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SUBMISSION OF THE INTERNATIONAL COMMISSION OF JURISTS TO THE UNIVERSAL PERIODIC REVIEW OF LAO PDR

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I. Introduction

1. The International Commission of Jurists (ICJ) welcomes the opportunity to contribute to the Human Rights Council's (HRC) Universal Periodic Review (UPR) of Lao People's Democratic Republic (Lao PDR).
2. In this submission, the ICJ brings to the attention of the HRC and the UPR Working Group the organization's concerns regarding Lao PDR's failure to effectively meet a number of its international human rights law obligations within its domestic law frameworks, particularly those concerning gender-based discrimination, and to prevent, investigate, and prosecute gender-based violence (GBV).¹

II. Domestic legislation that inadequately addresses and/or allows for gender-based discrimination

Lack of sufficient legal guarantee against discrimination, including gender-based discrimination, in the Constitution

3. Following the third UPR cycle in 2020, Lao PDR took note of the recommendation to adopt a comprehensive anti-discrimination legislation that encompasses all the prohibited grounds of discrimination, including sexual orientation and gender identity.² In response, Lao PDR cited the existence of what it said were comprehensive domestic laws, emphasizing that its Constitution prohibits discrimination based on gender, ethnicity, religion, belief, and social strata.³ However, in reality, the Lao Constitution lacks sufficient legal guarantees concerning non-discrimination.⁴
4. While Article 8 of the Lao Constitution prohibits "discrimination among ethnic groups,"⁵ this protection does not expressly extend to discrimination on other grounds. Article 35 guarantees that "Lao citizens are all equal before the law irrespective of their gender, social status, education, beliefs and ethnic group."⁶ However, "equality before the law" by itself is not coterminous with the obligation of non-discrimination. The provision also limits its scope only to certain status grounds, failing to address such grounds protected under Lao PDR's international obligations, including, among others, race, color, sex, political or other opinion, property, birth, sexual orientation, gender identity, and other status.⁷ Finally, it restricts its scope of protection to "citizens" only, whereas the obligation of equality before the law and non-discrimination must, consistent with international law, extend to all persons regardless of citizenship.

Discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) individuals

5. Following its review of the third UPR cycle, Lao PDR noted recommendations to take steps to improve the rights of LGBTI individuals⁸ but asserted that Lao laws do not acknowledge any gender identity other than female and male.⁹ We regret that this situation remains unchanged, bringing Lao PDR into violation of its obligations under international human rights law, as reaffirmed by various UN human rights treaty bodies,¹⁰ and in conflict with numerous resolutions of this Council, most recently resolution 55/14 of 8 April 2024.¹¹
6. The categories of sexual orientation, gender identity, and gender expression (SOGIE) are not mentioned in the Constitution, and apparently, no other laws in force in Lao PDR offer protection against discrimination based on SOGIE. The country has neither an overall legislative framework nor has it enacted specific laws aimed at protecting LGBTI

individuals. Notably, there is no legal gender recognition for gender-diverse persons in Lao PDR, leaving LGBTI persons generally unprotected.

7. While Article 224 of the Penal Code provides for criminal liability for “discrimination against women,”¹² academic experts interviewed by the ICJ have reported that the justice system normally considers that discrimination covers only biological sex at birth. This narrow construction of the law of non-discrimination excludes LGBTI individuals, including lesbian, bisexual, and transgender women, who may face discrimination based on SOGIE.

