

The Rule of Law in the Lao People's Democratic Republic (Lao PDR)

The Lao People's Democratic Republic (Lao PDR) regards the Rule of Law Meeting very important as all UN members will have the opportunity to exchange their experience on the issue of the rule of law at the national and international levels. Our changing world filled with opportunities and challenges makes it necessary and timely for the international community to give increased attention to the rule of law as a means to achieve the shared goals of mankind.

In this globalizing, integrated and interdependent world the rule of law should underpin all aspects of the interactions between States and other actors of international relations. The rule of law is important to ensure the universal respect for the principle of justice in accordance with the UN Charter and it is highly relevant to all the three pillars of the United Nations: peace and security, development, and human rights.

The UN Charter is the foremost important source of the international rule of law. Treaties and general international law are part and parcel of the legal basis which countries in the world, large or small, rich or poor can rely on in their pursuit of friendly relations and cooperation. The Lao PDR has ratified major international treaties under the auspices of the UN and under other international, regional and bilateral frameworks. Today, the Lao PDR is party to some 100 multilateral treaties deposited with the UN Secretary General, almost 200 regional treaties including under the ASEAN cooperative framework, and more than 300 bilateral treaties. Since 2008 the Lao PDR has participated in the UN Annual Treaty Event held as a side event of the GA session in New York. This year the Lao PDR will participate in the UN Annual Treaty Event and will deposit the instruments of ratification to 3 UN treaties relative to human rights, biodiversity and cooperation among landlocked developing countries.

The Lao PDR attaches importance to international law, in particular treaties not only because they are the legal basis for international interactions and behaviors but also because they constitute a meaningful source for developing the rule of law at the national level. International and national rule of law is interrelated and mutually reinforcing. Friendly relations, cooperation of mutual benefit and the absence of wars, armed conflicts and other traditional and non-traditions threats to the world peace and security create conducive conditions for States to be focused on their national development. At the same time, consistent and proper foreign policies based on the rule of law principles help positively shape the international legal order.

The ratified treaties by the Lao PDR are transformed into national laws and regulations and are implemented in good faith. The adoption of the national constitution in 1991 was the turning point in the country's governance system which has transformed from the one based on executive orders to the rule of law. To date, the National Assembly has adopted more than 90 laws and has a plan to double this number in the next five years. In addition to the constitution and laws enacted by the National Assembly, a large number of sub-laws including Presidential Decrees and Ordinances, Prime Ministers' Decrees, ministerial and provincial regulations and other legal acts, adopted in accordance with the constitution and laws, also form part of the national framework for developing the national rule of law.

This national legal framework which is being developed presently in the Lao PDR has its roots back in the ancient time of the Lao history. In 1357 after the victory in the wars to unite scattered townships into the Lanexang Kingdom, King Fa Ngum laid out the first ever rules and regulations to govern the newly united kingdom. Based on this rule of law heritage, today the Government of Lao PDR places high priority on the development of the national rule of law to support the national socio-economic development of the country and its integration with the region and the world. In 2003 the Lao Government declared that it will strive to develop a coherent, credible and predictable legal framework established in a transparent and participatory manner. To help achieve this objective, the Government adopted the Legal Sector Master Plan (LSMP) in September 2009. Fully in line with the goal of the LDC status graduation in 2020, Lao PDR also embraces a goal to establish a state firmly based on rule of law by 2020.

The LSMP which a UNDP-initiative supported by a number of development partners is a comprehensive statement of the current needs of the Lao legal and judicial system, and provides a series of guiding principles for developing a rule of law state, enhancing access to justice and enabling people's legal empowerment. It signals the most pragmatic commitment to the rule of law since the adoption of the constitution and is the country's first legal sector reform.

The LSMP is expected to result in enhanced capacity, procedures, and standards for legislative development in Lao PDR; improved mechanisms for effective legal institutions and systems; improved capacities of human resources in the legal and judicial sector at national and local levels; increased public awareness and understanding of legal rights and information, and increased participation in the legal system; and increased ratification of key international treaties and norms, and enhanced implementation, enforcement, monitoring, and reporting under international legal instruments accepted by Lao PDR. The LSMP is the first attempt to support the development of the rule of law in a holistic manner. It ranges from ratification of international treaties and systematic development of legal drafting to follow up with the Universal Periodic Review's recommendations, peoples' legal empowerment through a pilot funding facility called "People's Justice Fund", enhancing the advocacy of mass and civil society organizations on rule of law and human rights-related subjects, and local justice reform including harmonization of the customary rules based informal justice system with the formal justice system.

The LSMP is aimed at developing and enhancing the rule of law in the Lao PDR in accordance with national conditions and realities. While in the world there is no single model of rule of law, countries should exchange views, lessons and experience on the rule of law and provide assistance to those needy countries. Laos PDR does require further support from the international community and I would like to call upon your generous support in this regard.

To overcome global challenges, global actions are inevitably needed. This High-Level Meeting is one of such. We very much hope that this very important Meeting will be crowned with a great outcome acceptable to all which will guide the international community's efforts to strengthen the national and international rule of law in the future. Only when countries in the world continue their endeavors in a concerted manner, understanding other's needs and provide support to those in need on the basis of consent, sincerity, trust and mutual respect, the rule of law will be further developed and enhanced nationally as well as internationally.