GOVERNANCE SECTOR WORKING GROUP REPORT 2022

Name of the Sector Working Group: Governance Sector Working Group

GSWG Chair and Co-Chair:

- Minister of Ministry of Home Affairs (MoHA)
- Minister of Ministry of Justice (MoJ)
- Resident Representative of UNDP
- Ambassador of Switzerland (based in Bangkok)
- Ambassador of the European Union Delegation to the Lao PDR

SWG Secretariat Focal Point:

- Ms. Vilaythone Sounthone Xaymongkhonh, Head of Cabinet Office, Ministry of Home Affairs
- Mr. Khamphone Sipaseuth, Director of International Cooperation Department, Minister of Justice

Government Officials:

- Mr. Phetsomphone Souvanvixay, Director of International Cooperation Division, Cabinet Office, Ministry of Home Affairs
- Ms. Saykit Visisombat, Deputy Director General of International Cooperation Department, Minister of Justice

Development Partners:

- Ms. Francesca Arato, Attaché, Governance and Rule of Law, Delegation of the European Union to the Lao PDR
- Mr. Seán O'Connell, Head of Governance, UNDP
- Ms. Aurélie Righetti, Head of Governance Programme, SDC

Technical Support Staff:

- (Insert Name), Technical staff, Cabinet Office, MOHA

-	(Insert Name), Technical staff, International Cooperation Department, MOJ

Overview of the Sector Performance in 2022

Sector outputs and key activities	Update on the Progress/note on situation and relevant information to highlight sector performance	Challenges, opportunities and way forwards
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- A. Actions/activities relating to the RTIM key recommendations and those highlighted in GSWG Call for Action 2020
- 1. Enhance Effectiveness of the Public Governance and Administration.
- 1.a.) PSI –SSWG Thematic workshop on the Results of Service Users Feedback Survey (SUFS) and way forward (in terms of usage and sharing with PPAs, local authorities and other stakeholders)

RTIM Recommendation:

Enhancing transparency and accountability for more participatory planning and budgeting

1.b.) PSI –SSWG Thematic Workshop on Public Service Innovation Facility (focus on partnerships between local authorities and civil society & the disadvantaged groups)

RTIM recommendation:

An increased participation of civil society in SWG, including in the Round Table Process

1.c) LIO-SSWG Thematic workshop on UPR recommendations

RTIM recommendation

- Bringing domestic laws into alignment with international norms and systematically raise awareness of people's rights and obligations
- The monitoring and evaluation and reporting

1. Overall Progress:

Rule of Law is mainstreamed more systematically in the 9th NSEDP (2021- 2025) and its results framework. Good governance and the rule of law are key priorities of GoL as reflected in NSEDP Outcome 6.

The NA's and PPAs representatives and their oversight function have been further strengthened, this include (pre- & post-) legislative oversight and reaching out constituencies through public engagement, public hearing and consultations. This came outstanding, particularly during the recent National Assembly' ordinary sessions.

The Government of Lao PDR upheld its human rights reporting obligations by undertaking its first review under the UN Convention on the Rights of Persons with Disabilities in Geneva. The Government also submitted its initial State report under the International Covenant on Economic Social and Cultural Rights and undertake consultations on the draft under the Convention on the Flimination of All Forms

In this framework, key opportunities have been identified mainly to: improve governance to deliver quality and accessible public services, especially at the local level; improve public finance management; and, consolidate rule of law and human rights.

Several major development partners continue to support the Governance sector. The continuation of CEGGA phase 2 and the new STEPS project supported by UNDP and USAID.

CEGGA phase 2 (2022-2025) - co-funded by Germany, EU and Switzerland and implemented by GIZ - will contribute further to these aims. The multi-stakeholder project CEGGA II will pursue a combined approach of improving the enabling framework, the cooperation and coordination of key stakeholders as well as the organisational and individual capacities of the key actors (GoL institutions, NA, PPAs, MoHA, PoHA, MoJ, PoJ, NIJ, legal aid providers, CSOs) with the aim to improve the quality of interaction between state institutions and CSOs and citizens. The three expected outputs are 1) The dialogue between CSOs and state institutions has improved in frequency and substance. Output 2) Citizenoriented decision-making processes of the NA and PPAs in selected partner provinces are implemented.