Gender discriminatory provisions in the Penal Code

8. Following the third UPR cycle, Lao PDR accepted recommendations to continue efforts to ensure gender equality and promote women’s empowerment; to continue consolidating national mechanisms that enable equality for women; and to promote and protect the rights and well-being of women and girls.¹³ However, the current legal framework remains inadequate to achieve these goals. One particular problematic component of the Lao PDR legal framework is the Penal Code which contains provisions that discriminate against women, in contravention of Lao obligations under international human rights law, particularly the International Covenant on Civil and Political Rights (ICCPR)¹⁴ and the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).¹⁵ Such provisions serve as barriers to a society based on equality.
9. The offending provisions include those that criminalize sex work,¹⁶ adultery,¹⁷ consensual dissemination of pornography (except in cases involving child pornography),¹⁸ and consensual sexual acts with monks, novices, nuns, or hermits,¹⁹ which could disproportionately affect women due to their situation or status.²⁰
10. In violation of the right of women to sexual and reproductive health, guaranteed under the International Covenant on Economic, Social and Cultural Rights, Article 201 of the Penal Code criminalizes the act of “illegal abortion”.²¹ Ministerial approvals in 2021 outlined the circumstances under which abortion may be legal, including where a pregnant woman has certain medical conditions placing her health at risk,²² cases of rape, failed contraceptives, having more than four children, poverty, and young age.²³ However, abortion should be fully decriminalized,²⁴ and in any event, safe abortion in practice remains largely inaccessible due to social stigma, among other factors.

III. Legal provisions and their shortcomings in combating GBV, as well as other barriers to accessing justice for GBV victims/survivors

11. Following the third UPR cycle, Lao PDR accepted recommendations to prevent and respond to, and put an end to impunity for perpetrators of violence against women and girls.²⁵ Despite entering into this commitment, significant barriers persist both in law and in practice, hindering the prevention, response, and prosecution of such violence, contravening Lao PDR’s obligations under international human rights laws and standards, particularly under the CEDAW,²⁶ the ICCPR and the Convention Against Torture,²⁷ to which Lao PDR is a party

Legal provisions and their shortcomings in combating GBV: Rape

12. Certain domestic legal provisions neither adequately nor appropriately prohibit all forms of GBV. The definitions of “rape” and “marital rape” in Lao PDR’s Penal Code are inadequate and non-compliant with international human rights law, and risk facilitating

violations of, among others, women's rights to personal security, autonomy, and bodily integrity. These definitions are found in the Law on Prevention and Elimination of Violence against Women and Children ('LPVWC')²⁸ and various provisions of the Penal Code,²⁹ none of which are explicitly based on the absence of freely given consent, an essential element of the crime, as reaffirmed in international human rights and jurisprudence.³⁰ Instead, they rely on the use or threat of force or deception, along with the term "against her will," which fails to take into account coercive elements that may be present. Additionally, the law also fails to include elements indicating what constitutes consent and the relationship between consent and coercive circumstances.³¹

13. The definition of sexual intercourse in the Penal Code is also unduly narrow,³² applying only to the use of sexual organs or the use of one sexual organ with another's bodily organs, while it should explicitly include all types of penetration of a sexual nature, however slight, by any bodily part or object.³³ Further, under the Penal Code, rape is defined as occurring only with women, whereas under international human rights law, all persons must be protected from rape and other forms of violence without discrimination, including men and gender-diverse persons.

Barriers to accessing justice for GBV victims/survivors

*The use of alternative dispute resolution*³⁴

14. The use of alternative dispute resolution processes in a manner that does not comply with international law and standards could serve to impede GBV victims/survivors from accessing justice, expose women to further harm—including human rights violations or abuses—and perpetuate impunity for perpetrators. Such processes presently operation include seeking help from family or village elders for "re-education"³⁵ and compromise"³⁶ and mediation by the Village Mediation Committee under the Village Mediation Units in Lao PDR,³⁷ which usually consists of village elders or other community members. These mechanisms, particularly in cases involving GBV, including domestic violence, are usually inappropriate, inadequate for achieving justice, and contravene international human rights law and standards, which advise against using such approaches to address crimes of this nature.³⁸
15. There is also confusion about which cases should be directed to alternative dispute resolution and which may proceed through the formal justice system. Indeed, Lao CSOs have observed numerous instances where cases formally ineligible for mediation, including serious crimes like rape, have in practice been mediated instead of being pursued through formal judicial channels.³⁹ The use of such alternative dispute resolution mechanisms also often fails to comply with the preconditions prescribed by the CEDAW,⁴⁰ as they lack, among other shortcomings, prior evaluation by a specialized team to ensure the free and informed consent of survivors. In addition, these mechanisms are often implemented by persons who may have internalized gender stereotypes. According to the experiences of CSOs and academics we interviewed, members of the Village Mediation Units are not professionals specifically trained to understand and adequately intervene in GBV cases. As a result, these interventions frequently fail to protect the rights of women and children, reinforcing stereotypes and revictimizing women.

