges compared with their male counterparts.

36. The Committee requests the State party to ensure equal opportunities for women in the labour market, in accordance with article 11 of the Convention. It urges the State party to pay specific attention, and to adopt a comprehensive approach, to improving the work conditions in the garment factories. It also calls on the State party to strengthen and implement measures to protect women from discrimination and exploitation and to take proactive measures to monitor and close the gender wage gap and apply the principle of equal remuneration and equal opportunities at work. It calls on the State party to provide, in its next report: detailed information, including data disaggregated by sex; analysis on the situation of women in the field of employment, in both the formal and informal sectors, and trends over time; information about measures taken and their impact on realizing equal opportunities for women in the employment sectors, including in new fields of employment and entrepreneurship; and concrete and detailed information about the concerns raised regarding women involved in small- and medium-size enterprises.

Health

37. While noting the information outlined in the report and the replies to the list of issues on programmes, projects and practical measures to improve women's access to health care and to reduce maternal and infant mortality rates as well as the setting up of a technical team group involved in mother's and children's health nationwide, the Committee expresses its serious concern that the rates of maternal and infant mortality remain very high, especially in rural areas. While noting that the situation is improving, the Committee is also concerned at malnutrition and the inadequacy of services relating to obstetrics and family planning as well as women's continued lack of access to quality sexual and reproductive health services.

38. The Committee urges the State party to pay increased attention to female health throughout the life cycle, including by allocating the necessary resources for the implementation of various projects and programmes. The Committee also urges the State party to prioritize reducing maternal and infant mortality rates by developing the midwifery workforce and making the services of skilled birth attendants available and accessible, including emergency obstetric delivery services, and by granting free services where necessary. It calls upon the State party to strengthen food security, primary health care and adequate sanitation, especially in rural areas, and to establish mechanisms to monitor women's access to health care and health delivery systems. It also recommends the strengthening and expansion of efforts to increase knowledge of and access

to affordable contraceptive methods throughout the country so that women and men can make informed choices about the number and spacing of children. It further recommends that sex education be widely promoted and targeted at adolescent girls and boys, with special attention to the prevention of early pregnancy and the control of sexually transmitted infections, and that family planning education programmes take due account of traditions and physical barriers of women in rural areas.

39. The Committee recommends that the State party pay due attention to its general recommendation No. 24 and continue to seek financial and technical support from the international community and civil society in order to implement measures to improve women's health. It further recommends that the State party provide detailed information in its next periodic report about the impact, and trends over time, of programmes to improve women's access to health care and decrease maternal and infant mortality.

HIV/AIDS

40. While noting the appointment of a National Committee Against AIDS, the establishment of an Anti-AIDS Centre as well as information on a number of existing plans, programmes and measures undertaken to combating HIV/AIDS, the Committee is concerned that the number of women infected with HIV/AIDS reportedly increases at an average rate of 8 per cent per year, that women and girls may be particularly susceptible to such infection owing to gender-specific norms, and that certain groups of women, including women involved in prostitution and migrant women workers are at a high risk of being infected with HIV/AIDS. The Committee is especially concerned that the persistence of unequal power relations between women and men and the inferior status of women and girls may hamper their ability to negotiate safe sexual practices and increase their vulnerability to infection. It is also concerned that current policies and legislation may not adequately take into account gender-specific vulnerabilities and may not sufficiently protect the rights of women and girls affected by HIV/AIDS.

41. The Committee recommends continued and sustained efforts to address the impact of HIV/AIDS on women and girls, as well as its consequences for society and the family. It urges the State party to enhance its focus on women's empowerment and to include a clear and visible gender perspective in its policies and programmes on HIV/AIDS and increase the role of men in all relevant measures. The State party is encouraged to undertake awareness-raising campaigns among Government personnel in the prevention of and protection against and maintenance of confidentiality in order to systemize and integrate approaches for multiple government sectors. The Committee recommends that the State party include information on measures taken in this respect, obstacles encountered and results achieved in its next report.

