

NGO Group for the Convention on the Rights of the Child  
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the Rights of the Child.**

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**Document Title:**

**Comments Submitted on the Lao PDR Country Report on the  
Convention on the Rights of the Child**

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**Lao PDR**

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Save the Children Australia and Save the Children Fund (UK)

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[Link to full the state party report  
in French](#)

**SUMMARY**

These comments are made by two NGOs, Save the Children: Australia and Save the Children Fund (U.K), who have had programme offices and *activities* in the country for a number of years. Whilst appreciating the considerable achievements of the Government of the Lao PDR despite its financial and human resource constraints, the comments draw attention to key areas of survival and protection which require concerted efforts. The under five mortality and malnutrition rates remain amongst the highest in the region, open and widespread information and education activities are urgently needed to address the potential for an 1{IV/A.U)S epidemic and the absence of resources for a juvenile justice system needs to be addressed.

**Background to the submission on of these comments:**

The report was unavailable to NGOs until June 1996 when SCF (U.K) was officially given a copy and it was agreed by a Government official that additional copies could be made for circulation

amongst the NGO community. It is understood that the delay in circulating the report was due to a need to re-check that the Lao and English versions were compatible and financial constraints in producing copies of the report.

In July SCF(U.K) issued an invitation to key NGOs working in the Lao PDR to a meeting to discuss a potential response to the report. There are over 60 organisations listed in the directory although not all have full-time programme personnel based in the country. At this time there are no local NGOs.

It had been hoped by SCF (U.K) that this meeting might form the basis on which a Coalition group on the CRC could develop. In the event the response was extremely poor (2 written apologies due to the pressure of work) and attendance by two NGOs. Possible reasons for this might be:

- the meeting took place during a traditional holiday time (for internationals and Lao)
- knowledge of the CRC and its implementation remains limited
- the status of the NGO Forum (coordinating body) was under discussion with the Government of the Lao PDR (subsequently it has ceased operation at the direction of the Government)

In the event, Save the Children Australia (SCA) and SCF (U.K) have prepared these comments. Consequently, they represent the views of these two organisations alone. This document will be shared with the Government at the time of submission to the NGO Group for the Convention on the Rights of the Child.

#### **COMMENTS:**

The Government of the Lao PDR is to be congratulated on the progress it has made on implementing the Convention on the Rights of the Child given the human resource and financial constraints faced. These comments are submitted in a spirit of cooperation and are not intended to be critical, merely to highlight areas which continue to need attention.

#### **Preamble:**

- The current population of the Lao PDR is estimated at 4.6 million (mid 1995 census)
- The GDP/capita is estimated at \$350-360. However, social studies conducted in some provinces indicate that 46% of the Lao population is currently living in poverty with an income of less than \$100 per capita.(Source: Socio-Economic Development Review and Development Plan up to the Year 2000' presented by the Government of the Lao PDR at a round table meeting with donors, 5-6th October 1995).

Education, Recreation and Cultural Events:

General Education: (2.2)

- Subsequent to the writing of the report, the initiative by the Ministry of Education in cooperation with the Ministry of Health to develop integrated education has developed further. Twenty five pre-schools and primary schools in 3 Provinces and Vientiane Municipality are now included in the programme. The needs of children with disabilities are being met in mainstream schooling and parental involvement is being encouraged. It is important to note that integrated education can only address the needs of children with a certain range of disabilities and those with more severe difficulties will not be able to enter the mainstream system. However, given the financial and human resource constraints faced by the Government in its 'Education for All' policy it is not realistic at this time to plan more specialised services which could act as support rather than a separate system.

#### **Recommendation:**

The cooperation between the Ministry of Education and Ministry of Health should be encouraged at all levels in the community to facilitate more detailed knowledge of the size and extent of the problems faced by children with special needs and their families. This would contribute to longer term planning of services.

Basic Health and Welfare:(V)

- The Report states that 'prevent AIDS and accidents' is one of three priority areas yet it provides no information on these health problems as they affect children or programmes in progress to mitigate against them.

Although there is little data available on the size of the HIV/AIDS epidemic in the country at present, given the size of the epidemic in neighbouring countries (Thailand, Burma and Cambodia) there is great cause for concern about the impact the disease will have on the welfare of Lao children.

Whilst preventive education programmes and curricula are being developed for secondary and high school children this does not address the need for education and information for the majority of children and their families (see report data on drop-out rates in primary school and figures for secondary and tertiary education).

Recommendation:

Appropriate information and education programmes should be extended to children in primary school and community groups. Government representatives should be encouraged to speak openly, support and endorse campaigns to encourage behavioural and attitudinal change and promote the availability of low cost condoms.

- Economic development has led to a sharp increase in the number of vehicles in Laos, particularly in urban centres. Road accidents involving teenagers on motorbikes are very common in Vientiane and urban centres. Observation indicates that the cause is most often reckless driving and/or a failure to enforce traffic regulations and age limits for the use of a motorcycle. Whilst it is difficult to obtain disaggregated figures of accidents involving children and young people it is said that the accident rate/capita is one of the highest in the region.

