

Lao People's Democratic Republic – Mr. Sombath Somphone's enforced disappearance and demands for his safe return

15th December 2013

We remain deeply concerned about the safety and wellbeing of Mr. Sombath Somphone.

It is now one year since his enforced disappearance.

Sombath is one of the most respected and influential voices for sustainable people-centred and just economic and social development in Laos. He is the founder and former Director of the Participatory Development Training Centre (PADETC), and the winner of the 2005 Ramon Magsaysay Award for community leadership. He was the most prominent Lao co-organizer of the Asia Europe People's Forum 9 (AEPF9), which was held in October 2012 in the Lao capital Vientiane, before the Asia-Europe Meeting, ASEM9.

On 15th December 2012 Sombath Somphone disappeared, taken away in a truck by unknown persons after being stopped by police in Vientiane. Nobody has seen or heard from him since.

Despite sustained appeals from his wife and many hundreds of individuals, numerous governments and international organizations, and widespread media coverage, the Lao government has yet to conduct an adequate investigation into Sombath's disappearance or provide a satisfactory explanation for his abduction.

On June 2013, Amnesty International issued a major briefing document on Sombath's disappearance which stated that *"Based on the evidence, the most plausible conclusion is that Sombath Somphone is a victim of an enforced disappearance, for which Lao officials are responsible."*

There have been repeated enquiries through diplomatic channels, four delegations of parliamentarians to Laos; one from the Association of Southeast Asia Nations (ASEAN), two from the Europe Union (EU) and one joint European and ASEAN delegation.

On 6th February 2013, the European Parliament unanimously passed a resolution on 'Laos: the case of Sombath Somphone'.

At the 18th November 2013 11th Round Table Meeting, a high-level dialogue on Official Development Assistance between the Lao government, Development Partners and other related stakeholders the European Union made a clear statement,

"European partners regard the unexplained disappearance of Mr. Sombath Somphone as a very serious matter. We express our grave concern regarding his safety and wellbeing. European partners regard the statements made by the Government of Lao PDR on this case as neither sufficient nor convincing. We call on the Government of Lao PDR to conduct a comprehensive and transparent investigation of this case and to fully cooperate with UN bodies such as the Working Group on Enforced Disappearances in

Geneva. In this context, we call upon Lao PDR to ratify the International Convention for the Protection of All Persons from Enforced Disappearance.”

Sombath’s disappearance has created a climate of fear in Laos’s fledgling civil society. There is an increasing realisation that the ‘spaces’ for dialogue, discussion and debate on how to achieve more sustainable economic and social development are shrinking, with reports of harassment of civil society groups and individuals. This is in sharp contrast to the climate of positive and constructive dialogue that AEPF9 sought to engender.

International Human Rights organisations and the Asia Europe People’s Forum are of the opinion that the Lao Government is in breach of its human rights commitments, due to the enforced nature of Sombath’s disappearance and its failure to ensure the safe return of Sombath. There are also significant concerns about the restrictions on civil society.

Notwithstanding the clear statement of the European Union quoted above, it would appear that the ODA support given by the EU and other donors continues and that formally there have not been moves to suspend or change the flow of ODA in spite of human rights abuses by the Lao PDR.

We believe that it is now the time to review the grants and flow of ODA to Laos in the light of the Lao Government’s breach of its human rights commitments and of these being in breach of the principles and commitments by which ODA is agreed and disbursed by OECD countries and The United Nations. In this context we also believe that it is time for the Governments to reassess their trade and investment facilitation and promotion policies and practices with Laos.

As long as Sombath has not been returned safely to his family, many organisations and individuals are committed to continuing, for as long as necessary, international activity. We are asking that until Sombath’s safe return, his disappearance should dominate bi-lateral, multi-lateral and international discussions with and about Laos.

Given the enforced nature of Sombath’s disappearance we demand that the following actions are taken by representatives of governments and international institutions, regional organisations – ASEAN and the EU - and the United Nations institutions with partnerships with the Lao PDR:

- Demand that the Lao Government uses its extensive resources to enable the safe return of Sombath Somphone to his family, and offer technical assistance for the same.
- Continue, in coordination with other international partners, to call on the Lao Government to conduct a comprehensive and transparent investigation of the case of Sombath Somphone and to fully cooperate with UN bodies such as the Working Group on Enforced Disappearances in Geneva.
- As members of multi-lateral institutions that are donors to Laos, should actively engage in, and if necessary initiate, discussions to suspend the flow of ODA to the Lao PDR.

- Governments should reassess and suspend their trade and investment facilitation and promotion policies and practices with Laos in the light of human rights abuses.
- Insist that the Lao Government ensures a secure, enabling environment that encourages learning and reflection and provides space for open, respectful, diverse and constructive debate for people committed to sustainable development in Laos;
- Inform the Lao Government that while Sombath remains missing, there will be a growing negative perception of Laos at a time when the country is seeking to integrate further into the world economy and attract foreign direct investment; and
- As human rights commitments underpin and are integrated into many of the bi-lateral and multi-lateral agreements with Laos, share, and continue to share, your concerns about the disappearance of Sombath with the EU, ASEAN, the UN, the Asian Development Bank, the World Trade Organization and others, and request that they too demand the safe return of Sombath.

**International Organising Committee
Asia Europe People's Forum**