

UNIVERSAL PERIODIC REVIEW (UPR) – 49th SESSION

LAO PEOPLE’S DEMOCRATIC REPUBLIC (PDR)

Joint submission



FIDH - International Federation for Human Rights



Lao Movement for Human Rights (LMHR)

11 October 2024

Introduction

1. This joint FIDH-LMHR submission focuses on the following human rights issues in the Lao People's Democratic Republic (PDR) since the country's third Universal Periodic Review (UPR) in January 2020: 1) elections and the right to participate in public affairs; 2) human rights defenders and civil society; 3) political prisoners; 4) enforced disappearances; 5) freedom of expression and freedom of peaceful assembly; 6) freedom of religion or belief; 7) the death penalty; 8) cooperation with UN human rights mechanisms; and 9) the human rights impacts of large-scale infrastructure and investment projects.

Non-inclusive elections restrict the right to participate in public affairs

2. The government has failed to take any steps towards the implementation of a democratic system and the fulfillment of the right to participate in public affairs and the right to vote. This was evidenced by yet another round of one-sided legislative elections, held on 21 February 2021, which were not "genuine," as required by Article 25 of the International Covenant on Civil and Political Rights (ICCPR).
3. The country's seventh legislative elections were the result of a heavily controlled and non-competitive process that failed to guarantee the free expression of the voters' will. The polls were a repeat of the previous six legislative elections held since the establishment of the National Assembly in 1991. The legal framework continued to allow only one political party, the Lao People's Revolutionary Party (LPRP), to legally exist and prevented the development of a multi-party system and participatory and inclusive election processes. According to the election laws, all candidates must be approved by the LPRP or a state-sponsored mass organization.
4. The LPRP tightly controlled every aspect of the electoral process through the National Election Committee (NEC), a body that is headed and dominated by LPRP members and is not independent from the government. Like in previous legislative elections, a short campaign period (from 10 to 19 February 2021) was characterized by carefully scripted and orchestrated events. As a result of compulsory voting, the election turnout was 98%.¹
5. The February 2021 elections also marked a further marginalization of women in the political life of the Lao PDR. In the previous elections, held in March 2016, 24% of the candidates (50 out of 210) were women.² That proportion went down to 22% (49 out of 224) in the February 2021 polls.³ Women currently account for 22% (36 of 164) of the National Assembly members, down from 28% (41 out of 149) in the previous legislature.⁴
6. Women's political participation is severely limited by the fact that key political processes are controlled by the LPRP, which has been long dominated by men, who account for the overwhelming majority of the LPRP's Central Committee.
7. Recommendations
 - Undertake the necessary legal and institutional reforms to ensure genuine, inclusive, and participatory elections that allow for the registration and participation of multiple political parties and independent candidates.
 - Establish an independent body tasked with the management of all electoral processes.

Space for human rights defenders and civil society further shrunk

8. The civic space in the Lao PDR, which was already extremely limited at the start of the country's third UPR cycle in January 2020, has shrunk further since then. This is a result of increasing acts of repression against the few civil society members who dared to publicly criticize the government, raised awareness about human rights violations, or sought redress for abuses.
9. In an extreme act of repression of peaceful dissent, 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 Vientiane. Luckily Anousa survived.⁵ Anousa had been outspoken on justice and human rights issues in the Lao PDR, particularly through social media. Authorities have failed to identify and hold the perpetrator of this attack accountable.
10. Attacks also targeted activists and government critics who fled persecution in the Lao PDR to live in neighboring Thailand. On 20 April 2023, police in Song Khone District, Savannakhet Province, arbitrarily arrested Savang Phaleuth, a member of the pro-democracy group Free Lao living in exile in Thailand, upon his return to the Lao PDR.⁶ Savang was released in June 2023.⁷ 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.⁸ 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 High Commissioner for Refugees (UNHCR). He was in the process of resettling to Australia before his death.
11. Lao authorities have also been complicit or acquiescent regarding acts of transnational repression targeting Chinese human rights defenders in the Lao PDR. On 28 July 2023, Lao police detained Chinese human rights lawyer Lu Siwei as he was attempting to travel to Thailand, where he was expected to board a flight to resettle to the US with his wife and daughter.⁹ Lu Siwei was forcibly repatriated to China in early/mid-September.¹⁰ He later resurfaced in the Xindu Detention Center in China's Sichuan Province.¹¹ In June 2023, Chinese free speech activist Yang Zewei (aka Qiao Xinxin) disappeared from his home in Vientiane after being detained by Lao and Chinese police. In July 2023, he was found in a detention center in China's Hunan Province. Yang Zewei had lived in the Lao PDR for several years before launching an online campaign to end internet censorship in China, known as the BanGFW Movement, a reference to the Great Firewall.¹²
12. Recommendations
 - Ensure human rights defenders are protected and can operate in a safe environment without fear of reprisals.
 - Conduct thorough and effective investigations into all attacks against human rights defenders and hold the perpetrators accountable.
 - Refrain from the forcible transfer of human rights defenders to jurisdictions where they could face torture, ill-treatment, or other serious human rights violations.

