



Lao People's Democratic Republic  
Joint Submission to the UN Universal Periodic Review  
49th Session of the UPR Working Group

Submitted: 10 October 2024

**Submission by CIVICUS: World Alliance for Citizen Participation,  
NGO in General Consultative Status with ECOSOC  
And**

**The Asian Forum for Human Rights and Development (FORUM-ASIA)  
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## 1. Introduction

- 1.1 CIVICUS is a global alliance of civil society organisations (CSOs) and activists dedicated to strengthening citizen action and civil society around the world. Founded in 1993, CIVICUS has members in more than 180 countries throughout the world.
- 1.2 The Asian Forum for Human Rights and Development (FORUM-ASIA) is a network of 87 organisations in 23 countries that works to promote and protect human rights, including the right to development, through collaboration and cooperation among human rights organisations and defenders in Asia and beyond.
- 1.3 Amnesty International is a global movement of more than 13 million people in over 150 countries and territories who campaign to end human rights abuses. The movement has members and supporters in more than 150 countries and territories and is independent of any government, political ideology, economic interest or religion.
- 1.4 In this submission, the three organisations examine the Government of Lao PDR's compliance with its international human rights obligations to create and maintain a safe and enabling environment for civil society. Specifically, we analyse Lao PDR's fulfilment of the rights to freedoms of association, expression and peaceful assembly and unwarranted restrictions on human rights defenders (HRDs) since its previous UPR examination in 2019. We assess Lao PDR's implementation of recommendations relating to these issues received during the 3<sup>rd</sup> UPR cycle and provide follow-up recommendations.
- 1.5 During the 3<sup>rd</sup> UPR cycle, the Government of Lao PDR received 38 recommendations relating to the space for civil society (civic space). It accepted 15 recommendations and noted 23. However, an evaluation of a range of legal sources and human rights documentation addressed in this submission demonstrates that it has not implemented any of the recommendations.
- 1.6 The government has persistently failed to address unwarranted restrictions on civic space since its last UPR examination. Acute implementation gaps were found with regard to the rights to freedoms of expression and peaceful assembly.
- 1.7 We are deeply concerned by the severe restrictions in law imposed on civil society and cases of harassment, prosecution, arbitrary detention, enforced disappearances and killings of HRDs.

- 1.8** We are further alarmed by restrictions in law that criminalise freedom of expression, including by online critics, and the arbitrary detention of peaceful protesters, particularly in relation to land disputes.
- 1.9** As a result of these issues, civic space in Lao PDR is currently classified as ‘closed’ by the CIVICUS Monitor, indicating the most severe level of civic space restrictions.<sup>1</sup>
- Section 2 of this submission examines Lao PDR’s implementation of UPR recommendations and compliance with international human rights standards concerning freedom of association.
  - Section 3 examines Lao PDR’s implementation of UPR recommendations and compliance with international human rights standards related to the protection of HRDs, civil society activists and journalists.
  - Section 4 examines Lao PDR’s implementation of UPR recommendations and compliance with international human rights standards concerning freedom of expression, media freedom and access to information.
  - Section 5 examines Lao PDR’s implementation of UPR recommendations and compliance with international human rights standards related to freedom of peaceful assembly.
  - Section 6 contains recommendations to address the concerns raised and advance implementation of recommendations under the 3<sup>rd</sup> cycle.
  - Section 7 is an annex on the implementation of 3<sup>rd</sup> cycle UPR recommendations related to civic space.

## **2. Freedom of association**

- 2.1** During Lao PDR’s examination under the 3<sup>rd</sup> UPR cycle, the government received four recommendations directly related to the right to freedom of association. The government committed to ‘facilitate a supportive environment to better enable civil society organizations to operate’.<sup>2</sup> It accepted only one recommendation and noted the other three. However, as evidenced below, the government has failed to take adequate measures to realise any of the recommendations fully.
- 2.2** Article 44 of the Lao PDR Constitution guarantees citizens the right to ‘set up associations [...] which are not contrary to the laws’.<sup>3</sup> Article 22 of the International Covenant on Civil and Political Rights (ICCPR), to which Lao PDR is a state party, also guarantees freedom of association. However, despite these commitments, Lao PDR is a one-party state in which the ruling Lao People’s Revolutionary Party (LPRP)

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<sup>1</sup> CIVICUS Monitor: Laos, <https://monitor.civicus.org/country/laos>.

<sup>2</sup> Recommendation from Australia in ‘Report of the Working Group on the Universal Periodic Review: Lao People’s Democratic Republic, Addendum’, UN Human Rights Commission, A/HRC/44/6/Add.1, September 2020, Para. 5, <https://documents.un.org/doc/undoc/gen/g20/231/50/pdf/g2023150.pdf>.

<sup>3</sup> Lao PDR Constitution, [https://www.constituteproject.org/constitution/Laos\\_2003.pdf?lang=en](https://www.constituteproject.org/constitution/Laos_2003.pdf?lang=en).

dominates all aspects of political life and maintains strict controls on civic space.<sup>4</sup> Political groups other than LPRP-backed mass organisations are banned. While CSOs – known locally as non-profit associations – exist, they are severely restricted, forced to maintain close relations with the state and focus primarily on socio-economic projects. Independent human rights CSOs are virtually non-existent.

**2.3** Local CSOs are governed by Decree No. 238 on Associations that came into effect in mid-November 2017. It was drafted and adopted without any genuine input from civil society. It imposes pervasive controls and restrictions on CSOs. Notably, article 31 of the decree includes vaguely worded provisions that prohibit associations from ‘supporting or mobilizing in a manner that is dangerous for the security of the nation, peace, public order, other individuals’ rights and liberties, and great national, local, and diverse ethnic traditions’ and ‘mobilizing to instigate the division of unity within the nation, local communities, religious and ethnic groups’.<sup>5</sup> In addition, the decree grants Lao authorities the power to unreasonably control or prohibit the formation of associations, broad powers to inspect, monitor and curtail the activities and finances of associations, the power to order the dissolution of associations on arbitrary grounds and without right of appeal, and powers to discipline associations and individual members on arbitrary grounds. The decree also includes measures to criminalise unregistered associations and allow for prosecution of their members.<sup>6</sup> The onerous requirements in the decree have led to funding delays and some CSOs have been forced to shut down.<sup>7</sup> In 2018, the UN Human Rights Committee raised concerns about the decree and called for it to be revised to bring it into compliance with the ICCPR.<sup>8</sup>

**2.4** The government occasionally influences board membership of CSOs and forces some organisations to change their names to remove words it deems sensitive, such as ‘rights’. The authorities also restrict CSOs’ ability to disseminate information and conduct activities. CSOs are required to obtain Ministry of Foreign Affairs approval to receive foreign funding greater than 500 million kip (approx. US\$24,000).

