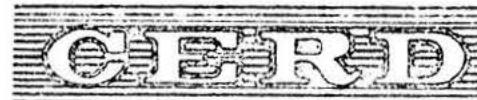


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INTERNATIONAL
CONVENTION
ON THE ELIMINATION
OF ALL FORMS OF
RACIAL DISCRIMINATION



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COMMITTEE ON THE ELIMINATION
OF RACIAL DISCRIMINATION

Thirtieth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 9 OF THE CONVENTION

Fifth periodic reports of States parties due in 1983

Addendum

LAO PEOPLE'S DEMOCRATIC REPUBLIC 1/

[19 June 1984]

CONTENTS

	<u>Paragraphs</u>
Introduction	1 - 2
PART I - GENERAL OBSERVATIONS	3 - 8
PART II - INFORMATION CONCERNING ARTICLES 2 TO 7	
Article 2	9 - 10
Article 3	11
Article 4	12
Article 5	13 - 22

1/ A copy in English of the "Political Report of the Central Committee of the Lao People's Revolutionary Party presented at the Third National Congress", transmitted by the Lao Government with this report, is available in the files of the Secretariat for consultation by members of the Committee.

This report constitutes the third, fourth and fifth periodic reports of the Lao People's Democratic Republic due on 24 March 1979, 24 March 1981 and 24 March 1983 respectively, which have been combined in one document in accordance with the request made by the Committee at its twenty-eighth session (see the report of the Committee to the General Assembly (A/38/18) para. 73 (f)).

For the initial and second periodic reports submitted by the Lao People's Democratic Republic, submitted in one document, see CERD/C/28, and for their consideration by the Committee, see CERD/C/SR.390.

GE.84-17256

Introduction

1. The fact that the Government of the Lao People's Democratic Republic has been unable to submit any periodic reports since 8 January 1978, when its second periodic report was submitted to the Committee on the Elimination of Racial Discrimination, is due mainly to the difficulties inherent in the least developed countries, in particular, the lack of competent personnel in this specific area.
2. Accordingly, this document represents the third, fourth and fifth periodic reports on the implementation of the International Convention on the Elimination of All Forms of Racial Discrimination by the Lao People's Democratic Republic in accordance with article 9, paragraph 1, of the Convention.

PART I - GENERAL OBSERVATIONS

3. The Lao People's Democratic Republic has a total population of 3,846,000 (1982 data), comprising 68 ethnic groups which fall into three major groupings, namely:

The Lao Loum, who are plains dwellers and make up approximately half the population;

The Lao Sung, who are mountain dwellers and make up approximately one-third of the population; and

The Lao Theung, who live on the high plateaus and account for the remainder.

The levels of economic and social development of these groupings vary.

4. Despite this ethnic diversity and difference in levels of development, no form of racial discrimination exists in the Lao People's Democratic Republic. On the contrary, as part of its economic and social policy, the Lao Government has made enormous efforts to improve the standard of living of the whole population and to bring the various groupings to the same level of development.

5. In the absence of a national constitution - which is in preparation and is to be enacted in 1986 - legal guarantees of the recognition, enjoyment and exercise of democratic rights and freedoms are afforded to all Laos by the official texts ^{2/} of the Lao People's Revolutionary Party (resolutions) and the State (laws, decrees, regulations, etc.).

6. At the institutional level, there are official bodies responsible for monitoring and promoting the implementation of Government policy in respect of national ethnic groups. The most important of such bodies are the Nationalities

^{2/} With the establishment of the Lao People's Democratic Republic in 1975, the legislation of the former regime was repealed. However, in areas where no legislation as yet exists, the legislation of the former regime, where progressive and compatible with the interests of the revolution, remains in effect.

Committee, which has ministry status, and the Lao Front for National Construction (FENL), a political organization of national unity including representatives of all ethnic groups and social strata 3/ - workers, peasants, youth, women, intellectuals, Buddhist clergy, former dignitaries, merchants, etc. - which was set up on 20 February 1979 to replace the Lao Patriotic Front (set up on 6 January 1956).