Freedom of expression and peaceful assembly severely repressed

13. Since January 2020, the government has escalated the repression of the right to freedom of expression and peaceful assembly. Authorities routinely arrested, detained, and intimidated

individuals who publicly criticized government policies and actions or exposed instances of corruption.

14. In mid-March 2020, authorities arrested and detained two young individuals, a woman named Keo and a man named Poy, after they posted on Facebook a video of their protest against land confiscation in Xiengda Village, Saysettha District, Vientiane, a few days earlier. The two individuals were “re-educated” by police while in custody at the Saysettha District police station.¹³ Keo was released the following month after she pledged to stop her protest.¹⁴ Poy remained in police detention without charge until his release in February 2021.¹⁵
15. On 6 November 2020, a woman in Vientiane was summoned to a police station and forced to publicly apologize for her online criticism of the police officers who had stopped her son for alleged traffic violations on the night of 24 October 2020 in Vientiane and demanded 200,000 kip (US\$22).¹⁶
16. On 26 August 2020, authorities in Bachieng Chareunsouk District, Champasak Province, arrested Sangkhane Phachanthavong (aka Thitsy) for making allegations of corruption against the government on Facebook. He was detained at Bang Yor Prison and released on 29 September 2020.¹⁷
17. The government has further tightened controls over the use of social media. In September 2020, the Ministry of Information, Culture, and Tourism issued a notice to social media outlets to register with the government. The notice followed the government’s adoption of Order 256 on 12 July 2019, which prohibited the spread of “fake news and disinformation on social media,” which can cause “misinformation and even public panic.”¹⁸
18. On 21 May 2021, the Ministry of Public Security issued a notice that established a special taskforce to monitor and combat illegal online content and fake news on social media platforms.¹⁹ On 3 August 2023, authorities announced additional measures to tighten restrictions on social media channels that contained “misleading or distorted information critical of the government.”²⁰ Pursuant to these measures, authorities would summon those who posted complaints online “to re-educate and warn them.”²¹
19. The measure was zealously enforced. In early September 2023, authorities in Sing District, Luang Namtha Province, arrested a 16-year-old student for posting on social media a video clip of him throwing kip banknotes on the ground and stepping on them, in apparent frustration at the country’s skyrocketing inflation. The student was later subjected to political “re-education” before being released.²²
20. In March 2024, it was reported that police in Boun Tai District, Phongsaly Province, arrested a 24-year-old man known as Bee for posting a video clip on Facebook criticizing local police officers for allegedly demanding bribes from travelers passing through a checkpoint near the border with China. Following the arrest, Bee was subjected to “re-education” before being released.²³
21. On 28 August 2024, police in Tonpheung District, Bokeo Province, arrested two online content creators, known as Dai James and James Famor, for posting on social media an AI-generated video of crocodiles in large water-filled potholes. The video was a satirical reference to the poor state of the roads in the town of Tonpheung. Dai James was released on the same day, while James Famor was freed on 2 September after being “re-educated.”²⁴

22. In November 2023, the government announced the country's 6.45 million mobile phone users would be required to register their numbers by 16 December 2023, including through facial scan and by providing personal information. While authorities claimed the measure was aimed at combating fraud and other "illegal online activities," many individuals considered it a threat to privacy and a way to crack down on criticism of the government.²⁵
23. Authorities also continued to arrest individuals who sought redress for land rights violations. On 10 April 2022, Lao Army soldiers beat and detained five residents of Houay Nam Yen Village, Naxaithong District, Vientiane Prefecture, claiming the group and their families were living on land owned by the military. Locals said villagers had lived in the area and farmed the disputed land for several decades and had temporary land titles. The five villagers were detained at the Vientiane Military Division for "re-education" until their release in late July 2022.²⁶
24. 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.²⁷
25. In January 2024, four residents of Xang Village, Xieng Khouang Province, were arrested for their participation in a protest against land confiscation. The protesters alleged the confiscated land had been leased to a local wood processing company after the payment of bribes to local officials.²⁸
26. Recommendations
 - End all restrictions on the right to freedom of expression in domestic legislation that do not comply with international human rights law and standards.
 - End the harassment, arbitrary arrest, and detention of individuals who peacefully criticize the authorities and immediately and unconditionally release those who remain detained.
 - Guarantee that individuals and communities affected by land disputes can exercise their right to freedom of expression and peaceful assembly without fear of arrest or other acts of reprisals.

Enforced disappearances remain unaddressed

27. Since the third UPR of the Lao PDR, authorities have continued in their longstanding failure to take steps to ensure that thorough, credible, impartial, and transparent investigations are conducted into the fate and whereabouts of victims of enforced disappearance.
28. In the most emblematic case, the fate and whereabouts of civil society leader Sombath Somphone, who disappeared on 15 December 2012, remain unknown to date. Despite numerous calls made by international non-governmental organizations (NGOs) and UN human rights mechanisms over the past 11 years, the government's approach to addressing Sombath's disappearance has continued to be characterized by inaction, misleading statements, and lack of political will to address it.²⁹
29. In addition to Sombath, the fate and whereabouts of at least 14 other individuals who have disappeared in the Lao PDR since 2007 remain unknown.³⁰ Authorities have repeatedly demonstrated a total lack of commitment to solving these cases.

