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## MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on Laos: the case of Sombath Somphone  
(2013/2535(RSP))

**Marietje Schaake, Leonidas Donskis, Louis Michel, Niccolò Rinaldi, Marielle de Sarnez, Sarah Ludford, Ramon Tremosa i Balcells, Robert Rochefort, Johannes Cornelis van Baalen, Kristiina Ojula, Sonia Alfano, Hannu Takkula**  
on behalf of the ALDE Group

**European Parliament resolution on Laos: the case of Sombath Somphone  
(2013/2535(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on Laos, notably the one of 26 November 2009 on the situation in Laos and Vietnam,
  - having regard to the statement by the spokesperson of the High Representative Catherine Ashton of 21 December 2012 on the disappearance of Sombath Somphone in Laos,
  - having regard to the statement by the spokesperson of the UN High Commissioner for Human Rights on the enforced disappearance of Sombath Somphone, of 21 December 2012,
  - having regard to the statement by the US State Secretary Hillary Clinton of 16 January 2013 on the disappearance of Sombath Somphone in Laos,
  - having regard to the statements by Lao Foreign Ministry of 19 December 2012 and Lao Ambassador to the UN on 4 January 2013;
  - having regard to the Joint Open Letter by 65 NGOs to Lao Prime Minister of 17 January 2013 on the disappearance of Sombath Somphone,
  - having regard to the letter by Asian Forum for Human Rights and Development to the Chairperson of ASEAN Intergovernmental Commission on Human Rights of 4 January 2013;
  - having regard to the International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED);
  - having regard to the UN Declaration of 18 December 1992 on the Protection of All Persons from Enforced Disappearance;
  - having regard to the 98th session of the UN Working Group on Enforced or Involuntary Disappearances of 9 November 2012 and its 2012 Annual Report which will be presented at the UN Human Rights Council's 22<sup>nd</sup> session taking place in March 2013;
  - having regard to the UNHCR Universal Periodical Review of Laos of 21 September 2010;
  - having regard to the Cooperation Agreement between the European Community and the Lao People's Democratic Republic of 10 November 1997,
  - having regard to Rule 122(5) of its Rules of Procedure;
- A. whereas Mr Somphone, prominent human rights defender and former director of the Participatory Development Training Centre in Laos, went missing on 15 December 2012

on his way home after being stopped at the police post in Vientiane and was driven away in a truck by officers in civilian clothes;

- B. whereas in its statement of 19 December 2012 the Government confirmed the incident as recorded on the security camera, however without explaining why the police at the scene did not take any action to protect Mr Somphone and stop what Lao authorities claimed to be a "kidnap" driven by personal or business conflicts; whereas the Government has confirmed that the "authorities concerned" are "seriously investigating" the matter;
  - C. whereas the UN and 65 international human rights organisations have expressed fears that Mr Somphone may have been subjected to enforced disappearance, possibly related to his human rights work, and express grave concern over his safety and the lack of progress and information regarding investigations by the Lao authorities into the facts of Mr Somphone's disappearance;
  - D. whereas Mr Somphone has been a prominent human rights campaigner who has promoted fair land rights for small farmers;
  - E. whereas human rights organisations also report about other enforced disappearances, including Mrs Zoua Yand, a Lao-Hmong refugee in a Phetchabun camp of Thailand at the end of 2005 and Mr Somphone Khantisouk, owner of an eco-tourism centre in the North of Laos and known for his remarks against large rubber plantations operated by Chinese companies in January 2007;
  - F. Whereas the Laos authorities on 17 December 2012 expelled the country director for the Swiss NGO Helvetas, after criticizing the Lao government as creating a hostile environment for development and civil society groups by restricting freedom of expression and association;
  - G. whereas Laos is one of the world's few countries with a Communist form of government and where all land belongs to the state; whereas there have been complaints by civil society and businesses about land grabs and abuses by local government;
  - H. whereas fundamental freedoms, particularly press and media freedom, freedom of religion, freedom of assembly and academic freedom, are severely curtailed by the Lao government;
1. Expresses its deep concern over the disappearance of Mr Somphone and calls on the Lao authorities to undertake prompt, transparent and thorough investigations into the abduction and disappearance of Mr Somphone with the aim of ensuring the return of Mr Somphone to his family;
  2. Stresses that Lao authorities should take all necessary steps to end the practice of arbitrary arrests and secret detention, including making enforced disappearance a criminal offence;
  3. Stresses that enforced disappearances are clear violations of basic human rights and fundamental freedoms;

4. Reiterates its concern about the plight of political prisoners, about different forms of discrimination encountered by ethnic and religious minorities and about the complete absence of freedom of expression;
5. Calls on the Lao government to ratify and implement the International Convention for the Protection of All Persons from Enforced Disappearance;
6. Calls on the Lao government to ratify the Rome Statute of the International Criminal Court;
7. Stresses that all those responsible for human rights violations should be identified and be held accountable for their actions;
8. Calls on the Lao government to lift the existing restrictions on freedom of expression, guarantee the free activity of civil society and human rights organizations, revoke laws that allow for the suppressions of the rights to freedom of assembly and expression, and protect the right to freedom of religion or belief ending all restrictions on the exercise of this right, as recommended at the UN Universal Periodic Review on 21 September 2010;
9. Calls upon the Lao government to undertake substantive and comprehensive democratic reforms, to respect the rule of law and to adhere to international human rights standards;
10. Calls on the HR/VP to closely monitor the Lao government's investigations about the disappearance of Mr Somphone;
11. Calls on the HR/VP to carry out a detailed assessment of the implementation policies in the field of democracy and human rights conducted in Laos and Vietnam since the signing of the Partnership and Cooperation Agreements and to report back to Parliament;
12. Instructs its President to forward this resolution to the Council, the Commission, the High Representative, the parliaments and governments of the Member States, the Secretary-General of the United Nations, the UN High Commissioner for Human Rights, the Secretary-General of the ASEAN and the Parliament and Government of Laos.