



RULE OF LAW, ACCESS TO JUSTICE AND GOOD GOVERNANCE (ROLAG)

LAO/037



SECTOR | Governance

AGENCIES | LuxDev, Institute for Legal Support and Technical Assistance, University of Luxembourg

DURATION | 01.01.2023 – 31.12.2027 (60 months)

TARGET GROUPS

People living in Lao PDR, particularly those residing in locations targeted by the intervention, with a particular focus on women, children, persons with disabilities or other vulnerable persons.

INSTITUTIONAL ANCHORAGE

Ministry of Justice, Ministry of Education and Sports, National University of Laos - Faculty of Law and Political Science. In addition, support to the Ministry of Foreign Affairs, Department of Treaties and Laws, and the National Assembly, International Cooperation and Project Management Secretariat.

SECTORIAL POLICIES AND REFERENCE STRATEGIES

9th National Socio-Economic Development Plan, Party Central Committee Resolution no. 37 and Politburo Resolution no. 112

BUDGET | EUR 11,457,379



The past five years have seen a significant strengthening of the legislative framework in Lao PDR, with a number of key laws being adopted or revised. At the policy-level, with the expiration of the Legal Sector Master Plan in 2020, the focus has increasingly shifted from law-making to law implementation, including mechanisms to strengthen accountability in public institutions. The Lao justice system still faces several challenges, including a lack of capacity, the need for greater oversight of the justice system, access to legal information and advice, systematic and reliable data collection and analysis, and a need for stronger oversight of government institutions. Furthermore, legal education and research remains in need of continued and effective capacity strengthening, to ensure that graduates have the qualifications to contribute towards achieving these aims, and to ensure that policy making can be informed by fact-based analysis.

The overarching goal of the ROLAG programme is to enhance the rule of law, enabling access to justice and good governance for the realisation of Lao people's rights. Previous Luxembourg-funded programmes have delivered concrete results in this gradual improvement process of the legal sector in Lao PDR. Based on these concrete remarkable achievements, the ROLAG programme continues to support various aspects of the legal sector, including higher education and access to justice.

The programme will be implemented nationwide with a focus on Vientiane, Bolikhamxay, Khammouane, Bokeo and Champasak Provinces, as well as Vientiane Capital. However, the focus is to strengthen the capacity of the central Lao institutions and then to support these in transferring this throughout their system to the provincial and district levels.

The close collaboration between LuxDev, the Institute for Legal Support and Technical Assistance and the University of Luxembourg across the various intervention areas ensures the optimal complementarity and effective use of resources.

The main beneficiaries of the programme are academic staff, notably of the Faculty of Law and Political Science of the National University of Laos, and at the Faculty of Law and Administration, Champasak University; legal practitioners and civil servants in the legal sector including legal sector agencies such as the Office of the Supreme People's Prosecutor, the People's Supreme Court, and the prison service under the Ministry of Public Security, civil servants of the Ministry of Justice, and members of the National Assembly (ambitious: to develop the entire legal milieu - academia and the professionals).

Beneficiaries at the local level include the local justice sector agencies, in particular the staff of the legal aid offices established under the Ministry of Justice in partner provinces and districts; the Provincial People's Assemblies, as well as individuals and communities in partner provinces and districts in these.

LAO PEOPLE ENJOY ENHANCED RULE OF LAW, EMPOWERING ACCESS TO JUSTICE AND GOOD GOVERNANCE FOR REALISATION OF THEIR RIGHTS



VISION OF CHANGE

To meet the expected outcome above, ROLAG is underpinned by a Theory of Change that can be described as follows: the ROLAG programme contributes to quality legal education at the universities to the delivery of effective justice services to people at all levels and, in turn, engage the public in strengthening the justice system, rule of law, and governance as a whole. In practical terms, it concerns facilitating access to justice and enhancing accountability in the system. The aim is to foster a rights-based, bottom-up response by linking higher level theory with practice and, in turn, feeding the experience from practice back into national policy-development and planning.

Five interconnected intermediate change areas help to reach this long-term objective.

Higher education in law responds to national needs of Laos becoming a Rule of Law State

Equipping Faculty of Law and Political Science students with the necessary skills and knowledge will make them valuable assets to the legal system, public institutions, and the private sector. A vibrant academic environment that fosters high-quality legal teaching and research is essential for producing well-rounded legal professionals and generating evidence-based law and policy.

The justice system is functioning according to high international standards

Effective protection of people's rights requires a reliable court system with efficient procedures and quality decision-making. Support will be provided to prosecutors, courts, and law enforcement to enhance their capabilities and implement procedures effectively. Equipment and infrastructure support will also be provided.

Judgements are effectively enforced in accordance with domestic law and policy, within the carceral system, aligned with high international standards

Proper enforcement of carceral sentences is essential for safeguarding individual rights. Adherence to legal detention limits and ensuring access to basic necessities like healthcare, nutrition, and water, sanitation and hygiene are prerequisites for upholding international standards. Support will be extended to prosecutor's offices and prison services to enhance their capabilities, establish effective procedures, and provide necessary equipment and infrastructure.

Lao people access relevant, legally mandated and affordable quality legal aid and village mediation, according to their needs and rights

Ensuring effective access to justice for members of the community, especially those disadvantaged by poverty, violence or discrimination, and including those also in the most remote villages across the country, is a key ambition of the government of Lao PDR, ensured through the legal aid offices established at provincial and district levels. Through outreach, providing with free legal information, advice, and other relevant assistance, and by ensuring that everybody is made aware of their rights according to the law, both the legal aid offices and the village mediation units can ensure that those in need have access to relevant knowledge and fora.

Public bodies function in accordance with the principles of good governance including public accountability

Public accountability is a cornerstone of the rule of law and hinges on sound administrative and financial practices and robust public oversight. Effective oversight mechanisms include the Provincial Peoples' Assemblies, the State Inspection Authority, the Anti-Money Laundering Intelligence Office, the Administrative Chamber, the Government Inspection Authority, and the State Audit Organization. The intermediate change area will bolster the capacities and processes of these bodies, including information and case management systems.

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