30. In addition, the case of Lao human rights defender Od Sayavong, who disappeared on 26 August 2019 in Bangkok, Thailand, in an apparent act of transnational repression, has remained unaddressed. Od's fate and whereabouts remain unknown. On 17 January 2020, in its reply to a communication by the UN special procedures dated 25 September 2019, the Lao government stated that it had undertaken an investigation into Od's alleged disappearance but could not ascertain his whereabouts and denied any involvement in his disappearance.³¹
31. Lastly, the government has yet to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), which the Lao PDR signed in September 2008. To date, the government has made no demonstrable progress towards the ratification of the treaty, nor has it refrained from committing acts that the ICPPED is intended to remedy or prevent.
32. Recommendations
 - Determine the fate and whereabouts of Sombath Somphone and all other victims of enforced disappearance in the Lao PDR.
 - 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.
 - Criminalize enforced disappearance in accordance with international standards.
 - Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED).
 - Issue an invitation for an official country visit by the UN Working Group on Enforced or Involuntary Disappearances (WGEID).

Political prisoners remain behind bars

33. Three individuals who have been arbitrarily detained since March 2016 for the exercise of the right to freedom of expression and peaceful assembly remain behind bars. Somphone Phimmasone, 37, Soukan Chaithad, 40, and Lodkham Thammavong, approximately 38, are serving prison sentences of 20, 16, and 12 years, respectively, on trumped-up charges under Articles 56, 65, and 72 of the Criminal Code.
34. Recommendations
 - Immediately and unconditionally release Somphone Phimmasone, Soukan Chaithad, and Lodkham Thammavong.
 - Refrain from arresting, detaining, and imprisoning individuals for the exercise of the right to freedom of expression and peaceful assembly.

Serious violations of the right to freedom of religion or belief persist

35. Since January 2020, authorities have continued to harass, arrest, and discriminate against religious minorities with complete impunity. Lao Christians have been repeatedly subjected to violence, prosecution, and discrimination. The government has regularly failed to investigate and take action against attacks and other acts of harassment by local authorities and residents against individuals and groups belonging to religious minorities.

36. In February 2020, authorities in Sekong Province banned members of the Talieng ethnic minority group from erecting religious shrines in front of their homes or businesses - an animistic practice of the group, whose members number around 23,000.³²
37. On 15 March 2020, authorities arrested Christian pastor Sithon Thippavong in Kaleum Vangkae Village, Xonboursy District, Savannakhet Province, for organizing a mass religious ceremony without the authorities' permission. He was taken into custody without charges and was not allowed to receive family visits.³³ On 6 April, a provincial court found him guilty of "disrupting unity" and "creating disorder" and sentenced him to one year in jail and a fine of four million kip (US\$452).³⁴ He was released on 9 April 2021.³⁵
38. On 3 July 2020, authorities arrested four Christians in Phousath Village, Khammouane Province, for planning to conduct religious funeral rites. The four were taken into custody and detained at the Khook Ban Kham Khikai Prison in Khammouane Province's Thakhek District.³⁶
39. On 10 October 2020, authorities evicted seven Christians and demolished their homes in Pasing-Kang Village, Ta Oy District, Salavan Province, for refusing to renounce their faith. The Christians were forced to live in the forest before being allowed to return to their village in November.³⁷ However, upon their return, the village chief barred them from rebuilding their homes.³⁸
40. On 13 December 2020, an unknown assailant fatally shot ethnic Hmong Christian community leader Cha Xiong while he was on his way home in Nam Bak District, Luang Prabang Province. Authorities failed to identify the shooter and determine the motive of the killing.³⁹
41. In September 2021, it was reported that five Christian families evicted from their villages by local authorities were still waiting for new homes promised to them by government officials. The 21 residents from Pasing-Kang Village and Pateum Village, Ta Oy District, Salavan Province, had been evicted in two separate groups in October 2020 and January 2021 for refusing to renounce their faith. Later, they were allowed to return to their villages but their homes had been demolished following their eviction.⁴⁰
42. On 6 December 2021, residents attacked a funeral procession conducted by a Christian family in Dong Savanh Village, Phalanxay District, Savannakhet Province, accusing them of practicing a "foreign religion." The assailant beat the coffin of the deceased with sticks, hit mourners and pallbearers with clubs, and prevented the family members to bury their relative in the local cemetery.⁴¹ In February 2022, authorities expropriated the family's land, and residents torched their home.⁴²
43. On 23 October 2022, residents in Donkeo Village, Khammouane Province, found the body of Sy Seng Manee, a 48-year-old Christian pastor, with his motorbike on the roadside in a forest. 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. Sy had previously been arrested in August 2018 for holding weekly meetings in his house to preach to the villagers.⁴³
44. 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.⁴⁴
45. In December 2023, it was reported that a village head in Nong District, Savannakhet Province, prohibited local Christians from celebrating Christmas.⁴⁵