1.e) Governance Sector Working Groups Inputs to the draft 9 NSEDP providing relief support during and post COVID-19 pandemic. Increased participation of CSOs in decision making and engagement in advocacy, in particular through international human rights reporting mechanisms. -UN Universal Periodic Review (UPR) Action Plan was adopted in June 2022 by the GoL.

Government capacity and coordination to eliminate violence against women was enhanced through the development of guidance and procedures for the interaction of eight different ministries and public agencies with responsibilities under the National Action Plan on the Elimination of Violence Against Women.

In terms of gender equality, the 2022 Global Gender Gap Index has ranked Lao PDR 53rd out of 146 countries in 2022, a drop from 43rd in 2021, and 36th in 2020.

2. Strengthening effectiveness of GSWG to support

In terms of the way forward, GSWG could be a platform to discuss more social related issues, such as inclusion and protection of vulnerable populations, e.g. people with disability, victims of human trafficking and/or gender based violence, migrant workers, youth, etc.

implementation of 9th NSEDP

In 2022 GSWG members agreed to review the functioning of the Group to strengthen its effectiveness. The GSWG met to review some of the key findings of the UNDP and MPI initiated assessment of the SWGs, and conducted a mapping of governance activity in order to identify a number revisions to the operation of the Group.

3. Recommendations

In 2023, the GSWG will propose a number of changes to the operation of the Group, together with the possibility of developing a new three year work plan for the period 2023-25. To complete this exercise, the GSWG members agreed the following steps: 1) finalize mapping process; 2) further review of the assessment of the SWGs carried out in 2022, and; 3) meet again to agree on measure to improve effectiveness of the group.

Component 1: Enhanced efficiency of public governance and administration and deepened implementation of the Samsang Directive

MoHA successfully shortened the average time for processing the registration of Non-Profit Associations to 151 days in 2022, i.e. less than required by Decree 238.

This is considered an achievement of the capacity development measures supported by GIZ-CEGGA country-wide.

MoHA has launched a new website of the Department of Public Administration Development with transparent information on the registration process for Non-Profit Associations with GIZ-CEGGA support.

MOHA continued its rollout of the One Door Service Centre model, with support from UNDP, in line with the targets set out in the 9th NSEDP, and added nine new ODSCs in 2022, and provided support to a further four existing ODSCs. The Government advanced the draft Roadmap on ODSC development in 2022.

NA has launched a new website and mobile app for transparency and information-sharing with the public with GIZ-CEGGA support.

The NA and PPAs have developed and shared information materials on the petition process for citizens with GIZ-CEGGA support.

The Local Development Programme (funded bγ LUX/CH and implemented by LuxDev) operates productive constellation of cooperation from partners numerous sectors and spanning all levels of government from national to the village in order to provide relevant services to citizens in 4 Provinces of Lao PDR. The MPI leads the coordination, in collaboration with relevant sector departments at central. provincial, and district levels. The programme supports the implementation of the Sam Sang Directive through enhanced participatory planning and delegating funds to the provincial and district levels. In 2022, 22 smallmedium infrastructures were completed, including water supplies, schools, dormitories and bridges. A total of 229 village development plans were developed/updated with the participation of 70,000 villagers (50% women).

Component 2: Improved and harmonised coordination mechanisms and regulations within the public sector to increase efficiency

In October 2022, MoHA and the Lao Civil Society Coordination Committee (LCCC) successfully coorganised for the second time the Annual Meeting of the Government and CSOs with new interactive elements for exchange with support from GIZ-CEGGA.

At sub-national level, four regional innovative measures for practical exchange among state and civil society actors were organised with all 18 provinces by MoHA in cooperation with GIZ-CEGGA in 2022.

Three peer-learning study visits between provincial authorities and CSOs were conducted on the contribution of CSOs to sustainable development with GIZ-CEGGA support in 2022.