Gender stereotypes within the justice system

16. Harmful gender stereotypes and the stigmatization of survivors also persist within the justice sector, in contravention of Lao PDR's international human rights law obligations.⁴¹ Gender stereotypes, along with unresponsive and insensitive attitudes among justice

sector actors, are evident in how they question sexual and gender-based violence (SGBV) victims/survivors. CSOs to whom the ICJ spoke reported that police, public prosecutors, and judges failed to adopt a confidential and gender-sensitive approach to avoid stigmatization during legal proceedings.⁴² Instead, authorities relied on gender stereotypes and discriminatory assumptions, using blaming, shaming, and retraumatizing language. For example, in rape cases, members of CSOs witnessed several justice sector officers ask questions such as: “did the offender pick you up or vice versa?”; “why did you follow the offender?”; “why didn’t you fight back?”; and “why are you only reporting this now?.”⁴³

Failure to protect GBV victims/survivors from secondary victimization

17. SGBV survivors have frequently been subjected to secondary victimization in their interactions with judicial authorities.⁴⁴ For example, they are often interviewed multiple times about the same accounts without the assistance of psychological experts and without the supportive environment necessary for women to exercise their rights, report crimes, and actively participate in criminal justice processes.⁴⁵ At the police stage, there are generally no separate waiting areas or private rooms for survivors to register their concerns confidentially, and interviews with SGBV survivors are sometimes conducted in the presence of offenders. Similarly, in court, survivors have no option to request a separate entrance, for legal proceedings to be held privately unless requested by their lawyer, or to give testimony remotely or via communication equipment. Instead, SGBV survivors often had to testify in confrontation with the offender, alongside unrelated parties testifying in separate cases on the same day.
18. Information received by the ICJ also indicates a significant shortage of female police officers, who are rarely present when reporting GBV cases, even in the capital, Vientiane. This challenge mirrors the situation in Village Mediation Units, where committee members are predominantly men.
19. International law obliges responsible authorities to take measures to prevent retaliation against GBV survivors/victims seeking recourse in the justice system,⁴⁶ a duty that is also enshrined in the LPVWC.⁴⁷ However, according to several members of CSOs we interviewed, when concerns about the security of GBV survivors were raised with the police, they were often ignored.

Other practical obstacles

20. Various practical barriers further impede access to justice for GBV victims/survivors, including a shortage of female lawyers. According to the Lao Bar Association (LBA), as of 1 September 2024, in a country of 7.5 million people, there are only 529 lawyers registered with the LBA, which is a requirement to practice law, and only 133 of them are women.
21. Lawyers frequently encounter difficulties accessing case files and evidence collected by the police and public prosecutors when acting/providing support to their clients who are GBV survivors. Despite legal guarantees,⁴⁸ police and prosecutors commonly justify this by claiming that sharing the files might impede the investigation or that the information is confidential. These practices hinder survivors/victims' access to high-quality, gender-sensitive legal advice and their ability to seek justice.⁴⁹
22. Another barrier identified by members of CSOs was the lack of capacity, understanding, and resources among justice sector officers and healthcare providers for the collection

and preservation of forensic evidence in GBV cases. In most cases, this results in GBV survivors having to request medical evidence at their own expense.