46. On 4 February 2024, local authorities and residents in Kaleum Vangke Village, Xonboury District, Savannakhet Province, burned Bibles and destroyed a makeshift church at a private home to stop several families gathered there from holding a Christian worship service.⁴⁶
47. On 23 July 2024, two men dressed in black suits and wearing face masks fatally shot Christian pastor Thongkham Philavanh at his home in Vanghay Village, Xai District, Oudomxay Province.⁴⁷
48. Recommendations
 - End all acts of discrimination and harassment against individuals who exercise their legitimate right to freedom of religion or belief.
 - Thoroughly and independently investigate all attacks and acts of harassment against members of religious minorities and hold the perpetrators accountable.

No progress towards the abolition of the death penalty

49. During the Lao PDR's third UPR cycle, the government made no tangible progress towards the abolition of the death penalty. The government failed to repeal or amend laws that prescribe the death penalty for a range of offenses - including drug trafficking and drug possession - that do not meet the threshold of the "most serious crimes" in accordance with Article 6 of the ICCPR.
50. While no one has been executed in the Lao PDR since 1989, courts have continued to impose death sentences on convicted criminals, mostly for drug-related offenses.⁴⁸ In addition, the issue of the death penalty remains surrounded by a lack of transparency, as obtaining up-to-date information on the use of capital punishment, including statistics, in the Lao PDR remains a significant challenge.
51. Recommendations
 - Declare an official moratorium on executions.
 - Become a state party to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty (ICCPR-OP2).
 - Abolish the death penalty for drug-related offenses with a view to making progress towards the complete abolition of capital punishment.
 - Publish regular and up-to-date statistics disaggregated by sex, age, and type of offense about the use of the death penalty, including: 1) the number of persons sentenced to death each year; 2) the number of persons currently under death sentence; and 3) the number of persons who had their death sentences commuted as a result of amnesties.
 - Vote in favor of the biennial UN General Assembly resolution on the establishment of a moratorium on executions.

Cooperation with UN human rights mechanisms stalls

52. During the Lao PDR's third UPR cycle, the government has failed to fully and timely cooperate with UN human rights monitoring mechanisms.
53. With regard to cooperation with UN Treaty Bodies, while the government has submitted reports under the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention on the Rights of the Child (CRC), and the Convention on the Elimination of All Forms of Discrimination

Against Women (CEDAW) since January 2020, it has failed to submit reports under other core human rights treaties to which the Lao PDR is a state party. The government has failed to submit the initial report under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), which was due in October 2013, and the second periodic report under the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), due in March 2015.

54. In addition, since January 2020, the government has failed to reply to eight (73%) of the 11 communications it received from various UN special procedures on important human rights issues. Two of the three replies submitted concerned a single issue - the Xe-Pian Xe-Namnoy dam collapse [See below, *Dam collapse survivors await compensation amid resettlement challenges*].
55. During the third UPR cycle, the government has also failed to receive any official visits by UN Special Procedures. The UN Special Rapporteur in the field of cultural rights is scheduled to make an official visit to the Lao PDR from 19 to 29 November 2024 – the first official visit by a Special Procedure mandate holder since March 2019. Official requests for country visits made by at least 10 UN special procedures remain pending.⁴⁹
56. Recommendations
 - Submit reports to the UN Committee Against Torture (CAT) and the UN Committee on the Elimination of Racial Discrimination (CERD) without delay.
 - Issue a standing invitation to all UN special procedures for official country visits and positively respond to pending requests for visits made by mandate holders.
 - Reply to pending communications received from UN special procedures and submit follow-up reports concerning communications to which initial responses were provided.

Negative impact of large-scale investment and infrastructure projects

57. During the Lao PDR's third UPR cycle, the government has continued in its failure to comply with its obligations to respect and fulfill the economic and social rights of individuals and communities affected by the implementation of large-scale infrastructure and investment projects in the country. Such projects include the Vientiane-Boten railway, dams, and the Golden Triangle Special Economic Zone (SEZ).

