

Letter from parliamentarians on the disappearance of Sombath Somphone (Laos)

Thursday 11 July 2013, by [BELLO Walden](#), [ELZINGA Tuur](#), [SANTIAGO Charles](#), [WAHID Lily](#) (Date first published: 15 June 2013).

We, the undersigned, are writing to express our deep dismay at the lack of political will to conduct a serious investigation into the disappearance of Mr. Sombath Somphone.

TO: His Excellency, Thongsing Thammavong, Prime Minister of the Lao People's Democratic Republic

Dr Thongloun Sisoulith, Minister of Foreign Affairs, Lao People's Democratic Republic

Ms. Pany Yathortou, President of the National Assembly, Lao People's Democratic Republic

15th June 2013

We, the undersigned, are writing to express our deep dismay at the lack of political will to conduct a serious investigation into the disappearance of Mr. Sombath Somphone. We visited the Lao PDR in January and March this year to undertake constructive discussions with parliamentarians and government officials in the Lao PDR, to ensure the safe return of Sombath Somphone to his family.

During our visits, we were given a number of assurances by parliamentarians and government representatives. These included a commitment to a full, comprehensive and transparent investigation into Sombath's disappearance on 15th December 2012. They also noted the special responsibility of the Lao government to investigate Sombath's disappearance, since the Lao PDR recently signed the Convention on the Protection of All Persons from Enforced Disappearance.

Today, 15th June 2013, marks six long months since Sombath disappeared. He has not yet been returned safely to his family. The investigation reports released by the Lao authorities thus far are contradictory and misleading, indicating the partiality and shallowness of the official investigation. They have not focussed on the possibility that Sombath may have been abducted by actors within the Lao government or connected to the Lao PDR state.

On December 21, the Office of the United Nations High Commission on Human Rights (OCHR) stated that Mr. Sombath's disappearance appeared to be a case of enforced disappearance. The Amnesty International Briefing of 13th June 2013 offers substantive and credible reasoning to endorse the OCHR concerns.

We reiterate our views expressed during our visits that the highest state authorities must direct the police, intelligence and all state security agencies to investigate all possibilities, including the possibility that Sombath was abducted by actors within or connected with the State.

We call on the Lao Government to urgently undertake a new independent investigation into Sombath's disappearance and ensure that all steps are taken to locate and rescue Sombath from his captors and return him safely to his family as soon as possible, in accordance with Laos' obligations under international law. The new investigation should seek technical assistance for its investigations, including competent forensic analysis of the original CCTV footage of Sombath's abduction. Such expert and technical assistance can be made available freely by bilateral partners, should the Lao Authorities display political will and commitment.

All those who took part in carrying out or covering-up Sombath's enforced disappearance and any other human rights violation to which he may have been subjected, must be brought to justice irrespective of rank or official position. Further, the Lao Government must provide meaningful, detailed information about the progress of the investigations to Sombath's family, lawyers and others with a legitimate interest.

We also call on the Lao Government to respect and protect the right of human rights defenders and other civil society actors in Laos so that they can carry out their work unimpeded, and ensure that legal provisions on the rights to freedom of expression, peaceful assembly and association are in line with international human rights standards

We believe that it is well within the capacity of the Lao Government to undertake the above actions with responsibility and commitment. We will continue to work with our governments and regional institutions - European Union and ASEAN - to raise at every opportunity, with the Lao government and publicly, Sombath's enforced disappearance.

We also strongly recommend that the ASEAN Intergovernmental Commission on Human Rights (AICHR) should immediately investigate the enforced disappearance of Sombath Somphone, request information from the Lao government and offer to coordinate the provision of forensic and other expertise from other ASEAN Member States in support of Laos' own investigation.

Sombath's continuing disappearance is a matter of regional and international concern. We emphasize that an enforced disappearance constitutes a crime under international law. The Lao authorities' handling of this case and their sincerity and success in ensuring the safe return of Sombath is the test by which their commitment to upholding human rights will be judged.

Until Sombath is safely returned to his family, his continuing disappearance will preface, even dominate, bi-lateral, multi-lateral and international discussions with and about the Lao PDR, including at the UN Human Rights Council and decisions about the Lao PDR's graduation from LDC status. There will be a growing negative effect on foreign engagement and foreign investment in the Lao PDR at a time that the country seeks to develop greater regional and global linkages. The credibility and image of the Lao PDR will be deeply tarnished with significant negative effects on the country whilst Sombath is not returned safely to his family and members of Lao society live in a climate of fear.

We urge you to act on the above concerns and recommendations with immediacy, to positively resolve this situation for Sombath and for the Lao PDR.

Yours sincerely

Charles Santiago, Member of the Parliament of Malaysia

Walden Bello, Member of the Philippine House of Representatives

Tuur Elzinga, Senator of the Dutch Parliament and Member of the Parliamentary Assembly of the

Council of Europe

Lily Wahid, Partai Hanura, Indonesia