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<sup>4</sup> ‘Freedom in the World 2024: Laos profile’, Freedom House, 2024, <https://freedomhouse.org/country/laos/freedom-world/2024>

<sup>5</sup> Laos, Decree No. 238 on Associations, 11 August 2017, <https://laocso.org/wp-content/uploads/2023/08/dam-lut-samakhom-238-1.pdf>.

<sup>6</sup> ‘New Decree on Associations is the last nail in the coffin for civil society’, International Federation for Human Rights, 21 November 2017, <https://www.fidh.org/en/region/asia/laos/new-decree-on-associations-is-the-last-nail-in-the-coffin-for-civil>; ‘Joint Letter to the Lao Government Re: Decree on Associations’ Human Rights Watch, 13 December 2017, <https://www.hrw.org/news/2017/12/17/joint-letter-lao-government-re-decree-associations>.

<sup>7</sup> ‘Civil Society Groups in Laos Delayed Funding, Forced to Disband Under New Law’, Radio Free Asia, 24 January 2018, <https://www.rfa.org/english/news/laos/csos-01242018122715.html>.

<sup>8</sup> ‘Human Rights Committee: Concluding observations on the initial report of the Lao People’s Democratic Republic’, Human Rights Committee, 23 November 2018, [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/LAO/CO/1&Lang=En](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR/C/LAO/CO/1&Lang=En).

- 2.5** International CSOs (ICSOs) also face challenges in operating. Decree No. 13 was passed in 2010 to provide a framework for ICSO registration and operation.<sup>9</sup> However, the decree and related guidelines (No. 1064/MFA.IOD.3) restrict the activities of ICSOs solely to those in line with government goals and policies.<sup>10</sup>
- 2.6** Lao Christians – around two per cent of the population – are targeted by the authorities. Christian groups that are not recognised under the Decree on Religious Practice (Decree 315) experience difficulties in obtaining government permissions and sometimes operate house churches, which are considered illegal.<sup>11</sup> They have faced harassment, arrests, home demolitions and destruction of property.<sup>12</sup>

### **3. Arbitrary detention, enforced disappearance, attacks and killings against human rights defenders, civil society activists and journalists**

- 3.1** Under Lao PDR's previous UPR examination, the government received 18 recommendations on the protection of civil society representatives, HRDs and journalists. The government committed to 'create and maintain a safe and enabling environment for human rights defenders and civil society' and 'continue taking measures to improve investigations into cases of enforced disappearance'. The government accepted five recommendations and noted 13 but has not implemented any of them.
- 3.2** Article 12 of the UN Declaration on Human Rights Defenders mandates states to take the necessary measures to ensure the protection of HRDs. However, in spite of these protections the targeting of HRDs have been documented. The government has also failed to establish a national human rights institution in accordance with the Paris Principles, which could provide a mechanism for protection.

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<sup>9</sup> 'Civil Society Briefs: Lao People's Democratic Republic 2011', Asian Development Bank, September 2011, <https://www.adb.org/sites/default/files/publication/28968/csb-lao.pdf>; 'Guidelines for the implementation of the Prime Minister's Decree on International Non-Governmental Organizations', Department of International Organizations, Ministry of Foreign Affairs, 2014, [https://www.jica.go.jp/laos/office/about/ngodesk/ku57pq00001uucpw-att/guideline\\_eng.pdf](https://www.jica.go.jp/laos/office/about/ngodesk/ku57pq00001uucpw-att/guideline_eng.pdf).

<sup>10</sup> 'Prime Minister's Office's Decree on International Non-Governmental Organizations (INGO) No. 013/PM', Lao PDR, 8 January 2010, Article 17, [https://www.jica.go.jp/Resource/laos/english/office/about/ngodesk/tn44q1000000vyl7-att/decreee\\_en.pdf](https://www.jica.go.jp/Resource/laos/english/office/about/ngodesk/tn44q1000000vyl7-att/decreee_en.pdf); See also a comment from the UN Human Rights Committee, 23 November 2018, op cit.

<sup>11</sup> Open Doors, World Watch List 2024: Laos, <https://www.opendoors.org/persecution/reports/Laos-MediaAdvocacy-Dossier-ODI-2024.pdf>.

<sup>12</sup> 'Laos: Arrests for protest against Potash mine while human rights defenders remain in jail', CIVICUS Monitor, 2 May 2023, <https://monitor.civicus.org/explore/laos-arrests-for-protest-against-potash-mine-while-human-rights-defenders-remain-in-jail>; 'Laos: UN raises concerns about summary executions, enforced disappearance and deportation of activists', CIVICUS Monitor, 23 January 2024, <https://monitor.civicus.org/explore/laos-un-raises-concerns-about-summary-executions-enforced-disappearance-and-deportation-of-activists>; 'Laos: Social media critic arrested for exposing bribery while land rights protesters detained', CIVICUS Monitor, 7 May 2024, <https://monitor.civicus.org/explore/laos-social-media-critic-arrested-for-exposing-bribery-while-land-rights-protesters-detained>.

- 3.3** Our organisations observe an ongoing pattern of arbitrary detention, enforced disappearance and attacks on and killings of individuals who criticise the government or take part in peaceful activism, including civil society activists, HRDs and journalists.
- 3.4** The authorities have arbitrarily detained, prosecuted and handed lengthy sentences to HRDs. Soukane Chaithad, Somphone Phimmasone and Lodkham Thammavong were detained in March 2016 for taking part in a peaceful demonstration on 13 December 2015 outside the Lao Embassy in Thailand to express concerns over the government's human rights record. The three also posted messages on social media criticising the government. They were forced to admit to their so-called crimes on national television. In May 2017, they were convicted for 'acts of betrayal towards the nation' (2005 Penal Code article 56), 'propaganda against the state' (article 65) and 'gatherings aimed at causing social disorder' (article 72) and given prison sentences of 16, 20 and 12 years respectively, and fines of between 11,000,000 and 210,000,000 kip (approx. US\$503 to US\$9,616). In September 2017, the UN Working Group on Arbitrary Detention (UNWGAD) declared their detention to be arbitrary.<sup>13</sup>
- 3.5** Houayheuang Xayabouly (aka Muay) was detained from September 2019 to 2024, serving a five-year prison sentence on spurious charges of 'propaganda against the Lao DPR' under article 117 of the 2017 Penal Code. Muay had repeatedly used Facebook to criticise the Lao government for mishandling assistance for flood victims in southern Laos.<sup>14</sup> In June 2021, UNWGAD determined that her arrest and subsequent imprisonment was arbitrary and in violation of international law.<sup>15</sup>
- 3.6** Activist Sangkhane Phachanthavong was detained for three months in August 2020 before being released on bail for comments on social media. He had reportedly criticised government corruption and was questioned in jail regarding links to 'an anti-government group of overseas Laotians'.<sup>16</sup> Thailand-based activist Savang Phaleuth was arrested in April 2023 and detained for three months when he returned to Laos to visit family.<sup>17</sup>
- 3.7** Many HRDs have been subjected to enforced disappearances, and their fate and whereabouts remain unknown to this day. Sombath Somphone, a prominent community development activist and civil society leader, has not been seen since he was abducted on 15 December 2012, a few months after he organised a meeting for

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<sup>13</sup> CIVICUS Monitor, 2 May 2023, op cit.