Provision of specific funds and other assistance

23. There are no specific funds allocated for reparations to GBV survivors, nor are there women-specific funds to ensure that women receive adequate reparations when those responsible for abusing their rights are unable or unwilling to provide such reparations, despite repeated recommendations by the CEDAW Committee.⁵⁰
24. To our knowledge, there are three government-run protection shelters for survivors of GBV provided by the Lao Women's Union.⁵¹ Yet, they are far too few in number to provide adequate support and are not always accessible for the duration needed by GBV survivors due to limited space. CSO members report that accessing these shelters typically requires numerous documents, which take time to gather and place a significant burden on survivors.⁵²
25. In terms of language assistance, while the Lao government recognizes 50 ethnic groups in Lao PDR, there is a clear lack of professional interpreters in ethnic minority languages, particularly female interpreters, according to several experts interviewed by the ICJ.

V. Recommendations

26. In light of the above-mentioned concerns, the ICJ calls upon the HRC and the Working Group on the UPR to recommend that the Government of Lao PDR:

In relation to domestic legislation that inadequately addresses and/or allows for gender-based discrimination

- Include a specific provision in the Constitution explicitly prohibiting discrimination on all grounds prohibited under international human rights law, including race, colour, sexual orientation or gender identity, age, gender, religion, language, political or other opinion citizenship, nationality or migration status, national, social or ethnic origin, descent, health status, disability, property, socio-economic status, birth or other status, and extend this protection to all persons regardless of citizenship;
- Enact comprehensive anti-discrimination laws to ensure adequate and effective substantive and procedural protection against all forms of discrimination on all prohibited grounds under international human rights law, including recognizing sexual orientation and gender identity and expression as protected characteristics and prohibiting discrimination on these grounds;
- Repeal and/or amend provisions in the Penal Code that discriminate against women. This includes repealing those that criminalize sex work, adultery, and sexual acts with a monk, novice, nun, or hermit. Additionally, amend the provisions related to the dissemination of pornography to limit them to non-consensual dissemination only, except in cases involving child pornography; and
- Repeal provisions that criminalize abortion, and enhance women's access to sexual and reproductive healthcare with women's sexual and reproductive health and rights at the center.

In relation to legal provisions and their shortcomings in combating GBV, as well as other barriers to accessing justice for GBV victims/survivors

- Adopt a legal definition of rape and marital rape that centers on the lack of consent, including an express provision regarding the need to take into account coercive circumstances in determining consent. The legislation should also cover and protect all persons without discrimination and include all types of penetration of a sexual nature;
- Ensure that any use of alternative dispute resolution mechanisms in GBV-related criminal offenses complies with international human rights law. This includes halting the use of such mechanisms until legal and practical deficiencies are addressed. The State should:
 - Ensure that GBV victims/survivors are not automatically referred to alternative dispute resolution measures. If alternative dispute resolutions are allowed, they must be conducted only with the free and informed consent of the survivor, as assessed by a specialized team.
 - Ensure that such mechanisms are carried out by independent mediators and conciliators—professionals who are specially trained to understand and adequately intervene in cases of GBV, while also preventing gender stereotyping.
- Prevent and address gender stereotypes, and promote gender sensitivity among justice system professionals by increasing training within the justice sector, including for lawyers and healthcare providers;⁵³
- Establish specialized gender units within the police and prosecution systems;
- Eliminate practices that subject SGBV survivors to secondary victimization throughout legal proceedings, and ensure the creation of supportive environments that encourage SGBV survivors to claim their rights, including by preventing retaliation against GBV survivors seeking recourse in the justice system by providing adequate protection measures;
- Increase the number of women in the justice sector as a matter of urgency, including female police officers and female lawyers, and ensure that they can effectively carry out their work to provide high-quality, gender-sensitive legal advice and support justice-seeking efforts;
- Increase the number of interpreters in ethnic languages, particularly female interpreters;
- Establish specific funds allocated for reparations to GBV victims/survivors to ensure that they receive adequate reparations when those responsible for violating their rights are unable or unwilling to provide such reparations; and
- Address practical concerns related to accessing shelters and ensure they are available to all those in need.