Vientiane-Boten railway completed, compensation pending

58. On 3 December 2021, the China-backed high-speed railway linking the Lao PDR-China border town of Boten to Vientiane was inaugurated after six years of construction. However, nearly three years on, many communities affected by the railway construction were still awaiting compensation for the loss of land.
59. In August 2023, it was reported that about 18% of the villagers affected by the railway construction near Vientiane had refused compensation offers because they said the amounts proposed for the confiscated land were significantly lower than its market value. Nationwide, 1,018 of the 6,855 families affected by the railway construction in four provinces still had not received compensation.⁵⁰

60. In November 2023, according to official figures, 112 of the 242 families displaced by the railway had refused to move into two resettlement villages built in Luang Namtha and Oudomxay Provinces by the Laos-China Railway Company, the joint venture responsible for the railway construction, because the new homes were in remote locations and far from land suitable for farming.⁵¹

Dam construction and negative impacts continue

61. During the Lao PDR's third UPR cycle, the government has pressed ahead with the construction of dams without proper consultation with affected communities and other concerned stakeholders.⁵² In addition, reports have emerged of the ongoing failure by both the government and business enterprises to address the negative impacts of dams whose construction was either underway or complete.
62. In February 2020, it was reported that 88 families that were displaced to make way for the construction of the Xe La Nong 1 dam in Savannakhet Province had yet to receive any compensation from the developer after their resettlement to a new village in June 2019. The new village had no arable land, school, or health center.⁵³
63. In April 2020, the developer of the Luang Prabang dam in Luang Prabang Province began clearing land and building infrastructure for the project. The large-scale dam, which is expected to affect 21 villages and displace 2,285 people, is scheduled to be completed in 2027.⁵⁴ In addition to concerns over displacement expressed by villagers, the United Nations Educational, Scientific and Cultural Organization (UNESCO) feared the project could have a negative impact for the city of Luang Prabang, a World Heritage Site.⁵⁵
64. In May 2020, it was reported that the developer of the Sanakham dam on the Mekong River in Sanakham District, Vientiane Province, was building an access road to the construction site without prior consultation with affected villagers. The dam is set for completion in 2028 and nearly 3,000 people in 13 villages in the area were expected to be affected by the project.⁵⁶
65. In July 2020, 87 families displaced by the construction of the Nam Hung 1 dam in Houeikeng and Pak Hung Villages, Xayaburi Province, said they had received insufficient compensation for the loss of farmland and orchards.⁵⁷ In the same month, it was reported that more than 600 families displaced by the construction of the Nam Khan 2 and Nam Khan 3 dams in Xieng-Ngeun District, Luang Prabang Province, were still waiting for land to farm after their resettlement to temporary camps between 2016 and 2018. Villagers also reported that compensation for lost orchards and vegetable plots had been inadequate.⁵⁸
66. In January 2021, 18 families in Junla Village, Thateng District, Sekong Province, reported they had received inadequate compensation for farmland lost for the construction of the Houay Lamphanh lower dam.⁵⁹
67. In February 2021, it was reported that more than 10,000 villagers resettled to make way for the construction of the Namtha 1 dam in Luang Namtha Province had no land to farm in 11 new villages built on mountainous terrain.⁶⁰

68. In June 2021, it was reported that villagers displaced by the construction of the Nam Ngum 4 dam in Phoukout and Pek Districts, Xieng Khouang Province, said they had received inadequate compensation for the loss of homes and farmland.⁶¹
69. In September 2020, it was reported that many villagers displaced to make way for the Nam Ou 3 dam in Luang Prabang Province were still awaiting full compensation for the loss of farmland, orchards, homes, and jobs.⁶²
70. In late September 2021, it was reported that villagers displaced by the construction of the Xayaburi dam were struggling to survive in resettlement sites, three years after being displaced. Villagers reported they lacked sufficient farmland and running water.⁶³ In the same month, it was reported that at least 335 villagers displaced by the construction of the Nam Theun 1 dam in Bolikhamxay Province were unable to return to farming in the Houay Hoy resettlement village due to lack of available land.⁶⁴
71. In April 2022, it was reported that Chinese companies were preparing to work on the construction of two major dams on the Mekong River - the Pak Beng dam in Pak Beng District, Oudomxay Province, and the Pak Lay dam in Pak Lay District, Xayaburi Province - but no compensation and relocation packages had been proposed to villagers affected by the construction.⁶⁵
72. In May 2022, it was reported that more than 650 people in 10 villages in Xiengngeun District, Luang Prabang Province, were still awaiting compensation for the loss of crops due to the rising water in the reservoir of the Nam Khan 3 dam. The villagers were relocated downstream to a newly built resettlement village but were never given new plots of farmland. Instead, they were told that they could continue farming upstream from the dam.⁶⁶

Dam collapse survivors await compensation amid resettlement challenges

73. More than six years after the deadly collapse of the Xe-Pian Xe-Namnoy dam in Attapeu Province, many survivors were still facing a precarious situation. The disaster, which occurred on the night of 23 July 2018, resulted in the death of at least 71 people, the flooding of 19 villages downstream, and the displacement of 14,440 survivors.
74. Survivors who received new land in 2021 said the land was located on hillsides and lacked access to water for irrigation, making it unsuitable to grow rice and other crops. Survivors who received homes in resettlement villages said the homes were far from their farms in their former villages, making it difficult to tend to their crops and livestock.⁶⁷
75. In November 2022, it was reported that about 100 families in Tamayod and Samong-Tai Villages were still waiting for their new homes.⁶⁸ The completion of all 700 new houses in Sanamxay District, where all the survivors reside, was originally promised for the end of 2020.⁶⁹ In July 2023, it was reported that an official from Xe-Pian Xe-Namnoy Power Company (PNPC), the joint venture responsible for the dam construction, had vowed that all resettlement villages would be completed by 2025.⁷⁰
76. In July 2023, survivors said they were still awaiting their sixth and final round of compensation from the government and were struggling to earn enough money for basic necessities.⁷¹ On 10 January 2024, Attapeu Province Governor Vanthong Kongmany revealed that 83 billion kip (US\$4.03 million)

allocated for survivors of the dam collapse had been misappropriated. At least four provincial officials had been accused of being involved in the misappropriation of the funds.⁷²