<sup>14</sup> 'Amnesty International Report 2022/23: The state of the world's human rights', Amnesty International, 2023, p. 228, <https://www.amnesty.org/en/documents/pol10/5670/2023/en>.

<sup>15</sup> CIVICUS Monitor, 20 December 2022, op cit.

<sup>16</sup> 'Rights groups and the UN continue to press Laos where civic space remains 'closed'', CIVICUS Monitor, 7 January 2021, <https://monitor.civicus.org/explore/rights-groups-and-un-continue-press-laos-where-civic-space-remains-closed>.

<sup>17</sup> 'Laos releases Thailand-based Lao democracy activist', Benar News, 26 July 2023, <https://www.benarnews.org/english/news/thai/lao-activist-savang-phaleuth-freed-07262023163441.html>.

the Asia-Europe People's Forum where grassroots activists shared criticisms about land deals with foreign companies that led to forced evictions.<sup>18</sup> Sombath was last seen at a police checkpoint in the capital, Vientiane, on the evening of 15 December 2012. Footage from a traffic CCTV camera showed police officers standing by as unknown people forced Sombath into a vehicle while another person drove his vehicle away. Since Sombath's disappearance, the Lao government has continuously refused to acknowledge his fate and whereabouts, produced misleading statements and showed no transparency in sharing information related to the case with Sombath's wife Shui Meng Ng.<sup>19</sup>

**3.8** Law enforcement officers arrested democracy activist and HRD Phetphouthone Philachanh in Vientiane on 14 November 2019. He has not been seen since. Phetphouthone was a member of Free Laos, a Thailand-based group formed by Lao residents, activists and migrant workers advocating for democracy, environmental justice and human rights. He was also the former Vice-President of the Lao United Labour Federation in Thailand. Phetphouthone was registered as an asylum seeker with the UN Refugee Agency in Thailand.<sup>20</sup>

**3.9** Lao authorities have not exercised due diligence in investigating the suspected enforced disappearances of five Thai political activists in Lao PDR – Chatchan Bubphawan, Surachai Danwattananusorn, Wutthipong Kotthammakhun, Kraidej Luelert and Itthipol Sukpan – between 2016 and 2018.<sup>21</sup> The bodies of Chatchan and Kraidej were found on the banks of the Mekong River, while the fate and whereabouts of the others remain unknown.<sup>22</sup>

**3.10** Our organisations have also documented several attacks on and killings of HRDs. In June 2020, four unidentified men physically attacked HRD Leokham Losavath. He died

<sup>18</sup> 'Laos: Caught on camera: The enforced disappearance of Sombath Somphone', Amnesty International, 13 June 2013, Index Number ASA 26/002/2013, <https://www.amnesty.org/en/documents/asa26/002/2013/en>; 'Carving up LAOS: Land disputes rattle the government', Marwaan Macan-Markar, 19 April 2013, <https://www.sombath.org/en/2013/04/carving-up-laos-land-disputes-rattle-the-government>.

<sup>19</sup> 'Lao PDR: 11 years of Government Inaction on Enforced Disappearance', Amnesty International, 15 December 2023, <https://www.amnesty.org/en/documents/asa26/7537/2023/en>.

<sup>20</sup> 'Lao Migrant Goes Missing, Friends Suspect Government Abduction', Radio Free Asia, 9 December 2019, <https://www.rfa.org/english/news/laos/phetphouthon-philachane-12092019161409.html>; 'Lao PDR: Arbitrary detentions, enforced disappearances, violations of fair trial, extrajudicial killings and renditions in relation to eight HRDs (joint communication)', UN Human Rights Special Procedures, AL LAO 4/2023, 24 November 2023, <https://srdefenders.org/laos-pdr-arbitrary-detentions-enforced-disappearances-violations-of-fair-trial-extrajudicial-killings-and-renditions-in-relation-to-eight-hrds-joint-communication>.

<sup>21</sup> 'Letter to the Governments of Laos and Thailand', UN Office of the High Commissioner for Human Rights, AL LAO 4/2020, 11 December 2020, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25648>; 'Open letter: Investigate the enforced disappearance of Wanchalearm Satsaksit and the disappearances and alleged executions of other Thai exiles', Amnesty International, 4 June 2021, <https://www.amnesty.org/ar/wp-content/uploads/2021/06/ASA3942322021ENGLISH.pdf>.

<sup>22</sup> UN Office of the High Commissioner for Human Rights, 11 December 2020, op. cit.



in hospital after suffering eight stab wounds and severe head and shoulder injuries. A police investigation has not succeeded in identifying any of the people responsible for his death.<sup>23</sup>

**3.11** An unidentified person shot LGBTQI+ HRD Anousa 'Jack' Luangsouphom at a coffee shop in the Chanthabuly district of Vientiane on 29 April 2023. On the coffee shop's CCTV footage, a masked individual can be seen entering the bar, approaching Jack, shooting him twice at close range in the face and chest and immediately running away. Jack survived the shooting and was transferred to a foreign hospital where he underwent a successful surgical procedure to remove a bullet from his chest and repair his cheek, jaw and tongue, which were badly damaged by a bullet.<sup>24</sup> Lao police announced that the shooting was linked to Jack's personal reasons and did not comment whether state actors were involved.<sup>25</sup> Despite committing to carrying out an investigation into this incident, Lao authorities have not brought the perpetrator to justice at the time of submission.

**3.12** HRDs who have fled Lao PDR also remain at risk of transnational repression. On 11 December 2020, eight independent UN human rights experts submitted a letter to the Lao and Thai governments raising concerns about a 'pattern of disappearances' with 'countries in the region coordinating, assisting, or acquiescing to extraterritorially abduct political activists leading to disappearances'.<sup>26</sup> The letter indicated that in 2018 the Foreign Ministries of Laos and Thailand released a joint statement on strengthening their collaboration to 'stand firm on the policy to not allow any person or group of people plan for disorder or anti-government activities in another country on their land'.<sup>27</sup>

**3.13** Od Sayavong, a member of the Free Lao group and a UN-recognised Lao refugee living in Thailand, went missing in August 2019.<sup>28</sup> He is believed to have been forcibly disappeared after he took part in a protest on 16 June 2019 that called for democracy and human rights in Laos and for an international inquiry on the disappearance of Sombath Somphone. Od's disappearance also followed a meeting with the former UN

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<sup>23</sup> UN Human Rights Special Procedures, 24 November 2023, op. cit.