Migrant women workers

42. While commending the State party's conclusion of the Memorandum of Understanding on migrant workers' rights with Thailand, the Committee is concerned at the continued feminization of migration and that Lao women now constitute some 70 per cent of the country's migrants. It is also concerned that bilateral agreements and memorandums of understanding do not exist with all

countries and regions to which Lao women migrate, and that women workers who migrate to other countries and regions in search of work opportunities through informal channels remain vulnerable to becoming victims of various forms of exploitation, violence and trafficking.

43. The Committee urges the State party to adopt a comprehensive gender-sensitive migration policy and to continue to conclude bilateral agreements and memorandums of understanding with countries and regions to which Lao women migrate in search of work, while ensuring that such agreements fully reflect women's human rights and are in conformity with the Convention. In addition, it requests the State party to strengthen its information activities so as to ensure that potential women migrants are fully aware of their rights, as well as of the potential risks of such employment. The State party is also urged to introduce gender-responsive policies, legislation and programmes to protect outgoing, returning and incoming women migrant workers, including those who go abroad through informal channels, from all forms of violations of their rights. The Committee further encourages the State party to take a coherent and comprehensive approach to addressing the root causes of women's migration, including through the creation of the conditions necessary for sustainable development and of safe and protected jobs for women as a viable economic alternative to migration or unemployment. The Committee recommends that the State party pay due attention to its general recommendation 26 in this respect.

Rural women

44. The Committee takes note of the poverty alleviation programme, the establishment of the National Steering Committee on Rural Development and Poverty Eradication, various development projects, programmes and measures initiated by the State party, including in the rural and remote areas, and the programme of land titling phases I and II. However, the Committee expresses its serious concern at the disadvantaged position of women in rural and remote areas who form the vast majority of women in the Lao People's Democratic Republic, which is characterized by poverty, illiteracy, difficulties in access to health, education and social services, and a lack of participation in decision-making processes at the community level, including the village council. It is also concerned that the various development projects may not always include a gender perspective. The Committee is further concerned that traditional female stereotypes are most prevalent in rural communities. In addition, the Committee is concerned at reports that State drug eradication programmes, involving the banning of opium growing without substitution of sustainable alternatives, have also led to large-scale food shortages and migration, and that foreign investment projects may have a negative impact on the situation of rural women.

45. The Committee calls upon the State party to take the necessary measures to increase and strengthen the participation of women in designing and implementing local development plans, and pay special attention to the needs of rural women by ensuring that they participate in decision-making processes and have improved access to, inter alia, health, education and social services. Furthermore, the State party should ensure that development projects are implemented only after conducting gender impact assessments involving rural women. In addition, the State party should ensure that opium eradication is

carried out together with the development of sustainable alternative livelihoods with local communities, where rural women and women belonging to ethnic groups are most affected. The Committee requests the State party to include in its next report the achievements of constructive governmental interventions and comprehensive data on the situation of rural women in all areas covered by the Convention.

Vulnerable groups of women

46. The Committee notes the very limited information and statistics about vulnerable groups of women, including elderly women and women with disabilities, such as victims of unexploded ordnance, who often suffer from multiple forms of discrimination, especially with regard to access to education, employment, access to health care, violence and access to justice.

47. The Committee requests the State party to provide, in its next report, a comprehensive picture of the de facto situation of vulnerable groups of women in all areas covered by the Convention and information on specific programmes and achievements. The Committee recommends that the State party conduct research and undertake analysis on the gender dimensions of the impact of unexploded ordnance on its rural population, with a view to identifying different impacts on men and women based on their different work roles, and provide the results of such analysis in its next periodic report.

Family relations

48. The Committee takes note of the 2008 amendment of the Family Law, which repealed the possibility of lowering the age of marriage to 15 years in special and necessary cases. However, it is concerned that although polygamy is formally prohibited, there are still cases of “mia noi” (minor wife). The Committee notes that article 28 of the family law on the equal division of matrimonial property contains an exception based on fault and is concerned that this exception may involve risks of disadvantage for women.

49. The Committee calls upon the State party to implement measures aimed at eliminating polygamy, as called for in the Committee’s general recommendation 21 on equality in marriage and family relations. In addition, the Committee recommends that the State party revise article 28 of the Family Law with a view to abolishing the exception to the equal division of matrimonial property based on fault.