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

77. During the Lao PDR's third UPR, frequent and consistent reports emerged of serious human rights violations - particularly against women - committed with impunity by Chinese employers in the Golden Triangle SEZ in Tonpheung District, Bokeo Province.
78. Women were generally lured into working in the SEZ by deceptive ads that promised well-paying jobs and good working conditions.⁷³ In reality, they became victims of human traffickers and were forced to work long hours as "chat girls" who used social media and messaging apps to contact potential customers to try to convince them to invest or buy shares in the Kings Romans Casino.⁷⁴ When the women could not meet their sales quotas, they were detained against their will and, in many cases, forced into prostitution.⁷⁵ In numerous instances, passports and ID cards were confiscated by their employers as well.⁷⁶
79. 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, including Lao workers and foreign nationals from more than 20 countries.⁷⁷
80. Abuses against workers increased particularly during the COVID-19 pandemic. In early August 2021, it was reported that workers were prevented from leaving the SEZ during a prolonged lockdown triggered by an outbreak of COVID-19.⁷⁸ In the first half of 2022, numerous cases were reported of Lao and Thai women who had been held against their will in the SEZ for being unable to pay debts contracted with their employers for food, housing, and other expenses, such as COVID-19 tests.⁷⁹
81. The authorities' timid efforts to protect workers from human trafficking and other abuses in the SEZ had a limited impact and failed to curb operations of the call centers. In the first half of 2024, as many as 400 call centers operated in the SEZ, up from 305 a year earlier.⁸⁰
82. In early August 2024, authorities ordered illegal call centers in the SEZ to cease all operations by 25 August or face police action. The order was accompanied by repeated raids by Lao and Chinese authorities in the SEZ, which led to the arrest of several thousands of workers from multiple Asian and African countries.⁸¹
83. Recommendations
 - Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (OP-ICESCR).
 - Ensure the respect of obligations under the International Covenant on Economic, Social and Cultural Rights (ICESCR) in relation to the implementation of all infrastructure and investment projects in the country.
 - 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.

- Suspend all planned hydropower projects pending a comprehensive, independent, and transparent review of such projects and an assessment of alternative options for energy planning and development revenue.
- 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.
- Implement effective protection measures for victims of human trafficking and other abuses within the Golden Triangle SEZ.

¹ Vientiane Times, *Election achieves goal to strengthen legislative bodies*, 8 March 2021

² Vientiane Times, *Election committee announces NA candidates*, 16 February 2016

³ Vientiane Times, *Elections to take place on February 21*, 2 February 2021

⁴ Vientiane Times, *Election achieves goal to strengthen legislative bodies*, 8 March 2021

⁵ FIDH, *Laos: Attempted murder of 25-year-old activist Anousa "Jack" Luangsouphom*, 16 May 2023

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

⁷ RFA, *Laos releases Thailand-based Lao democracy activist*, 26 July 2023

⁸ 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

⁹ RFA, *Lao police detain Chinese rights lawyer who was headed to the United States*, 29 July 2023

¹⁰ RFA, *Chinese rights lawyer Lu Siwei repatriated by Laos last week*, 14 September 2023

¹¹ RFA, *Laos lied about repatriation of Chinese rights lawyer, wife says*, 5 October 2023

¹² RFA, *Missing Laos-based activist Qiao Xinxin resurfaces in a Chinese detention center*, 8 September 2023

¹³ RFA, *Lao police arrested two for video of protest*, 20 March 2020

¹⁴ RFA, *Lao villager released after accepting 'compensation' for seized land*, 8 June 2020; RFA, *Villagers Displaced by Laos' Nam Ngum 4 Dam Say Compensation is not Enough*, 7 June 2021

¹⁵ RFA, *Lao villager held in detention three months after land protest in Vientiane*, 15 June 2020; RFA, *Villagers Displaced by Laos' Nam Ngum 4 Dam Say Compensation is not Enough*, 7 June 2021

¹⁶ RFA, *Police vow to punish officers after victim's mother apologizes for bribe complaint*, 13 November 2020

¹⁷ RFA, *Another Lao arrested for criticism of government on social media*, 1 September 2020; RFA, *Lao Facebook user who criticized government granted rare release on bail*, 1 October 2020

¹⁸ RFA, *Laos warns social media-based news outlets to register to prevent 'fake news'*, 8 October 2020