ENDNOTES

¹ See also: ICJ, 'Lao PDR: ICJ submits report to CEDAW Committee on discriminatory laws and practices related to gender-based violence', 18 September 2024, available at: <https://www.icj.org/lao-pdr-icj-submits-report-to-cedaw-committee-on-discriminatory-laws-and->

[practices-related-to-gender-based-violence/](#) (ICJ's 2024 Submission to CEDAW Committee on Lao PDR')

² Human Rights Council, 'Report of the Working Group on the Universal Periodic Review: Lao People's Democratic Republic,' A/HRC/44/6, 17 March 2020, para. 115.46 ('2020 UPR Report').

³ Human Rights Council, 'Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review,' A/HRC/44/6/Add.1, 16 September 2020, para. 12.

⁴These include, among others, articles 2 and 26 of the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

⁵ Constitution of the Lao PDR No. 63/NA/2015, 8 December 2015, available at: https://www.parliament.go.th/ewtadmin/ewt/ac/ewt_dl_link.php?nid=119&filename=parsystem2 Article 8 of the Constitution provides that "The State pursues the policy of promoting unity and equality among all ethnic groups. ... All acts creating division and discrimination among ethnic groups are prohibited."

⁶ In addition, Article 37 states that "Citizens of both genders enjoy equal rights in the political, economic, cultural and social fields and in family affairs". Article 43 provides that "Lao citizens have the right and freedom to believe or not to believe in religions."

⁷ UN Human Rights Committee, 'Concluding observations on the initial report of the Lao People's Democratic Republic,' CCPR/C/LAO/CO/1, 23 November 2018, para 15.

⁸ 2020 UPR Report, 115.47

⁹ Human Rights Council, 'Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review,' A/HRC/44/6/Add.1, 16 September 2020, para. 13.

¹⁰ For example: Human Rights Committee, 'Toonen v. Australia, Communication No. 488/1992,' UN Doc. CCPR/C/50/D/488/1992, 31 March 1994; Committee on Economic, Social and Cultural Rights, 'General Comment No. 20', UN Doc. E/C.12/GC/20, 2009, para. 27; Committee on the Elimination of Discrimination Against Women, 'General recommendation No. 27 on older women and protection of their human rights,' UN Doc. CEDAW/C/GC/27, 16 December 2010, para 13; Committee on the Rights of the Child, 'General Comment No. 4', UN Doc. CRC/GC/2003/4, 2003, para. 6; and Committee on the Rights of the Child, 'General Comment No. 9', UN Doc. CRC/C/ GC/9, 2007, para 8.

¹¹ Human Rights Council, 'Resolution adopted by the Human Rights Council on 4 April 2024,' A/HRC/RES/55/14, 8 April 2024, available at: <https://documents.un.org/doc/undoc/gen/g24/060/57/pdf/g2406057.pdf>

¹² On the other hand, the Penal Code also criminalizes discrimination against persons with disabilities, children, and ethnic minorities under Articles 225, 226, and 227, respectively.

¹³ 2020 UPR Report, para. 115.195 and 196

¹⁴ Articles 2(1), 3 and 26 of the ICCPR

¹⁵ Article 2(g), CEDAW

¹⁶ Article 260 of the Penal Code.

¹⁷ Article 247 of the Penal Code criminalizes "a married person having a sexual relationship with a third person," as well as the partner in the adultery, and attempts to commit this offence. In this regard, the 8 March Principles, among other things, emphasize that consensual sexual conduct, irrespective of the marital status of the people involved, may not be criminalized in any circumstances. See, Principle 16, which, among other things states "[c]onsensual sexual conduct, irrespective of the type of sexual activity, the sex/ gender, sexual orientation, gender identity or gender expression of the people involved or their marital status, may not be criminalized in any circumstances." See: ICJ, 'The 8 March Principles for Human Rights-Based Approach to Criminal Law Proscribing Conduct Associated with Sex, Reproduction, Drug Use, HIV, Homelessness and Poverty,' 8 March 2023, Principle 18, available at: https://www.icj.org/wp-content/uploads/2023/03/8-March-Principles-Report_final_print-version.pdf ('8 March Principles')

