



Convention on the Rights of the Child

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Committee on the Rights of the Child

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Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the report submitted by Lao People's Democratic Republic under article 8, paragraph 1, of the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict

Addendum

Replies of Lao People's Democratic Republic to the list of issues*

[Date received: 27 April 2015]

Reply to the issues raised in paragraph 1 of the list of issues (CRC/C/OPAC/LAO/Q/1)

1. The Lao Penal Code is a law that complies with all provisions related to criminal offences and punishments stipulated in other national laws. The Penal Code is currently being revised by a Penal Code Drafting Committee led by the Ministry of Justice, with technical support from United Nations agencies and other development partners. The amended Penal Code is expected to be adopted in the National Assembly's Ordinary Session in June 2015.
2. Under the current draft of the Penal Code, there is one article applicable to punishing offences against recruitment of children in the armed forces. Article 147 of the draft criminalizes any person employing children to perform jobs which are heavy, dangerous or in contact with hazardous substances on the lists prescribed by the State.
3. The Law on Lao Military Officers, article 10, clearly stipulates that the military officers shall be Lao citizens who are over 21 years old.

* The present document is being issued without formal editing.



Reply to the issues raised in paragraph 2 of the list of issues

4. The Lao government is considering defining the recruitment of children under the age of 15 as a war crime in the revision of Penal Code.
5. For the ratification of Rome Statute of the International Criminal Court, the Lao PDR needs more time to study in depth and to raise awareness and understanding on its substantive among Lao officials and the public at large. At this stage, the Lao PDR is not ready to ratify the Rome Statute.

Reply to the issues raised in paragraph 3 of the list of issues

6. Dissemination and training on the Convention on the Rights of the Child and its two Optional Protocols, the concluding observations of the Committee on the Rights of the Child and ASEAN Child Rights have been taken annually for, among the others, the National Commission for Mothers and Children, the Ministerial Commission for Mothers and Children, the Provincial, Districts and Village Commissions for Mothers and Children (CMCs), including representatives of the Lao Front for National Construction and mass organizations at local level nationwide, with the participation of over 500 participants each year. A total of 1,600 copies of the Convention and its two optional protocols were printed and distributed nationwide.
7. In addition, with the support from development partners and private sector, over 5,000 child-friendly Convention on the Rights of the Child booklets on “Our Rights”, 5,000 posters on children’s rights, and 5,000 leaflets on “Our Rights” were yearly printed and distributed to CMCs nationwide and to primary and secondary schools in target villages and districts across the country.
8. Through its programme for child and youth participation, the National Commission for Mothers and Children (NCMC) and the Ministry of Information, Culture and Tourism, Commission for Mothers and Children, have disseminated information on children’s rights through national and local radio via the AM 567 Khz system which broadcasts every Saturday and Sunday. Lao National Radio broadcasts a 30-minute youth radio programme on FM 103.7 kHz every Sunday. Furthermore, provincial youth radio programmes have been broadcasting on both AM and FM on topics concerning to Lao youth advancement, fundamental rights of the child, and discussion on children rights. An Early Childhood Development Television Programme (My Village) has also been producing a cartoon and broadcast it through Lao National Television and private channels.
9. For the legal sector, as part of activities in implementing the Legal Sector Master Plan, the Government of Lao PDR is conducting human rights training for law enforcement officials. With support of the United Nations Children’s Fund (UNICEF), a training needs assessment will be conducted in 2015 for child justice professionals, including judges, prosecutors, lawyers and police, who handle cases involving with children (children who violate the law, as well as child victims and witnesses). The results of the training needs assessment will feed into a training plan and development curriculum for judicial sectors on children’s rights and child protection, including key provisions of the Convention on the Rights of the Child and the Optional Protocols.

Reply to the issues raised in paragraph 4 of the list of issues

10. In Lao PDR, there is no school operated by the army; however the police has managed KM 67 School, using curriculum of the Ministry of Education and Sport for teaching. This school is for orphan children, ethnic children, poor and homeless children and children with no family. The Ministry of Public Security has supported full scholarship and accommodation for those children to attend this school. This school has no any form of military training.