¹⁹ Laotian Times, *Laos forms special taskforce to combat fake news*, 27 May 2021

²⁰ RFA, *In Laos, critics of the government risk social media shutdown*, 6 September 2023

²¹ RFA, *In Laos, critics of the government risk social media shutdown*, 6 September 2023

²² RFA, *Laos requires cell phone registration by mid-December*, 28 November 2023

²³ RFA, *Lao police arrest man for criticizing bribe-taking at checkpoint*, 20 March 2024

²⁴ RFA, *Laos detains duo over comical pothole fishing video*, 4 September 2024

²⁵ RFA, *Laos requires cell phone registration by mid-December*, 28 November 2023

²⁶ RFA, *Lao villagers beaten, detained by soldiers in land dispute*, 12 April 2022; RFA, *Lao military releases five land dispute protesters on condition of silence*, 5 October 2022

²⁷ RFA, *Lao villagers arrested for protesting potash mine, later released*, 30 December 2022

²⁸ RFA, *Six Lao villagers arrested in government land grab demonstration*, 25 January 2024

²⁹ FIDH, *Laos: 11 years of government inaction on Sombath Somphone's enforced disappearance*, 15 December 2023

³⁰ The 14 individuals are: two women (Kingkeo Phongsely and Somchit) and seven men (Soubinh, Souane, Sinpasong, Khamsone, Nou, Somkhith, 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; Phetphouthon Philachane, a member of the Free Lao group, who went missing in Vientiane in mid-November 2019 upon his return from Thailand to the Lao PDR to visit his family; and Surachai Danwattananusorn, a Thai political activist and critic of the Thai monarchy who fled Thailand to the Lao PDR after the May 2014 coup d'état in Thailand and disappeared on 12 December 2018 in Vientiane.

³¹ UN OHCHR, *No. 15/Lao.PM.E.20*, 17 January 2020;

<https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gld=35121>

³² RFA, *Local authorities in Laos ban minority religion's shrines*, 10 February 2020

