



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

President's Office

No. 137/PO

DECREE
of the
PRESIDENT
of the
LAO PEOPLE'S DEMOCRATIC REPUBLIC

On the Promulgation of the Law on the Handling of Petitions

Pursuant to Chapter 6, Article 67, point 1 of the Constitution of the Lao People's Democratic Republic;

Pursuant to the promulgation of the Constitution and laws adopted by the National Assembly;

Pursuant to Resolution No. 51/NA, dated 9 November 2005, of the National Assembly of the Lao People's Democratic Republic on the adoption of the Law on the Handling of Petitions; and

Pursuant to Proposal No. 14/SC, dated 18 November 2005, of the National Assembly Standing Committee.

**The President of the Lao People's Democratic Republic
Decrees That:**

Article 1. The Law on the Handling of Petitions is hereby promulgated.

Article 2. This decree shall enter into force on the date it is signed.

Vientiane, 9 December 2005

The President of the Lao People's
Democratic Republic

[Seal and Signature]

Khamtai SIPHANDON



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

National Assembly

No. 07/NA
9 November 2005

LAW ON THE HANDLING OF PETITIONS¹

Part I General Provisions

Article 1. Objectives

This Law on the Handling of Petitions defines principles, regulations and measures relating to petitions and to dealing with the petitions of citizens or organisations in accordance with the laws and regulations, with the aims of strengthening the people's democracy and justice in the Lao People's Democratic Republic, of protecting the interests of the State [and] collectives, and the rights and legitimate benefits of citizens[,] in order to ensure public order, justice and prosperity.

Article 2. Petitions

A petition is a document of a citizen or organisation that is presented to the relevant authority for it to consider and to deal with an action or decision of an organisation or individual that is believed to infringe the laws and regulations and to affect the interests of the State [and] collectives or the rights and legitimate benefits of the petitioner.

There are three types of petitions:

- A petition that is presented to a State administrative authority² is called a request³;

¹ In this law, the same Lao word has been translated as both "dealing with" and "handling", the choice between alternative translations being made on the basis of readability. The reader may assume that no difference in meaning is intended.

² A distinction is made between State administrative authorities (such as the Tax department) and legislative authorities. A distinction is also made between administrative authorities and technical authorities of the State such as universities or research institutes.

³ The three Lao words that have been translated as "request", "claim" and "petition for justice" in this Article 2 have the literal meanings of: (i) a document asking for assistance; (ii) a document asserting rights or entitlements; and (iii) a document asking for justice. The word translated as

- A petition that is presented to an investigation organisation⁴, the Office of the Public Prosecutor⁵ or the People’s Courts⁶ is called a claim;
- A petition that is presented to the National Assembly is called a petition for justice.

Article 3. Definitions

Terms used in this law shall have the following meanings:

1. A citizen means a Lao citizen, an alien, an apatrid⁷, or a foreigner residing in the Lao People’s Democratic Republic;
2. A requesting person means an individual or organisation that presents its request to an authority that has the right and duty to deal with the matter administratively, where the concerned person believes that an official or administrative authority has infringed laws and regulations affecting the interests of the State [and] collectives, or the rights and legitimate benefits of the concerned person;
3. A person subject to a request means an individual or organisation that is the subject matter of the request of another person who has asked an administrative authority to deal with its infringement of laws and regulations affecting the interests of the State [and] collectives, or the rights and legitimate benefits of that other person;
4. A claimant means an individual or organisation that presents its claim to an authority that has the right and duty to undertake legal proceedings to protect the interests of the State [and] collectives, or the rights and legitimate benefits of the concerned person that have been infringed;
5. A person subject to a claim means an individual or organisation that is the subject matter of the claim of another person that has

“petition”, which includes all the foregoing documents, has the literal meaning of “a document that is presented”.

⁴ The Lao word for “investigation” is a compound word: “investigation-interrogation”, where investigation has the sense of inquiries through means other than the questioning of witnesses. Since the English word “investigation” does not connote a similar exclusion or carve-out, the translators have translated the compound word simply as “investigation”. The reader may wish to refer to Part III of the Law on Criminal Procedure for information on the different levels of investigation organisations that have responsibility for investigation-interrogation.

