



FIDH - International Federation for Human Rights

and its member organization

Lao Movement for Human Rights (LMHR)

Joint briefing paper

9 June 2023

The following briefing paper has been produced in the lead-up to the 12th European Union (EU)-Laos human rights dialogue, scheduled to be held on 12 July 2023 in Vientiane. It contains a summary of key political and human rights developments since the previous dialogue, which was held on 13 July 2022 in Brussels.

New leadership signals old guard's return

Amid Laos' deepening economic and financial crisis, political maneuvers marked the consolidation of power by the ruling elites.

On 30 December 2022, former Deputy Prime Minister and Minister for Planning and Investment Sonexay Siphandone, 56, became the country's new Prime Minister after the resignation of Phankham Viphavanh.¹ Phankham, 72, resigned on the same day after less than two years in office. "I'm not able to do this difficult job any further," he said in a speech to the National Assembly before lawmakers selected Sonexay Siphandone as the new Prime Minister.²

Born in 1966, Sonexay Siphandone is the son of Khamtai Siphandone, former Prime Minister (1991-1997) and President (1998-2006) of Laos.³ Sonexay received a degree at a military academy in Laos and studied political strategy before becoming governor of Champasak Province in 1987.⁴

In January 2023, Sonexay Siphandone's takeover was followed by the demotion of three cabinet ministers to the positions of provincial governors and their replacement by officials closely connected to the new Prime Minister. The new ministers included: Santiphab Phomvihane, the son of Kaysone Phomvihane, former Prime Minister (1975-1991) and President (1991-1992), who became Minister of Finance; and Phoxay Sayasone, the son of Choummaly Sayasone, another former President (2006-2016), who was appointed Minister of Energy and Mines.⁵

¹ RFA, *As Laos' new leader takes office, government focuses on tackling surging inflation*, 4 January 2023

² RFA, *Lao prime minister resigns amid soaring inflation, criticism over mining concessions*, 30 December 2022

³ RFA, *Lao prime minister resigns amid soaring inflation, criticism over mining concessions*, 30 December 2022

⁴ RFA, *As Laos' new leader takes office, government focuses on tackling surging inflation*, 4 January 2023

⁵ RFA, *Laos National Assembly approves Cabinet reshuffle*, 31 January 2023

Government critics targeted

In April-May 2023, a wave of attacks targeted Lao activists and government critics, including those who fled persecution in Laos to live in neighboring Thailand.

On 20 April 2023, police in Song Khone District, Savannakhet Province, arbitrarily arrested Savang Phaleuth, in his 40s, a member of the Free Lao - a group of Lao workers and pro-democracy activists living in exile in Thailand. Savang had just returned to Laos from Thailand to visit his family.⁶ His fate or whereabouts are currently unknown.

On 29 April 2023, youth activist Anousa Luangsouphom (aka Jack), 25, was shot multiple times at close range in the face and chest by an unknown individual while he was sitting at a coffee shop in Dongmieng Village, Chanthabouly District, Vientiane. Anousa was subsequently transported to Vientiane's Friendship Hospital. On 9 May 2023, he was medically evacuated to receive proper medical treatment in a hospital at an undisclosed location outside of Laos.⁷ Anousa has been outspoken on justice and human rights issues in Laos, particularly through social media. Lao authorities have failed to identify and hold the perpetrator of this attack accountable. On 5 May 2023, Deputy Head of the Vientiane Public Security Headquarters, Oubon Chounlamany, speculated the attack had been carried in connection with a business dispute or a love affair, without offering any evidence to support his claim or any details concerning the steps taken by the authorities to investigate Anousa's attempted murder.⁸ As of 31 May 2023, Anousa had undergone three surgeries and was recovering from the medical procedures.⁹

On 17 May 2023, former Free Lao member Bounsuan Kitiyano, 56, was found dead in a forest in Si Mueang Mai District, Ubon Ratchathani Province, northeastern Thailand.¹⁰ According to Thai police, Bounsuan had been fatally shot while riding a motorcycle in the area. To date, no one has been held accountable for his death. Bounsuan had been living in exile in Thailand and had acquired refugee status from the United Nations Office of the High Commissioner for Refugees (UNHCR). He was in the process of resettling to Australia before his death.

Recommendations to the government:

- Carry out an immediate, thorough, and impartial investigation into the attempted murder of Anousa Luangsouphom (aka Jack), hold the perpetrator accountable, and provide prompt and adequate reparations to the victim.
- Immediately reveal the fate or whereabouts of Savang Phaleuth and ensure his physical integrity and psychological wellbeing.
- Put an end to all attacks against activists and government critics.