11. The Lao People's Army visits secondary schools and holds one- or two-day events to introduce activities of armed forces, and self-defence knowledge to pupils as part of the implementation of the Decree no. 292/PM, dated 21 September 2011 on national defence and security in the society training. The Ministry of Education and Sport has organised trainings to introduce self-defence knowledge for upper secondary school with the objective to introduce basic knowledge on national defence and security in general, in particularly self-defence methods and arts.

Reply to the issues raised in paragraph 5 of the list of issues

12. The Lao Government would like to confirm that there is no recruitment of children under the age of 18 belonging to ethnic group by the armed forces. The process of recruitment of armed forces is well implemented according to the Law on National Defence Obligation. In case of any incident offences are found by responsible authority, the process of punishment will follow according to the law.

Reply to the issues raised in paragraph 6 of the list of issues

13. With regard to birth registration, the current system is to rely on Family Books that are administered by the police under the Ministry of Public Security, and are kept by families themselves. According to the current Family Book system, once the village chief has been notified of a birth, he or she issues a simple notification which families use to inform the local police officers about the birth, who in turn records it in the Family Book. The information recorded in the Family Book is used to verify a child's age when entering school, receiving medication or getting married.

14. However, the Government of Lao PDR is committed to establishing a national Civil Registration and Vital Statistics (CRVS) system. Under the leadership of the Ministry of Home Affairs, and with technical support from UNICEF and Plan International, the Government has developed a draft CRVS Strategy and Plan of Action for 2015-2024, with a vision that "By 2024 all people in Lao PDR will have access to a nationally placed and standardized functioning CRVS system, so that citizens benefit from registration of every vital event which in turn, facilitates the realization of their rights and responsibilities, while also helping to produce vital statistics to support good governance and the country's development". The draft CRVS Strategy and Plan of Action will be submitted to the Government for approval in 2015.

Reply to the issues raised in paragraph 7 of the list of issues

Measures to clear UXO

15. The Government of the Lao PDR approved a National Strategic Plan on 22 June 2012 to achieve its UXO clearance and development objectives called "Safe Path Forward II" until the year 2020. This Plan is aligned with the 7th National Socio Economic Development Plan (NSED) and sets clear targets to reduce the impact of UXO. The Government is currently developing the 8th NSED, which sets a strategy and goals to reduce the impact of UXO and strengthen victim assistance as priority areas.

16. In 1996, the Government of the Lao PDR, with support from the United Nations Development Programme (UNDP), UNICEF and other Development Partners, established the Lao National Unexploded Ordnance Programme (UXO Lao) to build national capacity to address the long-term humanitarian and development challenges caused by the threat of UXO. UXO Lao is a department under the Ministry of Labour and Social Welfare and a programme under the National Implementation Modality (NIM) of UNDP. The operations of UXO Lao reflect the generic principles of humanitarian mine action, and include five

types of activities or tasks: (a) roving tasks; (b) area clearance tasks; (c) risk education activities; (d) general survey tasks; and (e) technical survey tasks.

17. UXO Lao is different from the National Regulatory Authority (NRA), which was established in 2004 along with the adoption of the National Strategic Plan for the UXO sector. The NRA is responsible for the coordination and regulation of the UXO/mine action sector in the country, including the planning, tasking and monitoring of all UXO/mine action activities. UXO Lao actively takes part in different Technical Working Groups (TWGs) organized by the NRA aimed at coordinating and planning all clearance, community awareness, and victim assistance activities, as well as sharing best practices and experiences.

18. UXO Lao conducts operations in the nine most heavily impacted provinces in Lao PDR (Huaphanh, Luangprabang, Xiengkhuang, Khammuane, Savannakhet, Saravane, Champasack, Sekong, and Attapeu). The organization clears land for agriculture, community purposes (e.g. schools, hospitals, health centres and water supply systems) and other socio-economic development activities. The organization also conducts risk reduction education activities in affected communities.

19. Among the key achievements in the UXO sector is the great progress in reducing the number of UXO accidents in Lao PDR. From an average of 300 UXO casualties annually as recently in 2008, the number has dropped to 56 in 2012 and to 41 in 2013. This is due to ongoing mine risk education in contaminated provinces and also to clearance of UXO by a growing number of operators.