⁵ Readers may wish to refer to the Law on the Office of the Public Prosecutor of the Lao People’s Democratic Republic for more information. Note that, here, the reference is to the “overall prosecutorial organisation”, not to offices at which public prosecutors may work.

⁶ Readers may wish to refer to the Law on the People’s Courts for more information. Note that, here, the reference is to the “overall institution of the People’s Courts”, not to individual people’s courts.

⁷ Readers may wish to refer to the Law on Lao Nationality for more information on this category of stateless persons and other matters relating to nationality.

been presented to an authority that has the right and duty to undertake legal proceedings, because [such other person] believes that the [person subject to the claim] has infringed laws and regulations affecting the interests of the State [and] collectives, or the rights and legitimate benefits of that other person;

6. A petitioner for justice means an individual or organisation that presents its petition for justice to the National Assembly to protect the interests of the State [and] collectives, or its rights and legitimate benefits, where the concerned person believes that the decision of an administrative authority or final decision of the people's court cannot provide it justice.

Article 4. Rights of Citizens and Organisations

A citizen or organisation has the right to present a petition to the organisation that has the right and duty to protect the interests of the State [and] collectives or [such citizen's or organisation's] own rights and legitimate benefits that have been infringed or that are subject to conflicting claims by [another] individual or organisation.

Foreigners and foreign organisations also have rights to petition as provided under this law, except if otherwise provided in an international agreement or convention to which the Lao People's Democratic Republic is a party.

Article 5. Policy on Petitions

The State facilitates citizens and organisations to exercise the right to petition, with the aim of protecting the interests of the State [and] collectives, or [such citizen's or organisation's] own rights and legitimate benefits, in order to ensure transparency and effectiveness of the State administrative mechanism and government officials in the implementation of their duties, [thereby] eliminating and preventing negative occurrences in society.

An individual or organisation shall comprehensively examine and consider [its actions] in implementing its rights and duties, and if it finds that such action infringes laws and regulations affecting the interests of the State [and] collectives, or other persons, the concerned [individual or organisation] shall immediately rectify that action to avoid [being subject to] a petition.

The State promotes [citizens and organisations] to undertake mediation or conciliation at community level in accordance with laws and regulations before presenting a petition to the authority that has the right and duty to deal with such petition.

Article 6. Principles for Dealing with Petitions

Petitions shall be dealt with in accordance with the following principles:

1. Petitions shall be [dealt with in accordance] with the procedures prescribed in the laws and regulations;
2. The organisation that has the right and duty shall warmly welcome petitioners in an appropriate manner and deal with petitions in a timely manner;
3. Petitions shall be dealt with comprehensively, completely and objectively, and in accordance with laws and regulations;
4. The organisation that is responsible for dealing with a petition shall inform the petitioner in writing of the results of its consideration;
5. Petitioners and concerned persons shall cooperate [with the organisation] and facilitate the process of dealing with petitions;
6. Petitions relating to administrative matters shall be dealt with in two stages, meaning that if the petitioner is not satisfied,⁸ he⁹ may make a claim in court or present a petition for justice to the National Assembly.

Article 7. International Cooperation

The State promotes international cooperation in the handling of petitions, especially in human resource development and in the exchange of experience with other countries, in order to strengthen the effectiveness of the handling of petitions in the Lao People's Democratic Republic.

Part II Regulations on the Presentation of Petitions

Article 8. Presenting Petitions

A petition shall be presented only to the organisation that has the right and duty to consider and deal with the petition.

Article 9. Rights and Obligations of Petitioners

A petitioner has the following rights:

- To present the petition in person or by a legal representative;

⁸ The law is silent as to the subject matter of the dissatisfaction but the context makes it clear that the dissatisfaction relates to the handling of the petition by the relevant administrative authority.

⁹ Readers should note that the Lao language does not distinguish between genders in pronouns. In this translation, a reference to a gender is a reference to all genders, unless the context requires otherwise. The translators' decision to use the male gender was made in the interests of simplicity and consistency.