⁶ RFA, *Thailand-based rights activist arrested in Laos after returning to home village*, 9 May 2023

⁷ FIDH, *Laos: Attempted murder of 25-year-old activist Anousa "Jack" Luangsouphom*, 16 May 2023

⁸ Vientiane Times, *Controversial shooting of young man likely due to a business dispute: police*, 5 May 2023

⁹ Manushya Foundation, *#JusticeForJack: Shot, but Not Silenced*, 1 June 2023

¹⁰ Amnesty International Thailand, *Thailand/Laos: Investigate the killing of Lao refugee and put an end to transnational repression of human rights defenders*, 26 May 2023

Repeated failure to address enforced disappearances

Over the past year, the Lao government continued in its long-standing failure to effectively investigate cases of enforced disappearance and to bring those responsible to justice.

On 14 December 2022, in a joint statement on the eve of the 10-year anniversary of the disappearance of civil society leader Sombath Somphone, civil society organizations worldwide deplored the Lao authorities' repeated failure to investigate Sombath's disappearance and reiterated their calls on the Lao government to determine his fate and whereabouts and deliver justice, truth, and reparation to his family.¹¹ The statement, however, was not endorsed by a single organization from Laos, most likely due to fear of reprisals from the Lao authorities.

On 13 December 2022, UN human rights experts issued a public statement reiterating their call on the Lao government to "intensify efforts to investigate" the enforced disappearance of Sombath. The experts also called on the government to request international assistance and technical cooperation to carefully review existing evidence and to effectively engage in the search for Sombath in a transparent and participatory manner.¹²

Despite such ongoing calls, the Lao government has been unwilling to provide details about its claim that it has continued to investigate Sombath's disappearance and about the steps it has taken to determine his fate or whereabouts.

In addition to Sombath, the fate and whereabouts of at least 13 other individuals who have disappeared in Laos remain unknown.¹³

Recommendations to the government:

- Determining the fate and whereabouts of Sombath Somphone and all other victims of enforced disappearance in Laos.
- Thoroughly investigate all cases of enforced disappearance in the country, provide regular updates to victims' families on the status and progress of the investigations, and hold the perpetrators accountable.
- Reply to the communications received from UN special procedures and foreign diplomatic missions concerning Sombath Somphone and other cases of enforced disappearances.
- Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).

¹¹ FIDH, *Laos: After 10 years, civil society worldwide is still asking "Where is Sombath?"*, 13 December 2022

¹² UN OHCHR, *Lao Government must shed light on whereabouts of activist Sombath Somphone*: UN experts, 13 December 2023

¹³ The 13 are: Two women (Kingkeo Phongsely and Somchit) and seven men (Soubinh, Souane, Sinpasong, Khamson, Nou, Somkhit, and Sourigna) detained by security forces in various locations across the country in November 2009; Somphone Khantisouk, the owner of an eco-tourism business in Luang Namtha Province, who disappeared after men wearing police uniforms pulled over his motorcycle and forced him into an SUV on 23 January 2007; Thai exiled political activist Ittiphon Sukpaen (aka DJ Sunho), who went missing after he left a restaurant in Vientiane on 22 June 2016; Thai exiled political activist Wuthipong Kachathamakul (aka Ko Tee), who was kidnapped by a group of 10 armed men wearing black balaclavas near his home in Vientiane on 29 July 2017; and Thai monarchy critic Surachai Danwattananusorn, who was last seen in Vientiane on 12 December 2018.

- Criminalize enforced disappearance in accordance with international standards.
- Issue an invitation for an official country visit by the UN Working Group on Enforced or Involuntary Disappearances (WGEID) without delay.

Detention of land rights protesters

Human rights violations continued to be reported in connection with land disputes.

In late July 2022, five residents of Houay Nam Yen Village, Naxaithong District, Vientiane Prefecture, were released after more than three months of arbitrary detention in connection with a land dispute. The five were detained at a military facility in Nong Kheng, in Vientiane's Sayathany District.¹⁴

In December 2022, it was reported that authorities had arrested and later released five residents of Nong Bok District, Khammouane Province, for protesting against a 35-square kilometer potash mine operated by Sino Agri International Potash, a subsidiary of China's company Asia Potash. The residents said they had not been properly compensated by the company for the loss of their homes and farms.¹⁵

Recommendation to the government

- Immediately ensure that fair and adequate compensation is awarded to all individuals and communities affected by infrastructure and investment projects, including compensation for their loss of land, livelihood, and income.

Abuses against Christians unaddressed

Reports continued to emerge of abuses committed against Christians with complete impunity.