The Lao Civil Society Coordination Committee (LCCC) consolidated its organizational development with support from GIZ-CEGGA and established CSO sector working groups mirroring the sector working groups under the Roundtable process. Furthermore, the 5-Year Action Plan of CSOs was launched in October 2022. In October 2022, ICT equipment was handed over to the LCCC and 37 Non-Profit Association under the GIZ-CEGGA small grant mechanism for enhanced exchange and coordination with funding from the Government of Germany.

In October 2022, the Ministry of Justice with core funding from LuxDev organised the annual meeting on international cooperation with MoJ Departments, Provincial Departments of Justice and Development Partners for coordination and exchange of information.

In order to strengthen coordination, the National Assembly's International Cooperation and Project Management Secretariat established a database system with GIZ-CEGGA support to manage project contributions and operational plans systematically.

During the period April -July 2022, LuxDev trained a cadre of staff representing most sections under the MOJ in practicebased learning of resultsbased management and M&E skills for improved capacity in project development.

Through joint seminars and activities, the technical cooperation between NA, PPAs, MoJ and MoFA on legal awareness-raising has been strengthened with support from GIZ-CEGGA.

In March 2022, MoHA presided over the handingover of ICT equipment for MoHA, MoJ, MoFA, National Assembly, all 18 PoHA, all 18 PoJ, all 18 PPA, all 148 DoHA and 148 DoJ for enhanced horizontal and vertical coordination in the governance sector with funding support from the Government of Germany through GIZ-CEGGA.

Important progress was made in the efforts to eliminate violence against women in 2022, led by the Lao Women's Union and NCAWMC, with support from UNFPA, UNDP and KOICA, where the SOP for the social and health sectors for preventing and responding to violence against women were published. A draft of the SOP for the justice sector was developed in 2022, and is due to be published in 2023 to support implementation of the National Action Plan on Elimination of Violence Against Women.

MOIC with support from UNDP and Japan provided training and hosted consultations with over 100 government officials on strengthening coordination to advance responsible business practice in Lao PDR, by implementing the UN Guiding Principles on Business and Human Rights, including through the development of a National Action Plan on

	Responsible Business Practice.	
Component 3: Ensured political stability, peace and order, unity, democracy, justice and civilisation within the society	TAF (with funding from US, Australia, and New Zealand governments) supported 10 different capacity development events for NA and PPA members and staff in 2022, which focused on improving capacity to deliver their mandates and shared valuable research to address ongoing governance challenges. The petition system of PPAs has been consolidated with support from GIZ-CEGGA. In 2022, citizens have filed 1,344 petitions, 874 of which have been resolved by PPAs (up to September).	The NA to start using the new petition management tool in Q1 2023 that would help them track and record incoming and outgoing petitions more systematically. The petition system is an important element for the access to justice of citizens. Citizens would benefit from further improving the user-friendliness of filing petitions.
	The petition process of the NA has been further strengthened with a new back-office tool for handling petitions with support from WFD in cooperation with GIZ-CEGGA. Three manuals for PPA public hearings, petitions and oversight have been finalised. Complementary public engagement tools have been developed and tested in two provinces in 2022 for further enhancing the citizen-orientation and	The request of PPAs to have clearer guiding materials for their efforts of engaging with the public has been met with three manuals and a complementary toolkit. The public engagement efforts could be further strengthened through peer learning among PPAs and creating good practice showcases.

effectiveness of public hearing, petitions and oversight with support from Helvetas in cooperation with GIZ-CEGGA.

Nine public consultations on 12 laws to be tabled in the 4th Ordinary Session of 9th Legislature were held country-wide with GIZ-CEGGA and Asia Foundation support.

Workshops on the postlegislative scrutiny guide and operational tool were held with NA members and staff supported by WFD in cooperation with GIZ-CEGGA.

Technical expertise on gender-responsive budgeting was provided by WFD in cooperation with GIZ-CEGGA and CFLI (Canadian Fund) to the NA Planning, Finance and Audit Committee as input to finalising the budget oversight manual.