-
- ³³ RFA, *Family cut off from Lao pastor since his mid-March arrest for Christian service*, 20 April 2020
- ³⁴ RFA, *Lao pastor held for more than a year for ‘disrupting unity’ has been released*, 9 April 2021
- ³⁵ RFA, *Lao pastor held for more than a year for ‘disrupting unity’ has been released*, 9 April 2021
- ³⁶ RFA, *Lao Christians arrested, held in jail for planning funeral rites*, 16 October 2020
- ³⁷ RFA, *Seven Lao Christians evicted from their homes for refusing to renounce their faith*, 13 October 2020
- ³⁸ RFA, *Lao Christians evicted from their village return, but can’t build homes*, 4 December 2020
- ³⁹ RFA, *Lao police unable to identify suspect, motive in shooting of Hmong Christian leader*, 10 February 2021
- ⁴⁰ RFA, *Lao Christians Formerly Evicted from Their Villages Still Wait For New Homes*, 20 September 2021
- ⁴¹ RFA, *Officials tell Lao Christians to remove videos of attack by authorities, villagers*, 24 March, 2022
- ⁴² RFA, *Officials tell Lao Christians to remove videos of attack by authorities, villagers*, 24 March, 2022
- ⁴³ RFA, *Lao preacher arrested previously for evangelism found dead and badly beaten*, 15 November 2022
- ⁴⁴ RFA, *Christian families in Laos driven from their village*, 10 February 2023
- ⁴⁵ RFA, *Lao Christians given permission to celebrate Christmas*, 24 December 2023
- ⁴⁶ RFA, *Burned Bibles and broken homes*, 6 February 2024
- ⁴⁷ RFA, *Lao Christian pastor shot dead in home by masked men*, 25 July 2024
- ⁴⁸ RFA, *Laos Sentences Eight Members of Mr. X Drug Ring to Death*, 27 January 2020; RFA, *Weak laws in Laos mean death-row inmates won’t face execution anytime soon*, 7 July 2023
- ⁴⁹ They include requests made by (years of requests and reminders in parenthesis): the Special Rapporteur on extrajudicial, summary or arbitrary executions (2006); the Special Rapporteur on the right to food (2009); the Special Rapporteur on the right to adequate housing (2009, 2014); the Special Rapporteur on freedom of peaceful assembly and of association (2011, 2013, 2018); the Working Group on Business and Human Rights (2012); the Special Rapporteur on the rights to water and sanitation (2017, 2024); the Working Group on Arbitrary Detention (2018); the Special Rapporteur on the rights of indigenous peoples (2019); the Working Group on Enforced or Involuntary Disappearances (2020, 2023); and the Independent Expert on the effects of foreign debt (2021).
- ⁵⁰ RFA, *Some villagers in Vientiane holding out for higher Laos-China railway payout*, 7 August 2023
- ⁵¹ RFA, *More than 100 displaced northern Laos families refuse resettlement*, 9 November 2023
- ⁵² Vientiane Times, *Govt promotes environmentally-friendly hydro projects*, 6 November 2019
- ⁵³ RFA, *Still no Compensation for 88 Families Relocated for Laos’ Xe La Nong 1 Dam*, 25 February 2020
- ⁵⁴ RFA, *Laos Builds Road and Workers’ Camp for Luangprabang Dam Ahead of Formal Approval*, 31 July 2020
- ⁵⁵ RFA, *UNESCO Requests New Impact Assessment for Luang Prabang Dam*, 1 March 2021; RFA, *Villagers Worried About Premature Construction on Laos’ Luang Prabang Dam*, 17 March 2021
- ⁵⁶ RFA, *Laos Moves Forward Plans to Build Seventh Large-Scale Mekong River Dam*, 13 May 2020
- ⁵⁷ RFA, *Lao Villagers Displaced by Dam Are Left Without Farms, Money For New Land*, 18 August 2020
- ⁵⁸ RFA, *Lao Villagers Displaced by Dams in Luang Prabang Still Wait for Promised Land*, 28 July 2020
- ⁵⁹ RFA, *Lao Village Farmland, Paddies Destroyed by Work on Lao-China Railway Line*, 29 January 2021
- ⁶⁰ RFA, *Lao Villagers Relocated From China-Backed Dam Lack Land to Grow Crops*, 3 February 2021
- ⁶¹ RFA, *Villagers Displaced by Laos’ Nam Ngum 4 Dam Say Compensation is not Enough*, 7 June
- ⁶² RFA, *New Homes Built For Lao Flood Survivors Two Years After Dam Collapse*, 9 September 2020
- ⁶³ RFA, *Lao Villagers Displaced by Xayaburi Dam Still Lack Farmland, Water*, 29 September 2021
- ⁶⁴ RFA, *Last Group of Families Displaced by Laos’ Nam Theun 1 Dam Accept Compensation*, 15 September 2020
- ⁶⁵ RFA, *As Lao dam plans progress, farmers worry about compensation for lost land*, 13 April 2022
- ⁶⁶ RFA, *Laos shrugs as villagers lose farms to dam reservoir*, 2 May 2022
- ⁶⁷ RFA, *Five years on, compensation yet to arrive for Lao dam collapse survivors*, 21 July 2023
- ⁶⁸ RFA, *4 years on, some survivors of Laos dam collapse still waiting for promised new homes*, 4 November 2022
- ⁶⁹ RFA, *Four years after Laos’ worst dam catastrophe, survivors still live in limbo*, 23 July 2022
- ⁷⁰ RFA, *Five years on, compensation yet to arrive for Lao dam collapse survivors*, 21 July 2023
- ⁷¹ RFA, *Five years on, compensation yet to arrive for Lao dam collapse survivors*, 21 July 2023
- ⁷² RFA, *Laos governor: \$4.2 million for dam collapse survivors has gone missing*, 17 January 2024
- ⁷³ RFA, *Debt-trapped Lao ‘chat girls’ forced to sell sex in China-run economic zone*, 19 December 2021
- ⁷⁴ RFA, *Debt-trapped Lao ‘chat girls’ forced to sell sex in China-run economic zone*, 19 December 2021; RFA, *Last of 15 Thais trapped in Laos’ Golden Triangle SEZ are rescued*, 15 March 2022; RFA, *Another 3 Thais rescued from Laos’ Golden Triangle*, 18 March 2022
- ⁷⁵ RFA, *Debt-trapped Lao ‘chat girls’ forced to sell sex in China-run economic zone*, 19 December 2021; RFA, *Hundreds of Lao women trapped in Chinese-run SEZ, unable to pay off debt*, 8 March 2022; RFA, *Lao authorities rescue nearly 500 workers from Golden Triangle SEZ*, 21 June 2022
- ⁷⁶ RFA, *Lao women held by Chinese-run casino plead for help*, 18 January 2022
- ⁷⁷ RFA, *Nearly 1,700 human-trafficking victims rescued from Lao SEZ since 2007*, 19 December 2022
- ⁷⁸ RFA, *Migrant Workers Stranded by COVID-19 Lockdown Desperate to Leave Laos SEZ*, 4 August 2021

⁷⁹ RFA, *Lao women held by Chinese-run casino plead for help*, 18 January 2022; RFA, *Lao authorities rescue women trapped in Chinese-run economic zone*, 8 February 2022; RFA, *Hundreds of Lao women trapped in Chinese-run SEZ, unable to pay off debt*, 8 March 2022; RFA, *Last of 15 Thais trapped in Laos' Golden Triangle SEZ are rescued*, 15 March 2022

⁸⁰ RFA, *Laos orders Golden Triangle scammers out of zone by end of month*, 12 August 2024

⁸¹ RFA, *Laos orders Golden Triangle scammers out of zone by end of month*, 12 August 2024; RFA, *Lao and Chinese security forces raid call centers in the Golden Triangle*, 21 August 2024; RFA, *Lao authorities raid more Golden Triangle scam centers as deadline passes*, 29 August 2024