

Laos: After eight years, civil society worldwide demands the government establish and reveal Sombath's fate and whereabouts

15 December 2020: On the eighth anniversary of the enforced disappearance of Lao civil society leader Sombath Somphone, we, the undersigned organizations, reiterate our calls on the government of Laos to reveal his fate and whereabouts, and to investigate all allegations of enforced disappearances in the country to bring those responsible to justice in fair trials.

The government's ongoing failure to thoroughly, independently, and impartially investigate the cases of Sombath and other alleged victims of enforced disappearance is compounded by its total lack of commitment to address this issue.

In June 2020, during the third Universal Periodic Review (UPR) of Laos at the United Nations (UN) Human Rights Council, the government refused to accept all five recommendations calling for an adequate investigation into Sombath's enforced disappearance. The government also refused to accept another eight recommendations calling for investigations into all cases of alleged enforced disappearance.

Despite the government accepting that "the search for missing Lao citizens, including Sombath Somphone, is the duty of the Lao government", it failed to demonstrate any will to effectively execute or fulfill this duty. The government stated that investigations into cases of enforced disappearances were "considered on a case by case basis," but did not reveal how many investigations it had conducted, for which cases, or any updates on developments in the alleged investigations. It also failed to provide any information about its efforts to determine the fate and whereabouts of Sombath Somphone.

In addition, the government failed to further commit to ratifying the International Convention for the Protection of All Persons from Enforced Disappearance – a treaty that Laos signed in September 2008.

We renew our call for the establishment of an independent and impartial investigative body tasked with determining Sombath's fate and whereabouts. The new body should receive international technical assistance in order to conduct a professional and effective investigation in accordance with international standards.

We also urge the Lao government to ratify the International Convention for the Protection of All Persons from Enforced Disappearance without delay, incorporate its provisions into the country's legal framework, implement it in practice, and recognize the competence of the UN Committee on Enforced Disappearances to receive and consider communications from or on behalf of the victims in accordance with Article 31 of the Convention.

We stand shoulder to shoulder with all victims of enforced disappearance in Laos and their families, and we will not stop demanding that all their cases be independently, impartially, and effectively investigated, and the perpetrators of such a serious crime be identified and held accountable in fair trials, regardless of their rank or status.

Sombath was disappeared, but our combined determination to seek truth, justice, and reparations for his enforced disappearance will never go away. Our commitment is as strong today as it was eight years ago. We are still asking "Where is Sombath?"

Background

Sombath was last seen at a police checkpoint on a busy street of the Lao capital, Vientiane, on the evening of 15 December 2012. Footage from a CCTV camera showed that Sombath's vehicle was stopped at the police checkpoint and that, within minutes, unknown individuals forced him into another vehicle and drove him away in the presence of police officers. CCTV footage also showed an unknown individual driving Sombath's vehicle away from the city center. The presence of police officers at Sombath's abduction and their failure to intervene strongly indicates state agents' participation in Sombath's enforced disappearance.

Lao authorities have repeatedly claimed they have been investigating Sombath's enforced disappearance but have failed to disclose any new findings to the public since 8 June 2013. They have neither met with Sombath's wife, Shui Meng Ng, nor provided her with any updates on their investigation into his case since December 2017. Relatives of people who are forcibly disappeared are themselves victims of enforced disappearance and have the right to a remedy for violations of international human rights law. They frequently suffer harm, including mental anguish and material consequences, which may amount to torture or other ill-treatment.

Signed by:

1. 11.11.11-Belgium
2. Alliance Sud
3. Alternative ASEAN Network on Burma (ALTSEAN-Burma)
4. Amnesty International
5. ARTICLE 19
6. ASEAN Parliamentarians for Human Rights
7. Asian Federation Against Involuntary Disappearances
8. Asian Forum for Human Rights and Development (FORUM-ASIA)
9. Bangladesh Working Group on External Debt (BWGED)
10. Cambodian League for the Promotion and Defense of Human Rights
11. Campaign for Human Rights in the Philippines
12. CCFD-Terre Solidaire
13. Center for Prisoners' Rights
14. Civil Rights Defenders
15. CLEAN (Coastal Livelihood and Environmental Action Network)
16. Commonwealth human Rights Initiative (CHRI)
17. Covenants Watch
18. Cross Cultural Foundation
19. Environics Trust
20. Europe Solidaire Sans Frontières (ESSF)
21. Federación Latinoamericana de Asociaciones de Familiares de Detenidos-Desaparecidos
22. FIAN International
23. FIDH – International Federation for Human Rights
24. Focus on the Global South
25. Four Freedoms Forum
26. Fortify Rights
27. Freedom Against Censorship Thailand (FACT)

28. Fresh Eyes
29. Fundacion Solón
30. Human Rights Watch
31. International Coalition against Enforced Disappearances
32. International Commission of Jurists
33. International Rivers
34. Internet Law Reform Dialogue (iLaw)
35. Justice for Iran
36. Justice for Peace Foundation
37. Lao Movement for Human Rights
38. League for the Defence of Human Rights in Iran
39. MADPET (Malaysians Against Death Penalty and Torture)
40. Maldivian Democracy Network
41. Manushya Foundation
42. MARUAH
43. Mekong Watch
44. Odhikar
45. Pakistan Kissan Rabita Committee
46. People's Watch
47. Project SEVANA South-East Asia
48. Taiwan Association for Human Rights
49. The Corner House
50. Transnational Institute
51. Vietnam Committee on Human Rights
52. WomanHealth Philippines
53. World Organisation Against Torture
54. World Rainforest Movement

Individuals

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