Data collection and analysis

50. The Committee is concerned that the report did not provide sufficient statistical data on the situation of women in all areas covered by the Convention, including violence against women, trafficking, prostitution as well as rural women and other groups of vulnerable women. The Committee is also concerned about the lack of information on the impact of measures taken, obstacles encountered and results achieved in various areas of the Convention.

51. The Committee calls upon the State party to strengthen its system of data collection, including the use of measurable indicators to assess trends in the situation of women and of progress made towards women’s de facto equality,

and to allocate sufficient budgetary resources for that purpose. The Committee invites the State party, as necessary, to seek international assistance for the development of such data collection and analysis efforts. The Committee also requests the State party to include in its next report statistical data and analysis, disaggregated by sex, ethnic group, rural and urban areas, and State and Division level, indicating the impact of policy and programmatic measures, obstacles encountered and the results achieved.

Optional Protocol and amendment to article 20, paragraph 1

52. While noting that these issues are under consideration by the State party, the Committee calls upon the State party to sign and ratify the Optional Protocol to the Convention and also invites the State party to accept the amendment to article 20, paragraph 1, of the Convention, concerning the meeting time of the Committee.

Preparation of next report

53. The Committee requests the State party to ensure the wide participation of all ministries and public bodies in the preparation of its next report, as well as to consult with non-governmental organizations during that phase.

Beijing Declaration and Platform for Action

54. The Committee urges the State party, in the implementation of its obligations under the Convention, to fully utilize the Beijing Declaration and Platform for Action, which reinforce the provisions of the Convention, and requests the State party to include information thereon in its next periodic report.

Millennium Development Goals

55. The Committee emphasizes that full and effective implementation of the Convention is indispensable for achieving the Millennium Development Goals. It calls for the integration of a gender perspective and explicit reflection of the provisions of the Convention in all efforts aimed at the achievement of the Millennium Development Goals and requests the State party to include information thereon in its next periodic report.

Dissemination

56. The Committee requests the wide dissemination in the Lao People's Democratic Republic of the present concluding observations in order to make the people, including government officials, politicians, parliamentarians and women's and human rights organizations, aware of the steps that have been taken to ensure the de jure and de facto equality of women, as well as the further steps that are required in that regard. The Committee recommends that the concluding observations be translated into Lao and the main ethnic languages and that the dissemination should include the local community level. The State party is encouraged to organize a series of meetings to discuss progress achieved in the implementation of these observations. The Committee requests the State party to continue to disseminate widely, in particular to women's and human rights organizations, the Committee's general

recommendations, the Beijing Declaration and Platform for Action and the outcome of the twenty-third special session of the General Assembly on the theme “Women 2000: gender equality, development and peace for the twenty-first century”.

Ratification of other treaties

57. The Committee notes that the adherence of the State party to the nine major international human rights instruments would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life.¹ The Committee therefore encourages the Government of the Lao People’s Democratic Republic to consider ratifying the treaties to which it is not yet a party, that is, the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities.

Follow-up to concluding observations

58. The Committee requests the State party to provide, within two years, written information on the steps undertaken to implement the recommendations contained in paragraphs 24 (violence against women), and 43 (migrant women workers) above.

Technical assistance

59. The Committee recommends that the State party avail itself of technical assistance in the development and implementation of a comprehensive programme aimed at the implementation of the above recommendations and the Convention as a whole. The Committee also calls upon the State party to strengthen further its cooperation with specialized agencies and programmes of the United Nations system, including the United Nations Development Programme, the United Nations Development Fund for Women, the United Nations Children’s Fund, the United Nations Population Fund, the World Health Organization, the Office of the United Nations High Commissioner for Human Rights, the Statistics Division and the Division for the Advancement of Women in the Department of Economic and Social Affairs of the Secretariat.

Date of next report

60. The Committee requests the State party to respond to the concerns expressed in the present concluding observations in its next periodic report

¹ The International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention on the Elimination of All Forms of Discrimination against Women, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Rights of the Child, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the International Convention for the Protection of All Persons from Enforced Disappearance and the Convention on the Rights of Persons with Disabilities.

under article 18 of the Convention. The Committee invites the State party to submit its eighth periodic report, which is due in September 2010, and its ninth periodic report, which is due in September 2014, in a combined report in 2014.