20. In addition to UXO Lao, which has more than 1,100 field personnel, there are now seven humanitarian operators and 13 commercial operators undertaking survey and clearance work, approximately 3,500 men and women. In 2013, 6,927 hectares were cleared, compared to 6,040 hectares in 2012 and, consistent with the strategic direction provided by “Safe Path Forward II”, focus development areas are increasingly prioritized to ensure the greatest humanitarian and development impact of clearance operations.

21. In the coming year, the UXO sectors will develop legislation to ensure the full compliance of Lao PDR with the requirements of the Convention on Cluster Munitions and continue with ongoing efforts to increase and improve the quality of all aspects of UXO/Mine Action in Lao PDR. In November 2013, the National Regulatory Authority submitted a Sector Action Plan to the National Round Table, which was well received by both Government and the international community.

UXO victim assistance

22. Progress has been made in providing assistance to victims of UXO over the past years. In 2012, a Survivor Tracking System was established to facilitate the collection of detailed information on survivors in 10 heavily contaminated provinces (Bolikhamxay, Savannakhet, Khammaun, Champasak, Salavan, Sekong, Attapue, Luangprabang, Xiengkhaung and Hauphan provinces). This system will yields valuable information on the needs of UXO survivors and will enable better tracking of progress in meeting their needs. Data analysis and dissemination is currently taking place.

23. Another achievement was the development and approval of the new NRA UXO/Mine Victim Strategy 2014-2020. This Strategy addresses several key pillars: 1) data collection; 2) emergency and continued medical care; 3) physical rehabilitation support; 4) psycho-social support; 5) economic and vocational rehabilitation; 6) legislation and policy; and 8) coordination. The strategy has already been disseminated and it is being implemented by relevant stakeholders.

24. While the Victim Assistance Unit within the National Regulatory Authority is responsible for victim assistance coordination, it is not directly responsible for the implementation and management of the systems that support victims. The Victim Assistance Unit therefore works with and supports national ministries in the coordination, management and monitoring of such services. It also cooperates with local authorities and operators who work directly and indirectly with UXO victims, to support their medical and rehabilitation needs after an accident and others support such as financial support for medical treatment, education grant for children, additional equipment for handicap needed, vocational training and provide jobs, and psycho support. In addition, an examples of victim assistance provided by international non-governmental organizations includes development of care plans, psycho-social support, livelihood training and medical support.

UXO risk education

25. UXO Lao has UXO risk education teams who conduct activities to increase awareness among people living in UXO-affected areas about the dangers of UXO and to change the behaviour of “high risk” target groups. In 2013, a total of 173,465 people in Lao PDR (more than 50 per cent female), including 80,443 children, benefited from mine risk education, which is adapted for specific age groups through puppet shows, songs, dances, and games. In 2014, a total of 234,854 people (116,684 female), including 113,796 children, 596 villages benefited from mine risk education. In addition, 2,234 schools including 8,184 teachers (4,088 female), 217, 862 students (104,732 female) were involved in community awareness activities. Around 78 per cent of village volunteers working to raise community awareness on the dangers of UXO are female.

26. In 2013, with the support of UNICEF, as part of continuing prevention risk efforts among children, there are more than 1,000 UXO curriculum books, UXO textbooks and UXO song books were provided to 500 primary school teachers in eight teacher’s colleges and 180,000 students from grades one to five in 870 primary schools of the nine most heavily contaminated provinces,

Overview of mine risk education operations in 2013

<i>Organization</i>	<i>Number of Villages and Schools</i>	<i>Children</i>	<i>Adults</i>	<i>Total</i>
UXO LAO	650	80,443	93,022	173,465
Handicap International	90	8,412	6,021	14,433
Mines Advisory Group	23	802	119	921
Solidarity Service International	44	4,732	2,159	6,891
Halo Trust	18	614	650	1,264
World Education	2,366	228,182	9,030	236,212
Sprit of Soccer	12	7,734	0	7,734
Catholic Relief Services	77	259	1,122	1,381
Total	3,280	331,178	112,123	443,301

Source: National Regulatory Authority, 2013.