<sup>24</sup> 'Laos: Human rights defender shot at while activists in exile face arrest and attacks', CIVICUS Monitor, 18 September 2023, <https://monitor.civicus.org/explore/laos-human-rights-defender-shot-at-while-activists-in-exile-face-arrest-and-attacks>.

<sup>25</sup> 'Lao police confirmed Jack is not dead, stated that the shooting was linked to business or relationship conflicts', Manager Online, 5 May 2022, <https://mgronline.com/indochina/detail/9660000041562>

<sup>26</sup> UN Office of the High Commissioner for Human Rights, 11 December 2020, op. cit.

<sup>27</sup> Ibid.; 'Thais, Laos, step up security ties', Bangkok Post, 22 December 2017, <https://www.bangkokpost.com/thailand/general/1383554/thais-laos-step-up-security-ties>.

<sup>28</sup> 'Thailand/Lao PDR: UN experts concerned by disappearance of Lao human rights defender', UN Office of the High Commissioner for Human Rights, 1 October 2019, <https://www.ohchr.org/en/press-releases/2019/10/thailandlao-pdr-un-experts-concerned-disappearance-lao-human-rights-defender>.



Special Rapporteur on extreme poverty and human rights on 15 March 2019 before the Special Rapporteur began his country visit to Lao PDR. In October 2019, the UN Working Group on Enforced or Involuntary Disappearances and three UN special rapporteurs issued a joint statement expressing concerns about his case.<sup>29</sup> The UN Secretary-General categorised Od's disappearance as an act of reprisal for cooperating with UN mechanisms.<sup>30</sup> At the time of submission, Od's fate and whereabouts remain unknown.

- 3.14** The body of Bounsuan Kitiyano, an HRD and UN-recognised refugee, was found with three gunshot wounds in a forest in Ubon Ratchathani, Thailand, on 17 May 2023.<sup>31</sup> The initial police investigation indicated that he was shot while riding alone on his motorcycle. Bounsuan was a member of the Free Lao group.<sup>32</sup> At the time of submission, the person responsible for killing Bounsuan has not been identified or brought to justice.
- 3.15** In addition to cases of enforced disappearance, our organisations documented cases of transnational cooperation between Lao and Chinese authorities to forcibly return Chinese HRDs to Laos to escape persecution back to China, in violation of Lao PDR's non-refoulement obligations under international law
- 3.16** Between 31 May and 2 June 2023, Yang Zewei, also known as Qiao Xinxin, the founder of the Ban the Great Firewall group which advocated against online censorship in China, disappeared in Vientiane, where he had been living in exile.<sup>33</sup> Later, it was revealed to the public that Chinese authorities had issued an arrest warrant and detained him at the Hengyang Youth Detention Center in China, for allegedly 'inciting subversion of the state power'.<sup>34</sup>
- 3.17** Lu Siwei, a Chinese HRD and lawyer, was forcibly returned in September 2023 from Lao PDR to China, despite the risk of enforced disappearance, torture, summary execution and other grave human rights violations.<sup>35</sup> In July 2023, Lu Siwei was detained by the Lao authorities at Thanaleng railway station near the Lao-Thai border

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<sup>29</sup> Ibid.

<sup>30</sup> 'Cooperation with the United Nations, its representatives and mechanisms in the field of human rights. Report of the Secretary-General', UN, A/HRC/48/28, 1 December 2021, para 83-84, <https://documents.un.org/doc/undoc/gen/g21/357/79/pdf/g2135779.pdf>.

<sup>31</sup> 'Thailand/Laos: Investigate the Killing of Lao Refugee and Put an End to Transnational Repression of Human Rights Defenders' Amnesty International, 26 May 2023, <https://www.amnesty.org/en/documents/asa26/6830/2023/en>.

<sup>32</sup> CIVICUS Monitor, 18 September 2023, op cit.

<sup>33</sup> 'Laos 2023', Amnesty International, <https://www.amnesty.org/en/location/asia-and-the-pacific/south-east-asia-and-the-pacific/laos/report-laos>.

<sup>34</sup> Ibid.

<sup>35</sup> 'China: Human rights lawyer at risk of torture after return from Laos', Amnesty International, 4 October 2023, <https://www.amnesty.org/en/latest/news/2023/10/china-human-rights-lawyer-at-risk-of-torture-after-return-from-laos>.

as he was about to board a train to Thailand, where he was scheduled to take a flight to the USA to reunite with his family.<sup>36</sup>

**3.18** There are also concerns that Lao authorities are assisting the Myanmar junta in pursuing anti-junta activists. On 8 May 2024, it was reported that the Lao police had handed over 17 Myanmar activists to the junta at a border checkpoint in the Golden Triangle region.<sup>37</sup>

**3.19** Our organisations have also documented persecution of the ethnic Chaofa Hmong community, including those who engaged with UN human rights mechanisms.<sup>38</sup> Among other abuses, they have faced indiscriminate attacks and enforced and involuntary disappearances. In 2021 and 2022, the UN Secretary-General's annual report on reprisals for cooperation with UN mechanisms included acts of reprisal against four members of the community – two girls, one woman and an 80-year-old man – in the Phou Bia Mountain forests, Xaisomboun province.<sup>39</sup> The four were forcibly disappeared in March 2020 after having submitted a complaint to UN Special procedures on allegations of enforced disappearance and the denial of the right to access food, adequate housing, medical care and safe drinking water for Hmong community members by the Lao People's Armed Forces.<sup>40</sup> Relatives of the disappeared were reportedly subjected to threats and intimidation by the army.<sup>41</sup>

## **4. Freedom of expression, media and access to information**

**4.1** Under the 3<sup>rd</sup> UPR cycle, the government received 14 recommendations relating to freedom of expression, media freedom and access to information. For example, the government pledged to 'ensure that freedom of expression is safeguarded in all its forms' and 'repeal all legislation inhibiting freedom of opinion and expression that is

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<sup>36</sup> CIVICUS Monitor, 23 January 2024, op cit.; CIVICUS Monitor, 18 September 2023, op cit.

<sup>37</sup> 'Lao police arrest and hand over 17 Myanmar citizens to military junta', Radio Free Asia, 8 May 2024, <https://www.rfa.org/english/news/myanmar/lao-arrests-junta-activists-05082024142726.html>.

<sup>38</sup> The Hmong are an Indigenous group originally from the mountainous regions of southern China, Laos, Myanmar, Thailand and Viet Nam. Up to 600,000 Hmong are estimated to live in northern Laos, mostly in the Phou Bia area, a resource-rich remote jungle region. They distinguish themselves from the general Laotian population because of their ethnicity, written and spoken language, culture and religion.

<sup>39</sup> UN Human Rights Council, 1 December 2021, para 59, op. cit.; 'Cooperation with the United Nations, its representatives and mechanisms in the field of human rights - Report of the Secretary-General', UN, A/HRC/51/47, 14 September 2022, para 101-103, <https://www.ohchr.org/en/documents/reports/ahrc5147-cooperation-united-nations-its-representatives-and-mechanisms-field>.

