

European Parliament resolution on Laos:

The case of Sombath Somphone

(2013/2535(RSP))

The European Parliament,

- having regard to its previous resolutions on Laos,
- having regard to the statement of 21 December 2012 by the spokesperson of the UN High Commissioner for Human Rights on Laos,
- having regard to the statement of 21 December 2012 by the spokesperson of High Representative Catherine Ashton on the disappearance of Sombath Somphone in Laos,
- having regard to the statement of 16 January 2013 by the US Secretary of State, Hillary Clinton, on the disappearance of Lao civil society leader Sombath Somphone,
- having regard to the statement of 19 December 2012 by the Lao Foreign Ministry and to that of 4 January 2013 by the Ambassador of Laos to the UN,
- having regard to the letters from numerous Members of the European Parliament and national parliamentarians and to the Joint Open Letter of 17 January 2013 from 65 NGOs to the Lao Prime Minister, concerning the disappearance of Sombath Somphone,
- having regard to the letter addressed on 4 January 2013 by the Asian Forum for Human Rights and Development to the chair of the ASEAN Intergovernmental Commission on Human Rights,

- having regard to the EU Guidelines on Human Rights Defenders of 2008,
- having regard to the International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED), to which Laos is a signatory, and to the UN Declaration of 18 December 1992 on the Protection of All Persons from Enforced Disappearance,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the International Covenant on Civil and Political Rights (ICCPR) of 1966, ratified by Laos in 2009,
- having regard to the UNHRC Universal Periodic Review concerning Laos of 21 September 2010,
- having regard to the Cooperation Agreement between the EU and the Lao People's Democratic Republic of 1 December 1997,
- having regard to Rules 122(5) and 110(4) of its Rules of Procedure,

A. whereas Sombath Somphone, a prominent figure in social development and youth education, disappeared on 15 December 2012 in the capital of Laos, Vientiane; whereas the CCTV footage obtained by his family shows that Sombath Somphone was last seen with local police at the Thadeau police post around 6 p.m. on the date of his disappearance, and was driven away in a car by men in civilian clothes;

B. whereas in a statement of 19 December 2012 the Lao Government confirmed the incident as recorded on the security camera; whereas the authorities claim he was the victim of a kidnapping motivated by personal or business conflicts;

C. whereas the UN and 65 international human rights organisations have expressed fears that Sombath Somphone may have been subjected to enforced disappearance, possibly related to his work, as well as their grave concern over his safety and the lack of

progress and information in the investigations by the Lao authorities into the facts of his disappearance;

- D. whereas Sombath Somphone's family have been unable to locate him since that day, despite repeated appeals to the local authorities and searches in the surrounding area;
 - E. whereas Sombath Somphone is widely appreciated and well-known for his extensive work in the field of sustainable and fair development, notably through the creation in 1996 of PADETC, the Training Centre for Participative Development; whereas he was awarded the Ramon Magsaysay Award for Community Leadership in 2005;
 - F. whereas in October 2012 Sombath Somphone, as a member of the Lao National Organising Committee, was one of the organisers of the 9th Asia-Europe People-to-People Forum held in Vientiane ahead of the ASEM 9, and was also one of the keynote speakers;
 - G. whereas a group of ASEAN parliamentarians visited Laos in the week of 14 to 18 January 2013 to inquire about Sombath Somphone;
 - H. whereas there are violations of fundamental freedoms, particularly press and media freedom, freedom of religion, freedom of assembly, academic freedom and the rights of minorities, taking place in Laos;
1. Expresses its deep concern regarding the disappearance, safety and wellbeing of Sombath Somphone;
 2. Is concerned at the tardiness and lack of transparency of the investigations into the disappearance of Sombath Somphone; calls on the Lao authorities to undertake prompt, transparent and thorough investigations, in accordance with their obligations under international human rights law, and to ensure the immediate and safe return of Sombath Somphone to his family;

3. Calls on the VP/HR ¹ to closely monitor the Lao Government's investigations into the disappearance of Sombath Somphone;
4. Asks the Lao authorities to reaffirm publicly the legality and legitimacy of the work being done in favour of sustainable development and social justice, in order to counter the intimidation provoked by disappearances such as that of Sombath Somphone;
5. Welcomes the visit of a group of ASEAN parliamentarians to Laos in January 2013 to seek information about Sombath Somphone, and calls on the ASEAN Human Rights Commission to establish a committee of inquiry to investigate the events surrounding the enforced disappearance of Sombath Somphone;
6. Calls on the EU to include Laos in its priorities for the 22nd session of the UN Human Rights Council;
7. Stresses that the Lao authorities should take all necessary steps to end the practice of arbitrary arrests and secret detention; calls on them to make enforced disappearance a criminal offence and to ratify the International Convention for the Protection of All Persons from Enforced Disappearance; stresses that enforced disappearances are clear violations of basic human rights and fundamental freedoms;
8. Calls on the Government of Laos to respect the rights of free expression and association and the rights of minorities, and to protect the right to freedom of religion or belief, ending all restrictions on the exercise of this right as recommended in the UN Universal Periodic Review of 21 September 2010;

¹ Vice President of the Commission/High Representative

9. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States, the ASEAN Secretariat, the United Nations High Commissioner for Human Rights, the Secretary-General of the United Nations, and the Government and Parliament of Laos.

(This resolution has been adopted on February 7, 2013.)