¹⁸ Article 267 of the Penal Code criminalizes any person “engaging in the widespread production [...] distribution, or dissemination of pornographic items, magazines, pictures, video cassettes, and other materials contrary to fine traditions.” Articles 14 and 62 of the Law on Prevention and Combating Cyber Crime No. 61/NA/2015 criminalize the dissemination of pornography, including offenses related to selling, buying, distributing, transferring, introducing, and disseminating pornography. Both provisions are overly broad and contrary to the principle of legality, as well as potentially conflicting with the harm principle, given that “fine traditions” are not narrowly defined.

¹⁹ Article 266 criminalizes a female or male person who willingly commits a sexual act with a monk, novice, nun, or hermit, and vice versa.

²⁰ CEDAW Committee, ‘General recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19 (1992),’ CEDAW/C/GC/35, 26 July 2017, para 29 c(i) (‘CEDAW’s GR No. 35’); and See also 8 March Principles, Principle 16.

²¹ including performing an abortion on another person, a woman performing an abortion on herself, unlawfully recruiting someone to perform such an operation, and attempts to commit these offenses.

²² According to the Announcement, these include medial issues such as cardiovascular problems, neurological disease, cancer, kidney or liver disease, diabetes, and other medical conditions.

²³ Ministry of Health Lao PDR (MoH), “ຂໍ້ຕົກລົງວ່າດ້ວຍການຄຸ້ມຄອງ ການໃຫ້ຖືພາແທນ ແລະການໃຫ້ຫຼຸດລູກ (Health Minister Approvals on the Governance of Surrogacy and Abortion),’ 8 July 2021; and Laotian Times, ‘Authorities Draft New Legislation on Surrogacy and Abortion in Laos,’ 21 July 2021, available at: <https://laotiantimes.com/2021/07/21/authorities-draft-new-legislation-on-surrogacy-and-abortion-in-laos/>

²⁴ 8 March Principles, Principle 15.

²⁵ 2020 UPR Report, paras. 115.169 and 214

²⁶ See also, CEDAW, ‘General recommendation No. 33 on women’s access to justice’, CEDAW/C/GC/33, 3 August 2015 (‘CEDAW’s GR No. 33’); and CEDAW’s GR No. 35; and CEDAW, ‘Concluding observations on the combined eighth and ninth periodic reports of the Lao People’s Democratic Republic,’ CEDAW/C/LAO/CO/8-9, 14 November 2018, paras. 25-26.

²⁷ Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. See also, the Committee Against Torture, General Comment No.2, Implementation of Article 2 by States Parties, CAT/C/GC/2, 24 January 2008 para. 18. (‘CAT’s General Comment No. 2’); and Committee Against Torture, General comment No. 3, Implementation of article 14 by States parties CAT/C/GC/3, 13 December 2012, paras. 18, 23, 33-35. (‘CAT’s General Comment No. 3’)

²⁸ Law on Prevention and Elimination of Violence against Women and Children No. 56/NA/2014, 23 December 2014, available at: <https://faolex.fao.org/docs/pdf/lao209036.pdf>. Article 4 of the law provides the same definition for “rape” and those contained in Section 248 of the Penal Code (below).

²⁹ See, Penal Code No. 26/NA/2017, 17 May 2017, available at: https://www.bic.moe.go.th/images/stories/pdf/Law_of_Laos_1-11-2562.pdf. Rape is defined in section 248 as “the use of force, armed threats, chloroform or other substances, or other means to place a woman in a state of helplessness, or abusing the opportunity to have sexual intercourse with the woman against her will.” Article 251 makes a criminal offence the use of “trickery” to make a woman have sex with the offender or with another person against her will. Article 252 defines marital rape as “a person having sexual intercourse with his wife against her will by using force, threats, or when the wife is not in a state of readiness.” Article 4 of the LPVWC defines “forced sex within marriage” as “any act by a husband to have sexual intercourse with his wife by using force, coercion, threats when the wife does not want to have sex or is in situation when she is not ready to have sex.”