- To receive a written response to the petition from the concerned organisation;
- To be protected from threats, [and] suppression, and, at his request, to be protected from the disclosure of his name, family name, address, or pseudonym;
- To have the infringed rights restored and to receive compensation from the person who has violated the laws and regulations;
- To revoke his petition at any stage.

A petitioner has the following obligations:

- To give accurate and clear information regarding his name, family name, age, occupation, and address;
- To raise the issues in the petition clearly and in accordance with actual facts, and to provide complete and timely information, data and evidence to the organisation that is dealing with the petition;
- To be liable under the law for the contents of his petition, including the data, information and evidence presented to the relevant organisation;
- To strictly comply with the decision concerning the petition that already has legal effect.

Article 10. Rights and Obligations of Persons Subject to Petitions

A person subject to a petition has the following rights:

- To be informed of the contents of the petition;
- To defend himself by presenting data, information and evidence;
- To have his dignity and other interests restored if the petition is not supported by facts and evidence in accordance with laws and regulations;
- To request the organisation which has the right and duty to apply measures against a petitioner who does not have facts and evidence in accordance with the laws and regulations.

A person subject to a petition has the following obligations:

- To provide explanations regarding the issues raised in the petition and to provide data, information and evidence to the relevant organisation;
- To strictly comply with the decision concerning the petition that already has legal effect.

Article 11. Time and Location for Presenting Petitions

Petitions shall be presented to the relevant organisation at the times and locations officially defined.

Article 12. Contents of Petitions

A written petition shall have the following main contents:

1. Name and address of the relevant organisation;
2. Names, family names, ages, and addresses of the petitioner and the person who is subject to the petition;
3. The issues that need to be addressed and relevant evidence;
4. The location, date, and signature [or]¹⁰ thumb print of the petitioner or his legal representative.

In the case where the petitioner directly reports or orally presents his petition to the relevant organisation, the official who receives the report or oral statement shall make a written report according to the contents set out in the above paragraph of this article.

Article 13. Conditions for Receiving Petitions

A petition shall be received for consideration if it meets the following conditions:

1. It has the name, address, and signature [or]¹¹ thumb print of the petitioner or his legal representative;
2. The petitioner is at least 18 years of age and is not insane;
3. The petition is not under consideration by any other organisation or the petition was dealt with by a relevant organisation but the petitioner is not satisfied with the result;
4. A petition for justice shall be on a matter that has been dealt with by a public administrative authority or on a final court decision in respect of which new evidence has appeared;
5. The petition shall be made in the Lao language and shall be readable and understandable.

**Part III
Dealing with Petitions**

**Chapter 1
Authorities Dealing With Petitions**

Article 14. Authorities Dealing with Petitions

The authorities dealing with petitions are:

1. Public administrative authorities that receive and consider requests;

¹⁰ Here, the literal translation is “and” but it is clear that the disjunctive “or” meaning is intended.

¹¹ Here, the literal translation is “and” but it is clear that the disjunctive “or” meaning is intended.

2. Courts, public prosecutors, and investigation organisations that receive and consider claims;
3. The National Assembly that receives and considers petitions for justice.

Article 15. Rights and Duties of the Authority Dealing with a Petition

The authority dealing with a petition has the following main rights:

- To call or invite the petitioner, the person who is subject to the petition, and concerned individuals or organisations to come for questioning or to clarify certain issues;
- To request documents, data, information and evidence from concerned individuals or organisations;
- To issue a decision on the petition.

The authority dealing with a petition has the following main duties:

- To deal with the petition in a timely manner, and in accordance with the laws and regulations;
- If conditions permit, to mediate between or conciliate the parties in order to come to an amicable settlement;
- To notify the petitioner and the person who is subject to the petition of the results of its handling [of the petition];
- If the matter is not within the scope of its rights and duties, to send the file of documents to the relevant organisation for consideration.

**Chapter 2
Dealing with Requests**

Article 16. Requests

A request under this law means a document that a citizen or organisation presents to the relevant public administrative authority to consider and deal with an action or decision of any individual or public administrative authority which is believed to infringe the laws and regulations, and to affect the interests of the State [and] collectives, or [the citizen's or organisation's] rights and legitimate benefits.