7. Under its statutes, 4/ the Nationalities Committee, the Chairman of which is a member of the Government, with Ministerial rank, is responsible, inter alia, for:

"Monitoring, supervising and encouraging local authorities, ministries, State Committees (with ministry status) and popular organizations 5/ in the implementation of Government policy towards ethnic groups and reporting thereon, with recommendations, to the Central Committee of the Party and to the Council of Ministers (article 3 of the Statutes);

...

Proposing guidelines and ways of dealing with problems involved in the implementation of Government policy to ministers, State Committees, popular organizations and local authorities (article 5, paragraph 2)".

8. Under its Programme of Action, adopted by the Congress of the Front for National Unity in February 1979, the main tasks of FENL include:

"Developing the collective sovereignty of the people. The people are the authentic rulers of the country and exercise their collective sovereignty through the socialist State, under the direction of the Party (item 2, Programme of Action);

...

Ensuring equality among ethnic groups and respecting their freedom of belief. The solidarity of these various groups has always been a great tradition of our people in the process of struggle, construction and protection of the country. In the new revolutionary period, national solidarity is based mainly on respect for equality among the various ethnic groups, namely, on mutual esteem, affection and assistance. The Front and the popular organizations must co-operate with the administrative authorities in order to create conditions favouring the gradual elimination of the disparities between the economic and cultural levels of these groups (item 7 of the Programme of Action)". 6/

3/ These representatives are elected or appointed by their respective groups.

4/ The statutes of the Nationalities Committee are available in Lao only.

5/ Popular organizations recognized by the law are: the Trade Union Organization, the Federation of Patriotic Women, the Association of Revolutionary Youth and the Co-operatives Organization.

6/ The text of the Programme of Action of the Lao Front for National Construction is available only in Lao.

PART II - INFORMATION CONCERNING ARTICLES 2 TO 7

Article 2

9. There are as yet no legislative, judicial or administrative measures giving specific effect to the provisions of article 2 of the Convention. However, equality and solidarity among the national ethnic groups have always been reaffirmed in the various resolutions and decisions of the Lao People's Revolutionary Party (PPRL). For example, in a resolution of the third Congress of the PPRL, of 27 March 1982, concerning policies and tasks involved in improving the administrative power of popular democracy and strengthening the collective sovereignty of the multi-ethnic people, refers to, among other things:

"pursuing the expansion of the Front of National Unity, strengthening the solidarity of the various ethnic groups and religions, and creating conditions favourable to the participation, on an equal footing, of all such groups in the work of national defence and construction, with the same rights and the same duties."

10. The members of the Party, the employees of the State, and the members of FENL and of popular organizations have a duty to work for the implementation of such resolutions, which form the basis for current laws and regulations. In implementing these resolutions, importance is attached to the political education of the various ethnic groups in order to increase their awareness of patriotism, socialism, national unity, equal rights and mutual assistance.

Article 3

11. The position of the Government of the Lao People's Democratic Republic with regard to the Republic of South Africa and its policy of apartheid is well known. It has been frequently stated and consistently reaffirmed in the General Assembly, at meetings of the non-aligned countries and in other international forums where the question of apartheid is debated. The Lao People's Democratic Republic condemns apartheid as a crime against humanity and firmly supports the just struggle of the black people of South Africa, under the leadership of their national liberation movement, the African National Congress, for the restoration of their fundamental human rights and the establishment of a multi-racial, democratic and egalitarian society in South Africa. The Government of the Lao People's Democratic Republic does not recognize the Pretoria Government and maintains no relations with it.

Article 4

12. There are as yet no express legal provisions declaring punishable by law all dissemination of ideas based on racial hatred, all acts of violence against persons of another ethnic group or propaganda activities which incite racial discrimination. However, acts of violence against any individual are punished as "assault and battery" or "acts of violence", and where they are committed by groups of persons, they are punishable as disturbances of the peace. In addition, as stated in paragraph 9 above, the policy of the Party and the Government is to promote the unity, solidarity and equality of national ethnic groups. Consequently, any offence against the implementation of that policy would incur disciplinary measures which, in some cases, might entail the expulsion or exclusion of the offender from the organization to which he belongs.