<sup>40</sup> 'Letter to Lao PDR', UN Human Rights Special Procedures, UA LAO 3/2021, 27 April 2021, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=26322>.

<sup>41</sup> 'Calls for accountability for disappeared activist Sombath Somphone, release of political prisoners as repression of civic space persists in Laos', CIVICUS Monitor, 20 December 2022, <https://monitor.civicus.org/explore/calls-accountability-disappeared-activist-sombath-somphone-release-political-prisoners-repression-civic-space-persists-laos>.

not compatible with article 19 of the ICCPR'. It accepted nine recommendations and noted five but has implemented none of the recommendations.

- 4.2 ICCPR article 19 guarantees the right to freedoms of expression and opinion. Article 44 of the Lao PDR Constitution also guarantees citizens freedom of speech and press. However, in policy and practice an array of restrictive laws continue to exist to muzzle freedom of expression and the media are severely curtailed.
- 4.3 There are several legal provisions that curb freedom of expression and contain vague and broadly formulated offences. These include provisions criminalising 'treason to the nation' (2017 Penal Code article 110), 'propaganda against the state' (article 117) and defamation, libel and insult (articles 205 and 206).<sup>42</sup>
- 4.4 The LPRP exercises absolute control over the media, including TV, radio and printed publications, through the Ministry of Information, Culture and Tourism of the Government of Lao PDR. According to Reporters Without Borders the government keeps the press under close surveillance and this political environment encourages self-censorship. Lao DPR is ranked 153rd out of 180 countries on the 2024 World Press Freedom Index.<sup>43</sup>
- 4.5 Legal restrictions on the media aimed at ensuring strict adherence to and promotion of government policies were introduced by amendments in 2016 to the Media Act of 2008 and Decree No. 377 of 24 November 2015 on Press Activities of Foreign Media Agencies, Diplomatic Missions, and International Organizations, which requires the submission of materials for governmental approval before publication.<sup>44</sup> These laws and strict government controls have led to high levels of self-censorship by journalists. Decree No. 377 also requires foreign journalists wanting to cover events in Lao PDR to seek permission from the Ministry 15 days before entering Laos and submit their content to the Ministry of Foreign Affairs for approval. This includes reporters accompanying a foreign delegation on a visit to the country.<sup>45</sup>
- 4.6 Due to the strict media controls, many Laotians often seek to access and share information online. Therefore, the authorities have sought to impose restrictions on digital communications. Decree No. 327 on Internet-Based Information

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<sup>42</sup> 'Decree of the President of the Lao People's Democratic Republic on the Promulgation of the Penal Code', Lao PDR, 10 October 2020, [https://laoofficialgazette.gov.la/kcfinder/upload/files/1Oct2020\\_Lao%20Penal%20Code\\_English%20version.pdf](https://laoofficialgazette.gov.la/kcfinder/upload/files/1Oct2020_Lao%20Penal%20Code_English%20version.pdf).

<sup>43</sup> 'Laos', Reporters Without Borders, <https://rsf.org/en/country/laos>.

<sup>44</sup> 'UN Human Rights Committee slams Laos record on civil and political rights', CIVICUS Monitor, 23 August 2018, <https://monitor.civicus.org/newsfeed/2018/08/23/un-human-rights-committee-slams-laos-record-civil-and-political-rights>; 'Communication from the mandates of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and the Special Rapporteur on the situation of human rights defenders to the Lao PDR', UN Office of the High Commissioner for Human Rights, 6 May 2016, <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=19899>.

<sup>45</sup> 'Laos: Critical cyberspace shrinks, mainstream press further muted', SEAPA, 3 May 2017, <https://www.seapa.org/wpfd2017-critical-cyberspace-shrinks-mainstream-press-further-muted>.

Control/Management, which entered into force in 2014, contains several provisions that unduly restrict freedom of expression by imposing disciplinary, civil and criminal punishments for online criticism and the circulation of information and photographs deemed to be false or untrue.<sup>46</sup> It also includes ambiguous provisions that prohibit the dissemination of information that ‘undermines national unity’ or exposes ‘national, military and other secrets as determined by Lao PDR’s law and regulations’. It holds internet service providers liable for the circulation of material that contravenes government or LPRP guidelines.<sup>47</sup>

- 4.7** The 2015 Law on Prevention and Combating Cyber Crime further gives the government power to silence online criticisms by criminalising vaguely defined web content.<sup>48</sup> In 2019, government order 256 ordered the administrators of news outlets on Facebook and other social media platforms to register their accounts or face jail time and fines to control the spread of ‘fake news and disinformation on social media’.<sup>49</sup> In May 2021, the government announced the formation of a task force to monitor social media usage, focusing on ‘fake news’ and posts critical of the government and ruling party.<sup>50</sup>
- 4.8** In March 2020, Lao authorities arrested two people from Xiengda village in Vientiane’s Saysettha district after a video showing police clearing land to build a medical college, drug centre and hospital appeared on social media. They were reportedly ‘re-educated’ in the district police station.<sup>51</sup> In March 2024, a man identified only as Bee from Khonkeo village in Bokeo was arrested after posting a critical video on Facebook highlighting bribery practices committed by officers at the Houeixam checkpoint in Boun Tai district, Phongsaly province, near the Chinese border. He was not officially charged but was ‘re-educated’ following his arrest.<sup>52</sup>
- 4.9** On 28 August 2024, police officers detained two content creators due to their Facebook posts mocking the water-filled potholes of roads in their hometown in

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<sup>46</sup> ‘Decree No. 327 on Internet-Based Information Control/Management’, Lao PDR, 16 September 2014, Article 10 and 28, [http://drc-  
xsb.gov.la/xsb/backend/web/files/document/damlad/damlad%20koumkongkormounkaosarn.pdf](http://drc-<br/>xsb.gov.la/xsb/backend/web/files/document/damlad/damlad%20koumkongkormounkaosarn.pdf).

<sup>47</sup> ‘Laos: Human Rights Denied’, Amnesty International, January 2020, <https://www.amnesty.org/en/wp-content/uploads/2021/05/ASA2610242019ENGLISH.pdf>

<sup>48</sup> CIVICUS Monitor, 7 May 2024, op cit.

<sup>49</sup> ‘Laos Moves to Register Private Online News Sites in a Bid to Control ‘Fake News’’, Radio Free Asia, 19 July 2019, <https://www.rfa.org/english/news/laos/register-07192019160935.html>.

<sup>50</sup> ‘Arbitrary detention of Lao women activist, increased online surveillance, persecution of minorities’, CIVICUS Monitor, 6 August 2021, <https://monitor.civicus.org/explore/arbitrary-detention-lao-women-activist-increased-online-surveillance-persecution-minorities>.

