



**មជ្ឈមណ្ឌលសិទ្ធិមនុស្សកម្ពុជា**  
**Cambodian Center for Human Rights**

No 000.54/13/CCHR

His Excellency Mr. Yaseng Lao,  
Ambassador of the People's Democratic Republic of Laos to Cambodia,  
Embassy of the People's Democratic Republic of Laos in Cambodia,  
15-17 Mao Tse Tung Blvd.  
Khan Chamcar Mon,  
Phnom Penh,  
Cambodia

16 January 2013

**Open Letter to His Excellency Ambassador of the People's Democratic Republic of Laos to Cambodia Regarding the Disappearance of Human Rights Defender Sombath Somphone**

Your Excellency,

The Cambodian Center for Human Rights ("CCHR") would like to express its deep concern regarding the disappearance of prominent human rights defender Sombath Somphone, in Vientiane, on 15 December 2012. Sombath Somphone is well known for his work educating and training youths to promote sustainable development in Laos. He is the founder of the Participatory Development Training Center and was awarded the prestigious Ramon Magsaysay Award for Community Leadership in 2005.

Sombath Somphone was last seen by his wife, Ng Shui Meng, as they drove separately from his office at around 5pm on the evening of 15 December 2012. Sombath Somphone did not return home as planned and so on the morning of December 16, Ng Shui Meng reported him missing to the authorities. Closed-circuit camera footage obtained by his family in the days after his disappearance shows Sombath Somphone being stopped by traffic police on Thadeua Road in Vientiane just after 6pm. The camera footage appears to show Sombath Somphone leaving his car and being accompanied by the police to the police station before later being driven away in a large white vehicle.

While United Nations ("UN") human rights officials have expressed fear that Sombath Somphone is a victim of enforced disappearance, the Laotian authorities have categorically denied any involvement in his case. On 19 December 2012 state authorities issued a

statement saying that their investigation into the incident had led them to the conclusion that Sombath Somphone was likely kidnapped as the result of personal business and that they were unable to comment further. This position was reiterated on 4 January 2013 by Laos representative to the UN in Geneva, Yong Chanthalangsy.

Enforced disappearance is defined under Article 2 of the International Convention for the Protection of All Persons from Enforced Disappearance 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”. The Laos Government is a signatory of this Convention and is currently preparing for its ratification.

This case is also extremely significant in light of the recent signing of the Association of Southeast Asian Nations Human Rights Declaration (“AHRD”), in November 2012 by all ten member states including Laos. Despite several shortfalls, the AHRD, referring directly to the Universal Declaration of Human Rights and other international human rights mechanisms, is symbolic in the move towards improving the protection and promotion of human rights throughout the region. This case serves to further undermine the AHRD and highlight its flaws.

Sombath Somphone has now been missing for one month and there is growing concern for his welfare. This concern is accompanied by a widely held belief that Sombath Somphone was targeted as a result of his community development work and that he is being made an example of by the Laotian authorities who are attempting to prevent the growth of civil society in the country. CCHR therefore calls upon your Embassy, Mr. Ambassador, to do all in its power in order to urge the Laotian authorities to establish an immediate, thorough, impartial and credible investigation into the disappearance of Sombath Somphone and to ensure that justice is delivered to the human rights defender and his family.

Yours Sincerely,

  
Ou Virak

President

CCHR

Phnom Penh, Cambodia