Article 5

13. All Lao citizens are entitled to equal treatment before the tribunals and other organs administering justice. Moreover, in order to avoid any discriminatory measure being taken by judges against defendants, a system of people's judges has been introduced to deal, in particular, with serious cases. Order No. 53/PC, issued on 15 October 1976 by the President of the Council of Ministers, and concerning the provisional principles relating to the arrest, interrogation and trial of offenders, provides as follows with regard to the organization and tasks of people's tribunals: 7/

"The people's judges at each level of a court shall be elected by the People's Council of the relevant administrative district, from among its own members, the members of the various popular organizations and the members of ethnic groups, of either sex. The people's judges shall participate in all meetings of the court with the same rights as professional judges."

14. All Lao citizens enjoy the same political rights: right to vote, to stand for election, to take part, according to their abilities, in the conduct of public affairs and access to public service at all levels. For example, the Vice-President of the Supreme People's Assembly (parliament) is a Lao Sung (Hmong); the Chairman of the Nationalities Committee is also a Lao Sung (Hmong); several members of the Central Committee of the PPRL and of the Government, several senior officers of the Lao People's Army, several high-level officials of the Central Administration and several provincial and district heads are members of ethnic minorities. All ethnic groups are represented in the people's assemblies (elected by the people) at all levels, from village councils to the Supreme People's Assembly.

15. All Lao citizens enjoy the civil rights enumerated in article 5 (d) of the Convention, under conditions established by law.

16. Lao citizens enjoy not only economic, social and cultural rights. In addition, considerable efforts have been made by the Government in the sphere of education and public health to eradicate illiteracy once and for all and to extend the coverage of the health service to all areas of the country. Education is free at all levels, as is medical treatment in all State hospitals.

17. Both in the resolutions of the Third Congress of the PPRL and in the FENL Programme of Action, reference is made to the need to build a culture, and education and public health systems of a national and socialist character, to enable all ethnic groups to receive a full grounding in the political, cultural, scientific, technical, professional and health fields, and to ensure that the new education system spreads to all areas of the country and is accessible to all ethnic groups.

7/ The text of this order is available only in Lao. The membership of the people's tribunal is as follows:

At the level of first instance, three judges (a professional judge who presides and two people's judges) and a clerk;

At the appeal level, five judges (three professional judges, one of whom presides, and two people's judges) and one clerk.

18. In the FENL Programme of Action, under the item concerning "efforts improve the living conditions of the people", it is stated, inter alia:

"... ensuring the even, fair and appropriate distribution of social benefits, responding to the urgent needs of the people in various areas such as nutrition, clothing, education, protection against illness, movement of persons and goods, etc. Special attention must be accorded to the most backward areas of the country and to the most needy ethnic minorities. Assisting unemployed townspeople and small retailers to take up productive occupations such as handicrafts, agriculture, stockfarming, etc., which would guarantee them a more secure livelihood and at the same time would help to strengthen the national economy".

19. Each ethnic group is free to preserve its own culture, language and traditions. However, the only official language is Lao, which must be learned by all national ethnic groups. On national radio, broadcasts are given in the Hmong language (Lao Sung), the country's second most important language, as well as in Lao.

20. Consequently, at both the practical and institutional levels, racial discrimination is unknown in the Lao People's Democratic Republic. Schools and hospitals are open to all, as is access to public places and services such as transport, hotels, restaurants, theatres and parks, without exception.

21. While some individuals may harbour prejudices against other ethnic groups - prejudices instilled by the colonialism and feudalism of the former regime in order to enable it to "divide and rule", or attributable to their low cultural level - the policy of the Party and Government is to eliminate such prejudices through education.

22. In conclusion, the Government of the Lao People's Democratic Republic hopes that the information contained in this document, although possibly incomplete, will answer the various questions raised by members of the Committee on the Elimination of Racial Discrimination during consideration of the previous periodic report and will provide the Committee with an insight into the extent to which the Lao People's Democratic Republic has been implementing the International Convention on the Elimination of All Forms of Racial Discrimination.