**Recommendation:**

There is a need for appropriate and targeted road safety campaigns for children and the population in general as well as the enforcement of safe driving practices.

**Infant Mortality, under five mortality and maternal mortality Morbidity and nutrition status (2.1, 2.2)**

- No mention is made in these sections of child malnutrition and that malnutrition puts children at greater risk of contracting many of the non-communicable diseases and makes their recovery from them slower.

Recommendation:

Government policies and training should clarify the linkage for health authorities, managers and workers.

Nutrition Status:

- The report notes the very high levels of malnutrition found in a survey conducted in 1995. The survey also found that there were significant differences in the prevalence of both stunting and wasting when comparing sub-groups of children: urban children are less stunted and wasted than rural children, children of the lowland majority less than children of ethnic minorities, and children whose mothers had completed primary education less than children whose mothers had never been to school. Girls were less malnourished than boys but not significantly so.

However there is no indication in the report of what activity is occurring to address this serious situation. Two years ago a workshop was held in the Lao PDR under the auspices of FAO to begin work on a Plan of Action for Nutrition. This was a follow-up to the Declaration on Nutrition made in Rome in December 1992. No mention is made of this workshop in the report

## **Recommendation**

Such a serious situation needs a concerted and targeted effort to improve growth monitoring in children under 5 so interventions can be made before it is too late. There needs to be widespread, culturally appropriate education on good feeding practices for young children. The central level of the Ministry of Health should be encouraged to take a key role in providing policy guidelines, strongly encouraging growth monitoring alongside the

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Expanded Programme of Immunisation (EPI) and the provision and dissemination of appropriate and accessible nutrition education materials.

It may be useful for the Ministry of Health to revisit the product of the above mentioned workshop to see if any of the strategies suggested should be implemented.

## **SPECIAL PROTECTION MEASURES (VI)**

As noted in the report the "Government of the Lao PDR has passed appropriate legislation for the protection of children. However, constraints in implementation remain both in having adequate human resources to implement and monitor the law and ensuring that officials 'on the ground' are fully informed of the legislation.

Since the report was submitted, the Government has undertaken considerable work to raise awareness on some of the especially difficult circumstances facing young people (CEDC) and we fully support these initiatives particularly as Government Ministries appear to see the benefits of promoting a cross sectoral approach to prevention and rehabilitation. A series of workshops are currently being held with participants from Ministries and mass organisations where the problems of CEDC are being discussed and possible responses identified. Whilst it is believed that the number of young people in difficult circumstances remains relatively small (reliable data is difficult to obtain) there are grounds for concern that some behaviours indicate a sense of hopelessness for the future and a distancing from Lao values and culture which could lead to an increase in numbers and severity of difficulties. A general concern is to encourage the Government to identify responses which are therapeutic rather than punitive.

### **Juvenile Offenders:**

There is lack of appropriate resources to respond to juvenile offenders. Should courts wish to impose a custodial sentence on young people aged between 15-18 years there is no special facility and young people are held in adult prisons where there are few opportunities for separation on the basis of age or gender or to provide therapeutic work. It is our understanding that, as a consequence, Courts are reluctant to make custodial sentences and young offenders are returned to the community for re-education. However, the problems with young people which are now emerging are new and extremely challenging for those officials charged with re-education. Discussions held at the workshops (mentioned above) have recognised a lack of skills and training to respond to these young people. It is suggested that one result may be that when methods of re-education in the community are not successful the young people are rejected by their families and the Police have few alternatives but to hold the young person (without charge) in police cells. If there is no charge the 72 hour detention limit in the Penal Code does not apply.

### **Recommendation:**

The Government of the Lao PDR should be encouraged and financially supported by the international community to identify and implement a juvenile justice system which builds on its traditional system of community response and is sustainable, Whilst it is recognised that a special facility may be needed for some young people there should be encouragement to look at a broad range of responses rather than institutional care being the only recourse for courts. This requires a commitment from donors for training of community level workers and general exposure for policy makers to alternative systems of juvenile justice.

**Sexual Exploitation:**

- In the absence of data it is impossible to show whether the numbers of young people involved in the sex trade is increasing. However, the incidence of these problems in neighbouring countries, the changing expectations and behaviour of young people, the development of a highway infrastructure in the Lao PDR and the length and porous nature of borders (1700 km border with Thailand) must be causes for concern both for Lao children within the country and those who are tempted by promises of work into other countries. Added to this is the expressed concern (above) on the delay and lack of concerted efforts on implementing education and information programmes on the risks of HIV infection. Whilst there have been no extensive studies conducted on sexual mores in the Lao PDR, it is possible that some of the findings in neighbouring countries with regard to the youthfulness of the prostitute and apparent protection against HIV infection would pertain in this country.

As noted above, efforts are being made by responsible Ministries and mass organisations to raise awareness of these problems and identify possible responses. The problems of the effectiveness of current patterns of re-education are noted in 3c of the report and referred to above with regards to responses to CEDC.

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**Recommendation:**

**Government at all** levels should be encouraged to recognise the potential problems and risks and respond not by forcing the problems 'underground' but by seeking to encourage open information and education leading to behavioural change.

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