Based on a budget oversight capacity assessment of PPAs, training on oversight of provincial SEDP implementation and budget was piloted in 8 provinces and rolled-out to all provinces country-wide with a total of 1,450 NA and PPA staff (447 Supported by WFD through the cooperation with TAF and GIZ-CEGGA, the NA has adopted a Resolution on Post-legislative Scrutiny (PLS) and developed a PLS manual, planning to roll out the practices across the NA and PPAs. This process may benefit from creating further good practice showcases of applying the PLS manual to concrete legislative oversight processes.

Pending NA's feedback on the updated budget oversight manual, particularly on the newly added section on Gender-responsive budgeting. women), supported by GIZ-CEGGA.

The Government continued to expand essential services at the sub national level. The Government provided legal aid for 2,036 people in 2022.

Legal aid offices at provincial and district levels have been set-up in 17 provinces (with coordinated funding and technical support by LuxDev and TAF and 84 districts (funded by TAF) offering legal information, advice and assistance on crosssectoral legal issues. A citizen survey supported by GIZ-CEGGA in mid-2022 showed that more than 20% of the respondents were informed about the new legal aid services.

In November 2022, LuxDev convened more than 100 participants representing the staff of 32 provincial and district office staff from Vientiane, Bolikhamxay, Khammouane, Bokeo and Luang Namtha provinces, as well as other justice sector representatives for a 3 day training and exchange workshop aimed at strengthening the capacity of the legal aid offices.

TAF supported MOJ Legal Aid Offices to conduct Legal Aid Offices exchanges in Khammouane (March 2022), Luang Namtha (August 2022), Phongsaly (November 2022), and Savannakhet (Jan 2023)

In April 2022, TAF supported MoJ to provide legal aid refresher training to all 17 TAF supported Lao Bar Association Legal Aid Clinics.

Clinical Legal Education (CLE) has been institutionalised with the opening of the Clinical Legal Aid Centre at the National Institute of Justice with coordinated support by BABSEACLE, GIZ-CEGGA, TAF. 75 separate capacity development events were undertaken in support of Clinical Legal Education programmes, all of them utilizing interactive methods and involving more than 5,600 participants (47% women).

Through the USAID funded project on Legal Support, TAF and Faculty of Law and Political Science (FLP) CLE held the fourth Mock Trial Competition. Six teams of law students from the FLP participated in one criminal law trial and two civil law trials. In March 2022, TAF and Faculty of Law and Administration (FLA) CLE held the first Mock Trial Competition at the University of

Champasak. These activities enhanced student's experience in practising real legal case proceedings.

Together with the National Academy on Politics and Public Administration (NAPPA), a learning module on rule of law in practice was developed and piloted through training of trainers with participants from all 18 provinces with support from GIZ-CEGGA in 2022.

TAF and MCC supported the MoJ to revise the Village Mediation Manual (following the passage of the Village Mediation Decree in 2021). TAF will support the printing of the manual to distribute to all villages throughout the country. TAF and MCC will now support the MoJ to revise the Training of Trainers Village Mediation Manual, and support the training of national and district level trainers.

Based on the strategy for gender-responsive village mediation, MoJ in cooperation with GIZ-CEGGA trained 59 trainers from the justice sector and NAPPA in January 2022. This is to further improve the gender-responsiveness of mediation services at

Challenges the MoJ leaders may not realize the necessary of this action plan, this may cause delay in approving the plan. The implementation of the plan is another matter of concern once it is approved due to limitation of state budget on this work and staff capacities.

Opportunity: The plan is in line with DPs' programmes of focus, at least in next few years LuxDev, TAF and/or UNDP will still remain their engagement in supporting on legal aid. A draft legal aid action plan is proved to be a stronger commitments and partners of LuxDev, TAF and UNDP.

Way forwards: under this legal aid action plan, it is advised that technical working group should be established to monitor and evaluate the implementation of the plan, so DPs and all key government partners need work together to enhance legal aid work under this plan.

village level and the access to justice for citizens.

To support the dissemination of legal information, TAF (with funding from USAID) supported the MOJ to produce legal information brochures on: Legal Aid, Violence against Women and Children, Human Trafficking, and Notary Services. These brochures have been distributed to all 94 TAF supported Legal Aid Offices as well as those supported by LuxDev..