Article 17. Authorities Dealing with Requests

The authorities dealing with requests are:

- The government;
- Ministries or ministry-equivalent organisations;
- Administrative authorities¹² at provincial level;

¹² The same Lao term may be translated as both “local administrations” and “local administrative authorities”. The translators have generally applied the following convention: (i) if the

- Administrative authorities at district level;
- Village administrations.

The detailed rights and duties of authorities dealing with requests will be defined in specific regulations.

Article 18. Stages in Dealing with Requests

Requests shall be dealt with in accordance with the following stages:

1. Review and consideration of the request and collection of additional data, information or evidence, as necessary;
2. Issuance of a decision relating to the handling of the petition¹³;
3. Notification of the requesting person and the person subject to the request;
4. Implementation of a decision on a request that already has legal effect.

In the event that the requesting person or the person subject to the request is not satisfied with the decision, he can propose to a higher public administrative authority to consider.

If such person believes that the decision of the higher administrative authority cannot provide him with justice, he has the right to bring a claim in court or to present a petition for justice to the National Assembly.

Article 19. Period for Presenting and Dealing with Requests

The period for presenting a request to a public administrative authority is within 3 years after the date of the infringement.

The request shall be dealt with within 20 days after receiving the request.

When a request is not dealt with within the specified period, the requesting person has the right to present such request to a higher authority. If the request is still not dealt with, such person shall have the right to bring a claim in court or to present a petition for justice to the National Assembly.

term is used in a sentence in juxtaposition to a reference to some specific agency within the line ministries, the term has been translated as “local administrations”, referring only to the bodies responsible for local administration discussed in the Law on Local Administration; and (ii) if the term is used alone in a sentence (as it is in Article 17), it has been translated as “local administrative authorities” to indicate that it may be wide enough to cover local administrations as well as local divisions, offices or units of line ministries. However, the reader should note the alternative meaning that may have been intended.

¹³ The decision need not be on the substance of the petition but need only be about the “handling of the petition”. This is intended to be wide enough to cover the situation where the petition is not dealt with substantively.

Article 20. Effectiveness of Decisions

Decisions on requests that have legal effect are:

- The decision of a public administrative authority that has the right and duty to deal with the request at the first instance¹⁴, which the requesting person and the person subject to the request agree to comply with;
- The decision of a public administrative authority that has the right and duty to deal with the request at the second step, which is the final step, and where the requesting person or person subject to the request does not bring a claim in court or present a petition for justice to the National Assembly.

Once a decision has legal effect, responsible officers shall implement the decision in a timely and correct manner, and concerned individuals and organisations shall comply strictly with such decision.

**Chapter 3
Dealing with Claims**

Article 21. Claims

A claim is a document that a citizen or organisation presents to an investigation organisation, the Office of the Public Prosecutor or the People's Courts to consider to deal with an action or decision of any individual or organisation which is believed to infringe the laws and regulations, and to affect the interests of the State or [such citizen's or organisation's] rights and legitimate benefits.

Article 22. Stages in Dealing with Claims

Claims shall be dealt with in accordance with the stages defined in the Law on Civil Procedure or the Law on Criminal Procedure.

**Chapter 4
Dealing with Petitions for Justice**

Article 23. Petitions for Justice

A petition for justice means a document that a citizen or organisation presents to the National Assembly to reconsider the results of the handling of a request by a public administrative authority, or the handling of a claim by an office of the public prosecutor¹⁵ or by a people's court¹⁶ which has legal

¹⁴ The literal translation is "at the first step".

¹⁵ See footnote 5. Here, the reference is not to the overall organisation of the Office of the Public Prosecutor but to individual local offices of public prosecutors at which citizens' claims would have been presented. Readers may wish to refer to the Law on the Office of the Public Prosecutor of the Lao People's Democratic Republic for more information on this distinction.

effect, and which [the citizen or organisation] believes does not provide him justice.

Article 24. Authority Dealing with Petitions for Justice

Authorities dealing with petitions for justice are:

- The National Assembly Standing Committee;
- Committees of the members of the National Assembly in the constituencies¹⁷.

