



**International Convention on
the Elimination
of all Forms of
Racial Discrimination**

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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION
Sixty-third session
4-22 August 2003

**PREVENTION OF RACIAL DISCRIMINATION, INCLUDING EARLY
WARNING MEASURES AND URGENT ACTION PROCEDURES***

Decision 1 (63)

Situation in the Lao People's Democratic Republic

The Committee notes with concern that the Lao People's Democratic Republic, which ratified the International Convention on the Elimination of All Forms of Racial Discrimination in 1974, is 18 years late in submitting its reports to the Committee.

In 1992 and 1996 the Committee considered the situation in that country under its review procedure (procedure for consideration without a report). In 2001, another examination under this procedure was scheduled but was postponed at the request of the authorities of the Lao People's Democratic Republic, who promised that a report would be submitted. Nevertheless, by August 2003 the Committee had still not received the sixth to fifteenth periodic reports of the State party, due for the years 1985 to 2003. Consequently, the Committee decided once again to consider the situation in the Lao People's Democratic Republic at its session in August 2003.

In view of the particularly disturbing information that it had received concerning the human rights situation in the Lao People's Democratic Republic, the Committee did not accede to the new request from the authorities, who promised to submit a report in 2004, to postpone this examination and decided, at its 1593rd meeting, on 11 August 2003, that it would adopt a decision under its early warning and urgent action procedure:

1. The Committee deeply regrets that the Lao People's Democratic Republic has failed to honour its obligations under article 9 of the Convention. Such a delay in the submission of periodic reports is an impediment to the in-depth examination of measures that the State party should take in order to ensure the satisfactory implementation of the Convention.
2. The Committee expresses its grave concern at the information it has received of serious and repeated human rights violations in the Lao People's Democratic Republic, in particular violations of the rights to life, physical integrity and security, and of the freedoms of expression, association and religion, and at reports of economic, social and cultural discrimination against members of the Hmong minority, which constitutes approximately 7.4 per cent of the population.
3. The Committee is extremely disturbed to learn that some members of the Hmong minority, who have taken refuge in the jungle or certain mountainous regions of the Lao People's Democratic Republic since the end of the war in 1975, have been subjected to severe brutalities. It has been reported that acts of extreme violence such as bombing of villages, use of chemical weapons and landmines and extrajudicial killings and torture are currently being committed by the armed forces in military campaigns against the inhabitants of remote villages in the provinces of Xieng Khuang, North Vientiane-Vang Vieng, Bolikhamsai, Sainyabuli, and the Saisombun Special Zone. According to some information, men, women and children belonging to the Hmong population live in terrible poverty, suffer from malnutrition and have no access whatever to medical care.
4. The Committee deplores the measures taken by the Lao authorities to prevent the reporting of any information concerning the situation of Hmong people who have taken refuge in the jungle or the mountains. It is particularly concerned by the arrest and subsequent sentencing to 15 years' imprisonment, in June 2003, of two foreign journalists and their assistants, who were investigating this matter. The Committee, while welcoming the release of the two journalists and their interpreter, remains concerned at the fate of the Hmong assistants who were tried at the same time and who are reportedly still being held in detention under harsh conditions.
5. The Committee stresses that, owing to the absence of a State delegation during its consideration of the situation in the Lao People's Democratic Republic, it was not in a position to have an exchange of views with the State party.
6. In the light of the foregoing information, the Committee:
 - (a) Urges the State party to halt immediately acts of violence against members of the Hmong population who have taken refuge in the jungle or certain mountainous regions of the Lao People's Democratic Republic;
 - (b) Urgently calls upon the State party to ensure that these persons have freedom of movement and access to adequate food and medical care;
 - (c) Requests the State party to take all possible measures to release as soon as possible the Hmong assistants who contributed to the report of the two foreign journalists concerning the situation of the Hmong minority, given that the journalists themselves have been released;

(d) Calls upon the Lao authorities to submit to the Committee, as a matter of urgency, a special report containing information about the matters referred to above, measures taken to prevent racial discrimination and, in any event, the periodic reports due under article 9 of the Convention.

7. The Committee urges the Secretary-General of the United Nations:

(a) To draw the attention of the competent United Nations bodies to the particularly worrisome human rights situation in the Lao People's Democratic Republic and request them to take all appropriate measures in this regard, including the dispatch of a mission to the Lao People's Democratic Republic with a view to helping the State party to fulfil its obligation to respect human rights and eliminate all forms of racial discrimination. In this connection, the Committee draws the attention of the Secretary-General to the willingness of its members to participate in such a mission;

(b) To request the United Nations organizations, funds and programmes and the specialized agencies, within their respective fields of competence, to take appropriate measures to provide humanitarian assistance, particularly with regard to food and access to medical care, to the members of the Hmong population who have taken refuge in the jungle or certain mountainous regions of the Lao People's Democratic Republic.

*1609th meeting
21 August 2003*