

December 13, 2013

Sombath Somphone one year on: 62 NGOs call for a new investigation into his enforced disappearance

We, the undersigned 62 regional and international organizations, express outrage over the Lao Government's ongoing failure to shed light on the enforced disappearance of prominent activist and civil society leader Sombath Somphone.

December 15, 2013 marks the one-year anniversary of Sombath's disappearance. Sombath was last seen on the evening of December 15, 2012 in Vientiane. Closed-circuit television (CCTV) footage showed that police stopped Sombath's car at a police post. Within minutes after being stopped, unknown individuals forced him into another vehicle and drove away. Analysis of the CCTV footage shows that Sombath was taken away in the presence of police officers. This fact supports a finding of government complicity.

Despite the Lao Government's pledge to "thoroughly and seriously" investigate Sombath's disappearance¹, the authorities' probe has been inadequate and unproductive. On January 18, 2013, 65 NGOs signed a joint letter to Lao Prime Minister Thongsing Thammavong to express their concern over Sombath's disappearance. Since then and in spite of widespread international calls for his return, including from the European Union (EU), the Association of Southeast Asian Nations (ASEAN) parliamentarians, the USA and the Office of the United Nations High Commissioner for Human Rights, Sombath's whereabouts remain unknown and there has been no progress in the investigation into the circumstances of his enforced disappearance. In addition, the authorities have rejected offers of technical assistance to analyze the CCTV footage.

For the past 30 years, Sombath has pushed tirelessly for expansion for civil society space and rights of the rural poor and young people to have a voice in the development of Lao society and governance. Shortly before his disappearance, Sombath played a key role in organising the Asia-Europe People's Forum (AEPF), a civil society forum that preceded the official Asia-Europe Summit Meeting. At the forum, discussions on land and water issues, and poorly regulated FDIs which threatened people's livelihoods were discussed openly for the first time in Laos.

Sombath's enforced disappearance is not an isolated incident. To this day, the whereabouts of nine people, two women, Kingkeo and Somchit, as well as seven men, Soubinh, Souane, Sinpasong, Khamstone, Nou, Somkhith, and Sourigna, arbitrarily detained by Lao security forces in November 2009 in various locations across the country remain unknown. The nine had planned peaceful demonstrations calling for democracy and respect of human rights. Also unknown are the whereabouts of Somphone Khantisouk, the owner of an ecotourism guesthouse and an outspoken critic of Chinese-sponsored agricultural projects that were damaging the environment in the northern province of Luang Namtha. He disappeared after uniformed men abducted him in January 2007.

The Lao Government's failure to undertake proper investigations into all these cases of enforced disappearances violates its obligations under Article 2(3) of the International Covenant on Civil and Political Rights (ICCPR), to which Laos is a State party. The ICCPR

states that governments must provide an “effective remedy” for violations of rights guaranteed by the Covenant, including the right to liberty and security of person.

We call on the Lao Government to:

- Establish a new commission tasked with carrying out a prompt, thorough, independent, and impartial investigation into Sombath’s enforced disappearance and return him safely to his family.
- Identify and hold accountable those responsible for Sombath’s enforced disappearance.
- Undertake a thorough, impartial, and effective investigation into all allegations of enforced disappearances.
- Extend an invitation for a country visit by the UN Working Group on Enforced and Involuntary Disappearances.
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance.
- Respect and protect the rights of all human rights defenders, activists, and members of civil society.

We call on the international community, particularly EU Member States, ASEAN Member States, and the U.S., to:

- Raise the issue of Sombath Somphone’s enforced disappearance with the Lao Government in all bilateral and multilateral fora.
- Urge the Lao Government to immediately release all political prisoners and conduct effective and thorough investigations aimed at safely returning victims of enforced disappearances to their families.
- Exert political and economic pressure on the Lao Government to ensure the promotion of reforms that guarantee respect for fundamental human rights in accordance with its international obligations.

Signed by:

1. Alternative ASEAN Network on Burma (Altsean-Burma)
2. Armanshahr/OPEN ASIA, Afghanistan
3. ASEAN Parliamentarians for Human Rights (APHR)
4. Asian Forum for Human Rights and Development (FORUM-ASIA)
5. Banglar Manabadhikar Suraksha Mancha (MASUM), India
6. Boat People SOS
7. Burma Partnership
8. Bytes for All, Pakistan
9. Cambodian Human Rights Action Committee, Cambodia
10. Cambodian Human Rights and Development Association (ADHOC), Cambodia
11. Cambodian Volunteers for Society, Cambodia

12. Campaign for a Life of Dignity for All (KAMP), Philippines
13. Centre for Human Rights and Development (CHRD), Mongolia
14. Commission for the Disappeared and Victims of Violence (KontraS), Indonesia
15. Committee for Free and Fair Elections in Cambodia (COMFREL), Cambodia
16. FIDH (International Federation for Human Rights)
17. Front Line Defenders
18. Gender and Development Advocates (GANDA) Filipinas, Philippines
19. Globe International Center, Mongolia
20. Human Rights Commission of Pakistan (HRCPP), Pakistan
21. Human Rights Defenders Alert, India
22. Human Rights Education Institute of Burma (HREIB), Burma
23. Human Rights Working Group (HRWG), Indonesia
24. Imparsial, Indonesia
25. Indonesian Legal Aid and Human Rights Association (PBHI), Indonesia
26. Indonesia Legal Aid Foundation (YLBHI), Indonesia
27. Informal Sector Service Center (INSEC), Nepal
28. INFORM Human Rights Documentation Centre, Sri Lanka
29. Institute for Legal Consultation and People Advocacy of North Sumatera (BAKUMSU), Indonesia
30. ISchool-Myanmar, Burma
31. Judicial System Monitoring Program (JSMP), Timor Leste
32. Justice for Peace Foundation, Thailand
33. Knights for Peace, Int'l
34. Koalisi Perempuan Indonesia, Indonesia
35. Lao Movement for Human Rights (LMHR)
36. Law and Society Trust (LST), Sri Lanka
37. League for the Defence of Human Rights in Iran (LDDHI)
38. Life Skills Development Foundation, Thailand
39. Odhikar, Bangladesh
40. People's Empowerment Foundation (PEF), Thailand
41. People's Solidarity for Participatory Democracy (PSPD), South Korea
42. People's Vigilance Committee on Human Rights (PVCHR), India
43. People's Watch, India
44. Programme Against Custodial Torture and Impunity (PACTI), India
45. Sawit Watch, Indonesia
46. Sehjira Deaf/HoH Foundation, Indonesia
47. Society for the Protection of the Rights of the Child (SPARC), Pakistan
48. Solidarity for Asian Peoples' Advocacies Working Group on ASEAN (SAPA WG on ASEAN)
49. South East Asian Committee for Advocacy (SEACA)
50. Southeast Asian Press Alliance (SAPA)
51. Suara Rakyat Malaysia (SUARAM), Malaysia
52. Taiwan Association for Human Rights, (TAHR), Taiwan
53. Task Force Detainees of the Philippines (TFDP), Philippines
54. Think Centre, Singapore
55. Thinzar Shunlei Yi Myanmar, Burma
56. Timor Leste National Alliance for International Tribunal (ANTI), Timor Leste
57. Union for Civil Liberty (UCL), Thailand

58. Vietnam Committee on Human Rights (VCHR)
59. WomanHealth Philippines, Philippines
60. World Organization Against Torture (OMCT)
61. Yayasan Mandiri Kreatif Indonesia, Indonesia
62. Yayasan Transformasi Lepra Indonesia, Indonesia