The detailed rights and duties of the authorities dealing with petitions for justice will be defined in specific regulations.

Article 25. Stages in Dealing with Petitions for Justice

Petitions for justice shall be dealt with in accordance with the following stages:

1. Review and consideration of the petition for justice, and collection of additional data, information or evidence, as necessary;
2. Issuance of a decision relating to the handling of the petition for justice;
3. Notification of the petitioner for justice and concerned parties for implementation;
4. Follow up on the implementation of the decision on the petition for justice.

In the event that the petitioner for justice is not satisfied with the decision of the committee of members of the National Assembly in the constituencies, he has the right to bring a petition for justice to the National Assembly Standing Committee as a final step.

Article 26. Decisions on Petitions for Justice

Decisions on petitions for justice are as follows:

- A decision to confirm the decision of the public administrative authority or the decision of the court;

¹⁶ See footnote 6. Here, the reference is not to the overall organisation of the People’s Courts but to individual courts at which citizens’ claims would have been presented. Readers may wish to refer to the Law on the People’s Courts for more information on this distinction.

¹⁷ Readers may wish to refer to Article 42 of the Law on the National Assembly for a description of this term which refers to groups, committees or caucuses of National Assembly members responsible for advising the National Assembly Standing Committee on matters relating to specific constituencies. In the Law on the National Assembly, the Lao phrase typically omits the qualifier “committee”. Another term used to refer to these committees is “members’ caucus of the National Assembly” (used in the Law on the Oversight by the National Assembly).

- A decision to request the public administrative authority, the office of the public prosecutor or the court to reconsider the matter.

Article 27. Period for Presenting Petitions for Justice

The period for presenting a petition for justice to the National Assembly is within 60 days from the date the concerned person is informed of the final decision of the public administrative authority or the final decision of the court.

Petitions for justice shall be dealt with within 30 days after they are received.

Petitions for justice shall first be presented to the committee of members of the National Assembly in the constituencies, and in the event that the committee of members of the National Assembly in the constituencies does not deal with the matter within the period defined in paragraph 2 of this article, the petitioner for justice has the right to present the petition for justice to the National Assembly Standing Committee for consideration.

Article 28. Effectiveness of Decisions

Decisions on petitions for justice that have legal effect are:

- The decision of the committee of members of the National Assembly in the constituencies that has the right and duty to deal with the petition for justice at the first instance, which the petitioner for justice and the person subject to the petition for justice agree to comply with;
- The decision of the National Assembly Standing Committee on the petition for justice.

Once a decision on a petition for justice has legal effect, responsible officers shall implement the decision in a timely and correct manner, and concerned individuals and organisations shall strictly comply with such decision.

**Part IV
Receiving Petitioners**

Article 29. Receiving Petitioners

Party organisations, State organisations, the Lao Front for National Construction, mass organisations, the Union of Former Army Officers, and other social organisations shall make arrangements to receive any petitioner who brings a petition, makes a statement or reports on issues affecting the interests of the State [and] collectives, or his own rights and legitimate benefits.

Concerned sectors¹⁸ shall organize their personnel to receive petitioners. The heads of concerned sectors also have to allocate time to meet petitioners in person as appropriate.

Article 30. Location and Time for Receiving Petitioners

To facilitate persons to present petitions, make statements or report on problem issues, concerned sectors shall set aside an appropriate place to receive such persons.

Petitioners shall be received at official locations and times.

**Part V
Prohibitions**

Article 31. Prohibitions on Petitioners

A petitioner is prohibited from:

- Presenting a petition without actual facts;
- Misusing a petition to defame another person, or to cause public disorder;
- Giving bribes to, making threats against, or suppressing the person who has the right and duty to deal with the petition.

Article 32. Prohibitions on Persons Subject to Petitions

A person subject to a petition is prohibited from:

- Giving bribes to, making threats against, using force against, or suppressing the person who has the right and duty to deal with the petition [or] the petitioner;
- Concealing¹⁹, hiding, or destroying information and evidence relating to the petition.