On 23 October 2022, local residents in Donkeo Village, Khammouane Province, found the body of Sy Seng Manee, a 48-year-old Christian preacher, with his motorbike on the roadside in a forest. A few days before being found dead, two men believed to be district authorities had visited him. A local villager claimed he witnessed Sy's abduction by three men who had come out of a black truck with no license plates, grabbed Sy, and violently pushed him into the vehicle and drove away. Local residents said they believed Sy was murdered because of his religious beliefs and preaching. Sy had previously been arrested in August 2018 for holding weekly meetings in his house to preach to the villagers.¹⁶

In February 2023, it was reported that residents in Mai Village, Luang Namtha Province, had driven 15 families and a pastor out of their village because of their Christian beliefs.¹⁷

Recommendations to the government

- Conduct a thorough and transparent investigation into the alleged abduction and

¹⁴ RFA, *Lao military releases five land dispute protesters on condition of silence*, 5 May 2022

¹⁵ RFA, *Lao villagers arrested for protesting potash mine, later released*, 30 December 2022

¹⁶ RFA, *Lao preacher arrested previously for evangelism found dead and badly beaten*, 15 November 2022

¹⁷ RFA, *Christian families in Laos driven from their village*, 10 February 2023

subsequent death of Christian preacher Sy Seng Manee and hold the perpetrators accountable.

- End all acts of discrimination and harassment against individuals who exercise their legitimate right to freedom of religion or belief.

Dam collapse survivors still suffering almost five years on

In the lead-up to the five-year anniversary of the deadly collapse of the Xe-Pian Xe-Namnoy dam in Attapeu Province, many survivors were still facing a precarious situation.

For example, in November 2022, it was reported that about 100 families in Tamayod and Samong-Tai Villages were still waiting for their new homes and full compensation for their losses following the 23 July 2018 disaster.¹⁸ The completion of all 700 new houses in Sanamxay District, where all the survivors reside, was originally promised for the end of 2020.¹⁹

Recommendation to the government

- Ensure that all survivors of the Xe-Pian Xe-Namnoy dam collapse receive adequate compensation for their losses and harm suffered and that their rights to livelihood, adequate housing, food, health, work, and education are fulfilled.

Abuses continue in the Golden Triangle Special Economic Zone (SEZ)

The authorities' timid efforts to curb ongoing human trafficking and associated abuses in the Chinese-run Golden Triangle SEZ in Bokeo Province have been insufficient.

On 19 July 2022, local authorities called on businesses in the SEZ to suspend hiring of workers as "chat girls."²⁰

In August 2022, it was reported that the government's initiative to register workers in the SEZ to protect them from human trafficking and other abuses had had limited impact, as workers were reluctant to pay the registration fees and feared that signing up will result in them being fired. Foreign workers were required to pay 150,000 kip (US\$10) to register, while Lao citizens must pay about 75,000 kip (US\$5). The workers must also cover the cost of a 250,000 kip (US\$16) annual health examination.²¹ In November 2022, it was reported that 1,267 workers in the SEZ had registered - only a fraction of the total, although the exact number employed there is unknown, according to Lao officials.²²

Between its establishment in 2007 and the end of August 2022, Lao authorities rescued more than 1,680 victims of human trafficking from the SEZ. Victims included Lao workers and foreign nationals from more than 20 countries.²³

¹⁸ RFA, *4 years on, some survivors of Laos dam collapse still waiting for promised new homes*, 4 November 2022

¹⁹ RFA, *Four years after Laos' worst dam catastrophe, survivors still live in limbo*, 23 July 2022

²⁰ RFA, *Lao authorities order Golden Triangle SEZ to suspend hiring locals*, 28 July 2022

²¹ RFA, *Lao initiative to register workers in Chinese-run SEZ has limited success*, 24 August 2022

²² RFA, *Laos rescues 11 Indian nationals trafficked to work as phone scammers*, 3 November 2022

²³ RFA, *Nearly 1,700 human-trafficking victims rescued from Lao SEZ since 2007*, 19 December 2022

In July 2022, in its annual Trafficking in Persons Report, the US State Department designated Laos a Tier 2 country for the third year in a row, as a nation that does not fully meet the minimum standards for the elimination of trafficking but is making “significant efforts” to do so.²⁴

Recommendations to the government

- Increase efforts to combat human trafficking, including investigations, prosecutions, and convictions.
- Implement proactive oversight and protection measures of victims of human trafficking and other abuses within the Golden Triangle SEZ.

²⁴ US State Department, *2022 Trafficking in Persons Report: Laos*; <https://www.state.gov/reports/2022-trafficking-in-persons-report/laos/>