³⁰ CEDAW’s GR No. 35, para 29(e); CEDAW Committee, ‘Committee Communication No. 34/2011, R. P. B. v. the Philippines,’ CEDAW/C/57/D/34/2011, para 8.10; CEDAW Committee, ‘Committee Communication No. 18/2008, Vertido v. the Philippines,’ CEDAW/C/46/D/18/2008, para. 8.7.

³¹ See also: Dubravka Simonovic, ‘A framework for legislation on rape (Model Rape Law) : report of the Special Rapporteur on Violence against Women, Its Causes and Consequences,’ A/HRC/47/26/Add.1, 15 June 2021.

³² Article 3.8 of the Penal Code

³³ See also: *supra note 28*.

³⁴ For more detailed analysis, see: ICJ's 2024 Submission to CEDAW Committee on Lao PDR, paras 16-19.

³⁵ Article 76 of the LPVWC provides that "an individual, legal entity or organization that has committed violence against women or children within the family, their staff member, employee or other people, that does not cause much harm and it is the first time, shall be warned and re-educated with the record."

³⁶ Articles 48–50 of the LPVWC

³⁷ Articles 51–56 of the LPVWC

³⁸ CEDAW's GR No. 33, para. 57(c). In addition, CEDAW's GR No. 35 discourages mandatory referrals of GBV cases to alternative dispute resolution. See: CEDAW's CR No. 35, para 32(b).

³⁹ See also: World Bank Group, 'GBV Institutional Mapping Report,' April 2020, at 13-14, 16-17, available at: <https://documents1.worldbank.org/curated/en/300891594091530233/pdf/Lao-PDR-Gender-Based-Violence-Institutional-Mapping-Report.pdf?fbclid=IwAR3yLCpqlfslrevmDoGeVJHLkAbwtsrLU0ufbAyOgBE8-3sDE8TIJCMv7bw>

⁴⁰ CEDAW's GR No. 35, para 32(b).

⁴¹ These include Articles 2(d), 2(f), and 5(a) of CEDAW and sections 2, 12-14, and 16 of the Convention against Torture

⁴² CEDAW's GR No. 33, para 51(g); CAT's General Comment No. 3, para. 33.

⁴³ CEDAW's GR No. 35, para 26(c); CAT's General comment No. 3, para. 33; and CEDAW, 'Karen Tayag Vertido v. Philippines, Communication No. 18/2008,' 1 September 2010, Paras. 8.5-8.9.

⁴⁴ CEDAW's GR No. 33, para 14-15 and 51 (c); CAT's General Comment No. 3, para. 33.

⁴⁵ CEDAW's GR No. 33, para 51 (d)

⁴⁶ CEDAW's GR No. 33, para 51 (d)

⁴⁷ For instance, Articles 29 and 30 of the LPVWC empower the police to intervene immediately to stop violence and assist the victim by interviewing, collecting data, and assessing the situation. Additionally, police are tasked with referring cases to the court for protection measures under Article 43, and imposing emergency protection measures when necessary under Article 44.

⁴⁸ Article 71 of the Criminal Procedure Code guarantees the right of lawyers to access and make a copy of documents from the case file.

⁴⁹ CEDAW's CR No. 33, paras 13 and 16(c)

⁵⁰ CEDAW's CR No. 35, para 33(b); and CEDAW's CR No. 33, para 19(d).

⁵¹ Lao News Agency, 'Bokeo opens women and children's protection shelter,' 26 April 2023, available at: <https://kpl.gov.la/EN/detail.aspx?id=72694>

⁵² These exist despite the fact that shelters are critical to ensuring access to justice and constitute a vital safeguard. See: CEDAW's CR No. 33, para 16(b); and CAT's General Comment No. 3, para. 18.

⁵³ The training should also focus on the application of international human rights law and standards to the investigation, prosecution, adjudication, and sentencing of GBV-related criminal offenses.