<sup>51</sup> ‘Clampdown on expression online persists as Laos slips further down the press freedom rankings’, CIVICUS Monitor, 29 May 2020, <https://monitor.civicus.org/explore/clampdown-expression-online-persists-laos-slips-further-down-press-freedom-rankings>.

<sup>52</sup> CIVICUS Monitor, 7 May 2024, op cit.

Tonpheung district, Bokeo province.<sup>53</sup> One of the detainees was penalised by being forced to attend a 're-education class' and issue a public apology for his action.<sup>54</sup>

**4.10** According to a report by the ASEAN Regional Coalition to #StopDigitalDictatorship, Lao blogger Joseph Akaravong's online activism made him a target of reprisals by the government. He had to leave Lao PDR in August 2018 and has been in hiding for many years for denouncing corruption around the failed construction of the Xe-Pian Xe-Namnoy dam. In August 2022, after weeks of intense activism on Facebook, his account was restricted for 29 days, purportedly for violating Facebook Community Standards. In September 2022, the Head of Department of Public Relations of Lao PDR issued an official report on Akaravong's case in which the Lao government admitted having monitored his account and attempted to have it suspended or disabled. The same report disclosed that the Lao Department of Cybersecurity had asked the Lao Embassy in France and the Lao Ministry of Foreign Affairs to track down Akaravong, and 'educate' him. His Facebook posts also resulted in the creation of several fake Facebook accounts by Lao authorities impersonating him and sharing false scandalous news, including sexual insults against Lao human rights activists and the diaspora. In October 2022, Joseph Akaravong's authentic Facebook account was abruptly deactivated without prior notice. According to the report, Meta reinstated Joseph's account on 12 November 2022 and recognised it as an HRD's account.<sup>55</sup>

**4.11** Our organisations found that there is no central law guaranteeing public access to official information in Laos. Only the 2021 Law on Making Legislation requires, in article 8, that any amendments to the law must be published online, via newspapers, or other means to facilitate the public to provide their comments.<sup>56</sup> This provision, nonetheless, still provides for exceptions that allow authorities to skip this process in cases that are 'necessary and urgent'.<sup>57</sup>

## 5. Freedom of peaceful assembly

**5.1** During Lao PDR's examination under the 3<sup>rd</sup> UPR cycle, the government received two recommendations on the right to freedom of peaceful assembly. It did not accept either recommendation.

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<sup>53</sup> 'Laos detains duo over comical pothole fishing video', Radio Free Asia, 4 September 2024, <https://www.rfa.org/english/news/laos/laos-potholes-video-arrest-09042024142015.html>.

<sup>54</sup> 'Laos content creator, James Famor, apology', Radio Free Asia on YouTube, 4 September 2024, [https://www.youtube.com/watch?v=QsUCglPhqtA&embeds\\_referring\\_euri=https%3A%2F%2Fwww.rfa.org%2F&source\\_ve\\_path=MjM4NTE](https://www.youtube.com/watch?v=QsUCglPhqtA&embeds_referring_euri=https%3A%2F%2Fwww.rfa.org%2F&source_ve_path=MjM4NTE).

<sup>55</sup> 'Dawn of Dictatorship: Weaponizing the Law Against Online Speech in Southeast Asia', ASEAN Regional Coalition to #StopDigitalDictatorship', March 2024, [https://www.manushyafoundation.org/files/ugd/a0db76\\_b98760d6a58e40f0b7e8ec72502041c3.pdf](https://www.manushyafoundation.org/files/ugd/a0db76_b98760d6a58e40f0b7e8ec72502041c3.pdf).

<sup>56</sup> 'Law on Making Legislation, Lao PDR, 16 November 2021, Article 8, <https://laofficialgazette.gov.la/kcfinder/upload/files/06%E0%BA%AA%E0%BA%9E%E0%BA%8A2021.pdf>.

<sup>57</sup> Ibid.

- 5.2** ICCPR article 21 guarantees the right to freedom of peaceful assembly. Article 44 of the Lao PDR Constitution also guarantees its citizens this right. However, our organisations have documented the use of arbitrary detention and excessive force against peaceful protesters.
- 5.3** Article 124 of the 2017 penal code criminalises ‘gatherings aimed at causing social disorder’. The law states that ‘any person organizing or participating in the gathering of groups of persons to conduct protests, marches, demonstrations or similar activities with the intention of causing social disorder shall, where such action causes damage to society, be sentenced to imprisonment for a term ranging from one to five year and a fine shall be imposed’.<sup>58</sup>
- 5.4** In January 2022, Lao military officers fired their rifles in the air to try to disperse a protest by Chinese workers in Khammouane province. The workers, who were hired by the Zing An Construction Company, were protesting against the company’s alleged failure to pay them for their work.<sup>59</sup>
- 5.5** Land-related protests have also been documented. In Lao, land is often taken for development projects by foreign and domestic companies without proper consultation or compensation. In April 2022, villagers from Houay Nam Yen village, north of Vientiane, had gathered to hold a protest over a land dispute. They were accused of living on military-owned property. Five villagers were assaulted and threatened with rifles. They were transported in a truck for ‘re-education’ and detained at Vientiane Military Division.<sup>60</sup> They were freed after three months of arbitrary detention, given instructions not to talk publicly about their ordeal and were threatened with jail time again if they spoke out.<sup>61</sup>
- 5.6** In December 2022, Lao authorities arrested and later released a small group of protesters from Nong Bok district, Khammouane province. They were protesting against a 35-square kilometre potash mine being developed by a company linked to the Chinese government. The villagers claimed they had not been adequately compensated for the loss of their homes and farms.<sup>62</sup> In January 2024, 20 residents of Xang village in Xieng Khouang province were involved in a multi-day protest against the state-sponsored seizure of the village’s historical and cultural land for the Phengxay Import-Export Company. Four male residents were arrested during the

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<sup>58</sup> Lao PDR, 10 October 2020, op cit.

<sup>59</sup> ‘Political dissident from Laos finds refuge as ethnic Hmong indigenous people remain at risk’, CIVICUS Monitor, 18 March 2022, <https://monitor.civicus.org/explore/political-dissident-laos-finds-refuge-ethnic-hmong-indigenous-people-remain-risk>.

<sup>60</sup> ‘“Closed” civic space shows Laos not taking annual human rights dialogues seriously’, CIVICUS Monitor, 18 July 2022, <https://monitor.civicus.org/explore/closed-civic-space-shows-laos-not-taking-annual-human-rights-dialogues-seriously>.

<sup>61</sup> CIVICUS Monitor, 20 December 2022, op cit.

<sup>62</sup> CIVICUS Monitor, 2 May 2023, op cit.



protest and two women who were part of the village's Women's Union were later arrested when they visited the men.<sup>63</sup>

## **6. Recommendations to the Government of Lao PDR**

CIVICUS, FORUM-ASIA and Amnesty International call on the Government of Lao PDR to create and maintain, in law and in practice, an enabling environment for civil society, in accordance with the rights enshrined in international human rights law and standards, including but not limited to the ICCPR, the UN Declaration on Human Rights Defenders and Human Rights Council resolutions 22/6, 27/5 and 27/31.