Article 33. Prohibitions on Persons who have the Right and Duty to Deal with Petitions

A person who has the right and duty to deal with a petition is prohibited from:

- Having the intention to not deal with the matter, taking bribes, delaying or dealing with the matter in a manner that is not in accordance with the laws;

¹⁸ The word “sector” is used to refer to the cluster of government ministries or agencies responsible for a particular area.

¹⁹ The Lao word has the connotation of “disguising” the true nature of evidence or information in order to escape notice.

- Concealing or hiding information and evidence relating to the petition;
- Disclosing confidential information relating to the petitioner such as his name, family name, address, or pseudonym when it is necessary to keep them confidential.

Article 34. Prohibitions on Other Individuals and Organisations

Other individuals and organisations are prohibited from:

- Inciting, convincing, or giving bribes to other persons to present petitions without actual facts;
- Interfering with or threatening the person who has the right and duty to deal with the petition;
- Concealing, hiding, or destroying data and evidence relating to the petition;
- Making threats to, using force against, or suppressing the petitioner or the person who is subject to the petition;
- Hiding or giving shelter to the person who is subject to the petition.

Part VI

Administration of the Handling of Petitions

Article 35. Activities Relating to the Administration of the Handling of Petitions

Activities relating to the administration of the handling of petitions are:

1. Promulgation of legislation relating to the handling of petitions;
2. Dissemination, instruction, and implementation of laws and regulations relating to the handling of petitions;
3. Monitoring and inspecting the implementation of laws and regulations relating to the handling of petitions;
4. Summarizing the state²⁰ of presentation of petitions and handling of petitions;
5. Summarizing lessons learned from the implementation of activities relating to the handling of petitions;
6. Reporting to concerned authorities at the higher level.

Article 36. Authorities that Administer the Handling of Petitions

Authorities that administer the handling of petitions are:

- The National Assembly;
- Public administrative authorities;
- The People's Courts;

²⁰ The Lao word translated as “state” has the connotation of “the current status” or “the situation”.

- The Office of the Public Prosecutor.

Article 37. The National Assembly

The National Assembly administers the handling of petitions for justice in the whole country, with the offices of the National Assembly in the constituencies acting as the secretariat to the committee of members of the National Assembly in the constituencies, and the cabinet of the National Assembly acting as the secretariat to the National Assembly Standing Committee in dealing with petitions for justice.

Article 38. Public Administrative Authorities

The government centrally and uniformly administers the handling of requests throughout the whole country.

The State Inspection Authority at the central level acts as the secretariat and is responsible to the government for administering the handling of requests within the scope of the rights and duties of the government.

Ministries, ministry-equivalent organisations, and local administrative authorities administer the handling of requests within the scope of their responsibility.

The State Inspection Authority at the ministerial and local levels acts as the secretariat to the State authority at such level in administering the handling of requests.

Article 39. The Courts and the Office of the Public Prosecutor

The People's Supreme Court, [and] the Office of the Supreme Public Prosecutor administer the handling of claims throughout the whole country within the scope of their roles, rights and duties.

The courts and offices of the public prosecutors administer the handling of claims within the scope of their roles, rights and duties.

Article 40. Coordination and Reporting

If it is deemed necessary, the National Assembly Standing Committee may invite the Prime Minister, the President of the People's Supreme Court, [and] the Supreme Public Prosecutor to consultation meetings on the handling of petitions for justice of citizens or organisations; the Prime Minister may invite the President of the People's Supreme Court, [and] the Supreme Public Prosecutor to consultation meetings on the handling of requests of citizen or organisations.

The government, the People's Supreme Court, and the Office of the Supreme Public Prosecutor report to the session of the National Assembly, the

National Assembly Standing Committee, and the President of the State on the handling of requests and claims under the laws and regulations[;] and the National Assembly Standing Committee reports to the National Assembly on the handling of petitions for justice of citizens or organisations.

The chief of the State Inspection Authority at the central level periodically reports to the government on the handling of requests.

If it is deemed necessary, the head of the committee of members of the National Assembly in the constituencies may invite the presidents of the people's courts, the public prosecutors at local level and concerned sectors to consultation meetings on the handling of petitions for justice of citizens or organisations; provincial governors, city mayors, chiefs of districts, and chiefs of municipalities may invite the presidents of the people's courts or the public prosecutors at the same level²¹ to consultation meetings on the handling of requests of citizens or organisations.