TAF (with funding from USAID) supported the Law Dissemination Department of MoJ to develop a Law Dissemination Techniques Manual. This manual built upon and enriched an earlier version developed with GIZ-CEGGA support and has been distributed to all Law Dissemination Department staff at Provincial and District level.

In September 2022, TAF (with funding from USAID) supported radio training for MoJ radio presenters and media communication officers in the northern provinces.

In order to strengthen legal awareness, 12 animated videos on legal topics, leaflets, posters and other materials were developed with GIZ-CEGGA support and disseminated to all 148 districts. Topics include promotion of the legal aid system, rights of persons with disabilities, young people and law, labor law, child marriages, people who use drugs, genderbased violence, what is rule of law, how legal awareness can be raised.

45 teachers of the Northern branch of the National Institute of Justice and the Souphanouvong University in Luang Prabang participated in the international law and human rights seminar in May 2022, organised with support from GIZ-CEGGA.

2 workshop on international human rights treaties to which the Lao PDR is party and 3rd UPR cycle recommendations supported by Lao PDR with NA and PPA members held in May 2022 with GIZ-CEGGA support.

A side event on youth and human rights was organised alongside the EU-Laos Human Rights Dialogue held in Brussels, Belgium in July 2022, with partial support from GIZ-CEGGA.

Workshop to raise awareness-raising on selected human rights

topics with CSOs and mass organisations held in June 2022 with GIZ-CEGGA support.

37 CSOs under the **CEGGA Small Grants** Mechanism successfully completed their projects in five thematic areas at community level in over 200 villages in 15 provinces that had been developed based on participatory communityneeds assessments and supported with coaching and training measures by Cord in cooperation with GIZ-CEGGA. 95% of the projects met all project management requirements and objectives.

CSOs under the CEGGA Small Grant Mechanism showcased their contribution to sustainable development to relevant stakeholders and the general public in three subnational and one centrallevel event in 2022.

With technical support of UNDP, MoJ has initiated a draft legal aid action plan. The plan was commenced by the survey of the legal aid situation in which DPs and key government stakeholders were interviewed and gave information on the legal aid status. On 23 and 24

August 2022, the draft plan was consulted with DPs and government stakeholders from 18 provinces, comments and inputs from these consultations were incorporated into the plan for MoJ leaders to review and consider approving. Partners such as GIZ-CEGGA, TAF, LuxDev are continuing to partner with UNDP to ensure that the draft legal aid action plan is focusing on areas that are most prioritized by MoJ and current context of legal aid work of Lao PDR.

Organisations of Persons with Disabilities submitted for the first time a national stakeholder parallel report to the UN Committee on the Rights of Persons with Disabilities, including over 70 recommendations to the Government. Other CSO are engaged to prepare a report under both the International Covenant on Economic Social and Cultural Rights, and the UN Convention on the Elimination of All Forms of **Discrimination Against** Women.

MOFA, with support from UNDP finalized and submitted the initial state report to ICESCR. MOFA also initiated the drafting of the initial state report under

	the Convention Against Torture, with technical assistance from UNDP. MOFA hosted a consultation with CSOs on ICESCR and the role of CSOs in the review process, including to initiate a parallel report under the ICESCR.	
B. Communication and outreach activities with the sector and across Sector Working Groups	Many development partners, including TAF, GIZ-CEGGA and ADWLE, etc have developed printed brochures about legal aid accessibility, as well as VIDEOs on inclusion of women, people with disabilities in the legal system.	
	Government, UN agencies, INGOs, NPAs and development partners contributed in the 16 Days of Activism to End Violence Against Women. The campaign included the making orange of the Patuxay monument, social media and awareness raising campaign at university, radio programming from the Lao Women's Union and key messages delivered from o senior government and international partners.	
C. Cross-sectoral thematic areas applied to all SWGs		The members of the GSWG have launched a reflection process to identify concrete cross-sectoral opportunities where events could be