At a minimum, the following conditions should be guaranteed: freedoms of association, expression and peaceful assembly, the right for civil society to operate free from unwarranted state interference, the right to communicate and access information, the right to seek and secure funding.

In the light of this, the following specific recommendations are made:

### **16.1 Freedom of association**

- Foster a safe, respectful and enabling environment for civil society, including by removing legal and policy measures that unwarrantedly limit freedom of association.
- Remove all undue restrictions on the ability of CSOs to receive international and domestic funding in line with best practices articulated by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association.
- Revise relevant laws and regulations, particularly Decree No. 238 on Associations and Decree No. 13 of 2010 on ICSOs, to guarantee that undue restrictions on freedom of association are removed and laws are brought into compliance with ICCPR articles 21 and 22. Ensure there is meaningful, open and transparent consultation with CSOs and any other relevant stakeholders in all revision exercises.
- End violence against all religious groups, including Christians, and guarantee their full ability to exercise their rights to freedom of association and freedom of religion and belief in line with international law.

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<sup>63</sup> CIVICUS Monitor, 7 May 2024, op cit.



## **16.2 Protection of human rights defenders**

- Ensure that HRDs are able to carry out their legitimate activities without fear or undue hindrance, obstruction or legal and administrative harassment.
- Conduct prompt, effective, impartial, thorough and independent investigations into all cases of intimidation, enforced disappearances, attacks and killings against HRDs, both of cases that took place within the Lao territory and those committed against Lao HRDs in other countries, and bring the perpetrators to justice.
- Establish an independent national human rights institution in accordance with the Paris Principles that is tasked, among other things, with carrying out prompt, independent, thorough, impartial and effective investigations into all cases of intimidation, enforced disappearances, attacks and killings against HRDs.
- Immediately and unconditionally release all HRDs detained for exercising their fundamental rights to freedoms of assembly and expression, including Soukane Chaithad, Somphone Phimmasone and Lodkham Thammavong.
- Ensure protection from refoulement for all people in need of international protection and provide effective remedies for violations, including truth, justice and other forms of reparation, to victims and their loved ones.
- Urgently terminate any official agreement between Lao PDR and other countries' authorities and any other measures enabling transnational repression of legitimate human rights activism.
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance, without reservations, accept the competence of the UN Committee on Enforced Disappearances to receive individual and inter-state complaints and implement the Convention in law, policy and practice

## **16.3 Freedom of expression, media and access to information**

- Ensure freedom of expression and media freedom by bringing all national legislation into line with international standards, including:
  - Review all laws and regulations that restrict freedom of expression, particularly provisions criminalising 'treason to the nation' (2017 Penal Code article 110), 'propaganda against the state' (article 117) and defamation, libel and insult (articles 205 and 206) in order to ensure that national legislation is in line with ICCPR article 19.

- Review all regulations impacting on press freedom, particularly Decree No. 377 of 24 November 2015 on the Press Activities of Foreign Media Agencies, Diplomatic Missions, and International Organizations in Lao PDR, that restricts access for foreign journalists and media outlets.
  - Review all laws imposing restrictions on online expression, including Decree No. 327 on Internet-Based Information Control/Management and the 2015 Law on Prevention and Combating Cyber Crime, to ensure they are consistent with the ICCPR.
  - Adopt a law on access to information in order to fully promote and protect the exercise of the right to freedoms of expression and opinion in physical and digital spaces.
- Ensure that journalists may work freely and without fear of retribution for expressing critical opinions or covering topics the government may find sensitive.
  - Halt the harassment, arrest and prosecution of people for exercising their freedom of expression online. Review relevant criminal cases that are awaiting prosecution, are still being prosecuted or have already been concluded, drop charges and quash convictions.

#### **6.4 Freedom of peaceful assembly**

- Adopt best practices on freedom of peaceful assembly as put forward by the UN Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association in General Comment No. 37 on article 21.
- Revise article 72 of the Penal Code that criminalises ‘gatherings aimed at causing social disorder’ in order to fully guarantee the right to freedom of assembly.
- Unconditionally and immediately release all protesters detained for exercising their right to freedom of peaceful assembly and review their cases to prevent further harassment.
- Provide recourse for judicial review and effective remedy, including compensation, in cases of unlawful denial of the right to freedom of peaceful assembly by state authorities.

## **6.5 Access by UN Special Procedures mandate holders**

- Extend a standing invitation to all UN Special Procedure mandate holders and prioritise official visits by the: 1) Special Rapporteur on the situation of human rights defenders; 2) Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression; 3) Special Rapporteur on the Rights to Freedom of Peaceful Assembly and of Association; 4) Working Group on Arbitrary Detention; and 5) Special Rapporteur on Freedom of Religion or Belief

## **6.6 State engagement with civil society**

- Include CSOs in the UPR process before finalising and submitting the national report.
- Systematically consult with civil society on the implementation of UPR recommendations, including by holding periodical comprehensive consultations with a diverse range of civil society.
- Incorporate the results of this UPR into action plans for the promotion and protection of all human rights, taking into account the proposals of civil society, and present a midterm evaluation report to the Human Rights Council on the implementation of the recommendations of this session.
- Publicly commit to refraining from undertaking reprisals against CSOs and individuals engaging with international human rights bodies and mechanisms and creating a safe and enabling environment for civil society to operate freely and independently.

## 7. Annex: Assessment of implementation of civic space recommendations under the 3<sup>rd</sup> cycle

Recommendation	Position	Assessment/Comments on level of implementation
<p><b>115.95</b> Guarantee the effective exercise of freedom of expression, assembly and association by revising its legislation so as not to hinder the work of NGOs and human rights defenders (Luxembourg);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 2</p>
<p><b>115.97</b> Review and amend legislation and practices relating to freedom of expression and assembly to fully enable the function of non-governmental organizations and civil society (New Zealand);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 2</p>
<p><b>115.114</b> Amend Decree No. 238 and its associated amendments to align it with the international human rights obligations and commitments of the Lao People's Democratic Republic, including by eliminating the following: burdensome registration requirements; arbitrary curtailment of activities and finances of associations; criminalization of unregistered associations and the Government's harassment of their members; and the ability to arbitrarily dissolve non-profit associations, without the right of appeal (United States of America);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 2</p>
<p><b>115.115</b> Facilitate a supportive environment to better enable civil society organizations to operate (Australia);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 2</p>
<p><b>115.70</b> Ensure impartial and independent investigations and prosecution, as well as bring all perpetrators of enforced</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 3</p>

