

URGENT ACTION

FEARS GROW FOR LAO CIVIL SOCIETY LEADER

The failure of the Lao authorities to thoroughly investigate the enforced disappearance of Sombath Somphone has increased fears for his fate and well-being. The 62-year-old Lao civil society leader was abducted at a police post in Vientiane, the capital of Laos, almost one year ago. He needs daily medication for an on-going condition.

It has been almost a year since **Sombath Somphone** was abducted on the evening of 15 December 2012 in the presence of security personnel at a police post in Vientiane. He has not been seen or heard from since and the approaching one year anniversary of his disappearance and the lack of a swift thorough and impartial investigation lead Amnesty International to fear for his fate and well-being.

His enforced disappearance was recorded on closed circuit television (CCTV) footage that his family was able to copy. Lao authorities have claimed that the footage does not show the number plates of the vehicles involved in the abduction. Despite repeated calls for an urgent investigation from the USA, the European Union, the Association of Southeast Asian Nations parliamentarians and the Office of the UN High Commissioner for Human Rights, among others, the so-far inadequate investigation by the Lao authorities appears to have stalled. Offers of technical assistance to analyse the CCTV footage have been rejected. Three parliamentary delegations which have visited Laos to directly raise the case with the authorities received no indication that any progress has been made, or that real efforts are underway to locate and return Sombath Somphone to his family. This apparent lack of serious intent to locate him suggests a cover up.

Sombath Somphone founded the Participatory Development Training Centre in 1996 to promote education, leadership skills and sustainable development in Laos. In 2005, he received the Ramon Magsaysay Award for Community Leadership. He helped to organise the Asia-Europe People's Forum in Vientiane in October 2012, which may be one of the reasons behind his enforced disappearance.

Please write immediately in Lao, English or your own language calling on the Lao authorities to:

- ✓ Immediately establish a new, independent commission to undertake a thorough and impartial investigation into the enforced disappearance of Sombath Somphone, and ensure that all steps are taken to locate and return him safely to his family as soon as possible, in accordance with Laos' obligations under international law;
- ✓ Ensure that this new commission seeks technical assistance for its investigations, including established experts to carry out a forensics analysis of the CCTV footage of the disappearance;
- ✓ Frequently provide detailed information about the progress of the investigations to Sombath's family, lawyers and others with a legitimate interest.

PLEASE SEND APPEALS BEFORE 22 JANUARY 2013 TO:

Prime Minister
Thongsing Thammavong
Prime Minister's Office
Lane Xang Avenue, Vientiane
Lao People's Democratic Republic
Fax: + 856 21 213650
Salutation: Dear Prime Minister

Minister of Public Security
Dr Thongbanh Sengaphone
Ministry of Public Security
P.O. Box 7040, Vientiane
Lao People's Democratic Republic
Fax: + 856 21 214208 (c/o President's Office)
Salutation: Dear Minister

And copies to:
Minister of Foreign Affairs
Dr Thongloun Sisoulith
Ministry of Foreign Affairs
23 Singha Road, Vientiane
Lao People's Democratic Republic
Fax: + 856 21 414009
Email: cabinet@mofa.gov.la

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 10/13. Further information: <http://www.amnesty.org/en/library/info/ASA26/001/2013/en>.

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INTERNATIONAL**



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ADDITIONAL INFORMATION

Sombath Somphone left his office in his car at around 5:30pm on 15 December 2012. Police stopped him at around 6pm at a checkpoint on Thadeua Road, in Vientiane's Sisattanak district. Video footage from a traffic camera appears to show that he got out of his car to speak with police. A motorcyclist arrived and drove off with Sombath Somphone's car, leaving his motorcycle behind. A truck with flashing lights then arrived, and Sombath Somphone was taken to the truck and driven away. Amnesty International's analysis of the footage has found that a passenger on a motorcycle driving ahead of the pickup truck in which Sombath Somphone was taken away appears to fire a gunshot in the air before riding away. This may have been a warning to witnesses or for another reason connected to the abduction. Family and friends have identified Sombath Somphone as the man shown in the footage.

The Lao authorities have denied arresting Sombath Somphone and deny any responsibility for his enforced disappearance, saying that he may have been abducted as part of a private dispute after being stopped by police for a routine document check. Several statements issued by the police describing their investigations provide little information or detail and show a lack of thoroughness and urgency.

Sombath Somphone's family and friends, regional and international civil society groups, foreign governments and the United Nations have called for his disappearance to be thoroughly investigated, and his safe return. His friends have organized an online campaign for his release and created a website with information and links to media coverage and advocacy initiatives: <http://sombath.org/>.

Laos is a state party to the International Covenant on Civil and Political Rights (ICCPR). Article 9 of the ICCPR provides for the right to liberty and security of person. It prohibits authorities from arbitrarily arresting and detaining anyone, and provides that anyone who is arrested or detained must be brought promptly before a judge and tried or released within a reasonable time.

States must ensure that their own officials respect this right; additionally, they also have an obligation to protect individuals against abuses of the right by private persons and entities. States also have an obligation under Article 2 (3(a)) of the ICCPR to provide an "effective remedy" for anyone whose rights under the Convention have been violated. Failure to take effective measures to prevent such acts and provide effective remedies, including investigating and ending these abuses and bringing perpetrators to justice, violates states parties' obligations under the ICCPR.

Laos is a signatory to the International Convention for the Protection of All Persons from Enforced Disappearance, but has not yet ratified it. The Convention prohibits enforced disappearance which it defines as "the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law." States must take measures to investigate such acts, including analogous acts committed by persons or groups of persons acting without the authorization, support or acquiescence of the State, and to bring those responsible to justice.

Name: Sombath Somphone
Gender m/f: Male

Further information on UA: 10/13 Index: ASA 26/005/2013 Issue Date: 11 December 2013