		organised in collaboration with (an)other(s) SWGs. In addition to public administration and legal institutions, GSWG could lead more cross-sectoral discussion topics, such as labor migration and exploitation, rights of people with disability, youth and drug trafficking or hold any relevant and emerging issues related to governance and citizen's interest topics and link to the national development agenda.
1. Partnership for Effective Development Cooperation (in accordance to VDCAP 2016-2025) (Only narrative on each principle)		In addition to the VDCAP alignment, the GSWG could review its contribution to the SDGs and LDC graduation. Where the indicators are relevant, the GSWG could have a regular monitoring and see how best they can support the GOL achieving the targets.
2. Innovation and technology	The launch of a legal aid webpage on the Ministry of Justice's website (supported by USAID and TAF) has enabled the public to have more access to legal aid support and information. MOJ and UNDP also launched a separate Digital Legal Aid Platform and developed the first 28 FAQs on legal information for vulnerable groups.	(the contribution from CEGGA on the websites for MOHA and NA could be included here) Building on the UNDP's initiative, the development partners within the GSWG could convene a discussion on how to help GOL more effectively integrate digitalization in governance, such as improvement of data management system and statistics

MOHA and UNDP launched the SMART ODSC model in Xaysettha district, which can track public services through a digital tracking tool.

MoHA has launched a new website of the Department of Public Administration Development with transparent information on the registration process for Non-Profit Associations with GIZ-CEGGA support.

NA has launched a new website and mobile app for transparency and information-sharing with the public with GIZ-CEGGA support.

Under CEGGA phase 2, GIZ will continue to work with MoJ on data collection and management routines and systems, with a particular focus on bottom-up information flow district-province-centre.

3. Promoting gender equality and women's empowerment and accelerating the adoption and implementation of the National Youth Policy Development partners continue to support the GoL broadening gender social inclusion, namely, to extend legal aid eligibility to the uneducated/illiterate. LGBTI. and criminal defendants facing prison and ethnic sentences groups.

Through the USAID Legal Aid Support, TAF provided annual financial support to aspiring students and legal professionals studying at the National Institute of Justice, focusing on women but also male candidates who are disabled, LGBTI, or belong to a non-Lao-Tai ethnic group. This aims to

The recent 'National Human Development Report' focusing on youth could be included here

Enhancing women's leadership and participation in politics can further enhance gender equality beyond the quota system by looking into strengthening women's capacity and capability - increasing the possibility of capable women being (s)elected to win more parliamentary seats.

Incorporating genderbased/sensitive practices on legislation, budget and help promote inclusion of women and marginalized groups and encourage their professional development opportunity in the legal sector.

All 37 CSO projects funded by the GIZ-CEGGA small grant mechanisms promoted gender equality as a cross-cutting theme; 12 of these CSO projects were dedicated to supporting gender equality. Of 9,000 direct beneficiaries of the projects, 5,000 women, 2,000 ethnic people and 200 LGBTIQ people and 100 people with disabilities benefited from CSO community work in 200 villages.

UNDP launched the National Human Development Report for 2022 on Youth as Drivers for Sustainable Development. Over 7000 young people were surveyed for the report with over 30 recommendations developed for government on employment, education, health, and participation to ensure young people play a greater role in the country's sustainable development.

Standard Operating Procedures (SOPs) among key social and health agencies were developed to further implement the National Action Plan on the

institution to promote a more inclusive and participatory governance - Concepts on this area of work, including the gender-sensitive parliament has been introduced to the NA by WFD. Yet, more significant resources and investment required to move the work forward.

	Elimination of Violence Against Women.	
Other emerging issues such as impact of COVID-19 and response	The response to the economic crisis highlighted critical challenges in ensuring the voices of marginalised and vulnerable groups are heard in the development of such responsive policy measures. CSOs identified their critical role in this regard, through their representative mandate among their member groups, to support the government to strengthen the participation of such groups in response and recovery to the economic crisis.	For a consideration, GSWG could convene more cross-sectoral discussion topics, such as labor migration and exploitation, human trafficking, rights of people with disability, youth and drug trafficking or hold any relevant issues on COVID-19 impact as well as economic recovery action plans from a governance perspective. Potentially, the NA and PPAs can play a more robust role in holding the government to account when it comes to budget spending on pandemic/crisis responses.