disappearance to justice (Finland); <b>Source of position:</b> A/HRC/44/6/Add.1		
<b>115.71</b> Establish an independent body to investigate deaths and enforced disappearances in the country and provide this body with the investigative powers by law that are necessary to conduct free, independent and reliable investigations (Maldives); <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 3
<b>115.72</b> Continue taking measures to improve investigations into cases of enforced disappearance (Malta); <b>Source of position:</b> A/HRC/44/6/Add.1	Supported	Status: Not implemented  Source: Section 3
<b>115.73</b> Ensure independent and impartial investigations into cases of enforced disappearance and hold perpetrators to account (Netherlands); <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 3
<b>115.74</b> Undertake full, independent investigations into all unresolved cases of alleged enforced disappearances, including that of Sombath Somphone (New Zealand); <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 3
<b>115.75</b> Undertake impartial, thorough and transparent investigations into enforced disappearances, including that of Sombath Somphone (United Kingdom of Great Britain and Northern Ireland); <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 3
<b>115.76</b> Conduct independent, impartial and transparent investigations into all alleged cases of enforced disappearance, including that of Sombath Somphone, ensuring family members are regularly informed of any progress (Australia); <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 3
<b>115.77</b> Conduct credible and in-	Noted	Status: Not implemented

depth investigations into all alleged cases of enforced disappearance, including the disappearance of Sombath Somphone and other human rights defenders (Canada); <b>Source of position:</b> A/HRC/44/6/Add.1		Source: Section 3
<b>115.78</b> Conduct thorough, independent and impartial investigations to clarify all unexplained enforced disappearances of human rights defenders in the Lao People's Democratic Republic (Poland); <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 2
<b>115.79</b> Undertake domestic independent investigations into the disappearances and deaths of democracy and human rights activists (United States of America); <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 3
<b>115.80</b> Take all necessary steps to define the crime of enforced disappearance in its national legislation in order to investigate and punish the perpetrators of such acts (Argentina); <b>Source of position:</b> A/HRC/44/6/Add.1	Supported	Status: Not implemented  Source: Section 3
<b>115.81</b> Prevent and combat arbitrary arrests, enforced disappearances, torture and other ill-treatment, in particular against members of the Hmong community; initiate impartial and independent investigations of such acts; and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Portugal); <b>Source of position:</b> A/HRC/44/6/Add.1	Supported	Status: Not implemented  Source: Section 2/3
<b>115.108</b> Guarantee the freedom of peaceful assembly, opinion and expression, and freedom of the press by releasing all those detained solely because they exercised or defended the exercise of these rights (France);	Supported	Status: Not implemented  Source: Section 2

<b>Source of position:</b> A/HRC/44/6/Add.1		
<b>115.109</b> End the arbitrary arrest of individuals for exercising their right to freedom of opinion and expression, including those who peacefully criticize the Government, speak out about negative impacts of infrastructure or investment projects or expose instances of corruption (Germany);  <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 3
<b>115.110</b> Refrain from initiating criminal proceedings against individuals for the peaceful exercise of their civil rights, including the right to privacy and freedom of expression, association and assembly, having regard to the importance of creating and maintaining a safe and enabling environment for journalists, human rights defenders and other civil society actors (Ireland);  <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 3
<b>115.111</b> Ensure the full enjoyment of the freedom of expression, association and peaceful assembly, and progress to fully investigate all allegations of arbitrary arrests, enforced disappearances and criminal convictions for expressions of political opposition or criticism of State policies (Czechia);  <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 3
<b>115.112</b> Create and maintain a safe and enabling environment for human rights defenders and civil society to constructively contribute to policymaking and national development (Norway);  <b>Source of position:</b> A/HRC/44/6/Add.1	Supported	Status: Not implemented  Source: Section 3



<p><b>115.113</b> Put an end to the arrests of those who peacefully express their opinions (Switzerland);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 3</p>
<p><b>115.90</b> Ensure the right to freedom of expression (Cyprus);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p><b>115.91</b> Enhance freedom of expression, lifting restrictions for independent media and providing a safe environment for the work of journalists and human rights defenders (Italy);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p><b>115.92</b> Ensure that freedom of expression is safeguarded in all its forms (Norway);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p><b>115.93</b> Ensure freedom of expression and media freedom by bringing national legislation into line with international standards (Latvia);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p><b>115.94</b> Guarantee the peaceful exercise of the right to freedom of expression by revisiting relevant legislation, including article 65 of the Penal Code (Denmark);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p><b>115.96</b> Ensure the right to freedom of expression by repealing article 56 of the Penal Code on acts of betrayal towards the nation and article 65 of the Penal Code on propaganda against the State, in line with the International Covenant on Civil and</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 4</p>

<p>Political Rights and the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Declaration on Human Rights Defenders) (Netherlands);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>		
<p><b>115.98</b> Repeal all legislation inhibiting freedom of opinion and expression that is not compatible with article 19 of the International Covenant on Civil and Political Rights (United Kingdom of Great Britain and Northern Ireland);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p><b>115.99</b> Ensure that any restrictions on the exercise of the freedom of expression and peaceful assembly comply with the requirements of articles 19 and 21 of the International Covenant on Civil and Political Rights (Belgium);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p><b>115.100</b> Guarantee freedom of expression of the press, assembly and association as well as freedom of religion and belief, in accordance with the International Covenant on Civil and Political Rights (Uruguay);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p><b>115.101</b> Reform criminal defamation legislation in conformity with article 19 of the International Covenant on Civil and Political Rights (Estonia);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Supported	<p>Status: Not implemented</p> <p>Source: Section 4</p>
<p><b>115.102</b> Fully fulfil the obligations under the International Covenant on Civil and Political Rights to respect</p>	Supported	Status: Not implemented

and guarantee the right to freedom of expression (Canada); <b>Source of position:</b> A/HRC/44/6/Add.1		Source: Section 4
<b>115.103</b> Guarantee unhindered and private access to domestic and foreign media information for all, both offline and online (Estonia); <b>Source of position:</b> A/HRC/44/6/Add.1	Supported	Status: Not implemented  Source: Section 4
<b>115.104</b> Bring the Criminal Code into line with obligations under the International Covenant on Civil and Political Rights and immediately release individuals whose arrest and detention under these provisions restricted the legitimate exercise of their right to freedom of opinion and expression (United States of America); <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 4
<b>115.105</b> Guarantee the effective exercise of freedom of expression by revising its legislation on the media as well as legislation on the fight against cybercrime (Luxembourg); <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 4
<b>115.106</b> Amend laws that restrict freedom of expression, assembly and association to comply with international human rights law (Australia); <b>Source of position:</b> A/HRC/44/6/Add.1	Noted	Status: Not implemented  Source: Section 5

<p><b>115.107</b> Adopt legislative changes that guarantee the protection and free exercise of the rights to freedom of expression, association and peaceful assembly (Spain);</p> <p><b>Source of position:</b> A/HRC/44/6/Add.1</p>	Noted	<p>Status: Not implemented</p> <p>Source: Section 5</p>
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