Requests and claims at the local level shall be handled in accordance with the system of reporting where [a lower authority must report] to higher authorities and to the committee of the members of the National Assembly in the constituencies according to regulations; the committee of the members of the National Assembly in the constituencies shall report to the National Assembly Standing Committee on the handling of petitions for justice of citizens or organisations.²²

Part VII **Oversight²³ and Participation in the Handling of Petitions**

Chapter 1 **Oversight by the National Assembly**

Article 41. Oversight by the National Assembly

The oversight by the National Assembly of the handling of petitions shall be in compliance with articles 15, 24, 38, and 46 of the Law on the Oversight by the National Assembly.

²¹ Here, the phrase “at the same level” qualifies both “courts” and “public prosecutors”.

²² This long sentence contains two distinct parts. The first relates to claims and requests, the second to petitions for justice.

²³ In the Lao language, the same word is used to represent all of the following related (but slightly different) concepts: “control”, “inspection”, “oversight”, “supervision”, “audit” and “monitoring”. Here, the translators have chosen “oversight” (and its variants) as the most appropriate English equivalent when referring to the right of the National Assembly to oversee the presentation of petitions. This is also consistent with the use of “oversight” in the Law on the Oversight by the National Assembly, which is expressly referred to in Article 41. Readers should note and bear in mind the other meanings that might have been intended.

Article 42. Obligations of Concerned Individuals and Organisations

Concerned individuals and organisations have the obligation to create conditions and facilitate the National Assembly in its oversight of the handling of petitions.

Chapter 2

Participation in the Handling of Petitions by Concerned Authorities

Article 43. Obligation to Participate

The Lao Front for National Construction, mass organisations, the Union of Former Army Officers, and other social organisations [each] has the obligation to participate in the handling of petitions in accordance with their mandate, as follows:

1. To receive and examine petitions, [and to] provide advice and guidance to petitioners;
2. If the conditions permit, to mediate the conflict;
3. If it cannot deal with the matter or if it finds that the matter is not within the scope of its rights and duties, to send the file of documents on [any] petition it receives to the authority that has the right and duty to deal with the petition;
4. To participate in the handling of petitions, as invited by [any] public administrative authority, court, office of public prosecutor or by the National Assembly;
5. To participate in the oversight of the handling of petitions, as invited by the National Assembly.

Article 44. Participation Rights

The Lao Front for National Construction, mass organisations, the Union of Former Army Officers, and other social organisations [each] has the right to:

1. Participate in and monitor the handling of petitions which are related to its mandate;
2. Receive petitions of citizens and organisations on the infringement of laws and regulations;
3. Call or invite concerned individuals or organisations to report on the infringement of laws and regulations;
4. Request concerned authorities to immediately deal with the infringement of laws and regulations;
5. Be informed about the result of the handling of petitions by the concerned authority.

Part VIII
Policies towards Persons with Outstanding Performance
and Measures Against Violators²⁴

Article 45. Policies towards Persons with Outstanding Performance

Individuals or organisations that have outstanding performance in the implementation of this Law on the Handling of Petitions shall be rewarded or receive other policies in accordance with regulations.

Article 46. Measures Against Violators

Individuals or organisations that infringe this law shall be subject to measures such as warning, disciplinary action, [and] fines or [shall be] subject to criminal measures depending on the severity of the infringement, including payment of compensation for damage caused.

Part IX
Final Provisions

Article 47. Implementation

The Standing Committee of the National Assembly, the government, the People's Supreme Court, and the Office of the Supreme Public Prosecutor are to implement this law.

Article 48. Effectiveness

This law shall enter into force ninety days after the date of the promulgating decree issued by the President of the Lao People's Democratic Republic.

All regulations and provisions that contradict this law shall be null and void.

Vientiane, 9 November 2005
President of the National Assembly

[Seal and Signature]

Samane VIGNAKET

²⁴ In this context, the term “policies” in this context has the connotation of “privileges” and the term “measures” has the connotation of “sanctions”.