



LAO PEOPLE'S DEMOCRATIC REPUBLIC

PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

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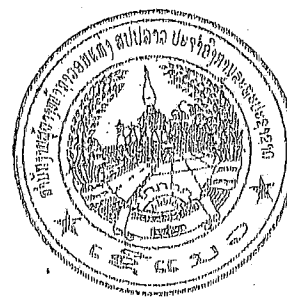
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The Permanent Mission of the Lao People's Democratic Republic to the United Nations Office and other International Organizations at Geneva presents its compliments to Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances, Special Rapporteur on the promotion and protection of the rights to freedom of opinion and expression, Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on the situation of human rights defenders and the Secretariat of the Office of the High Commissioner for Human Rights and has the honour to inform the latter that with reference to the letter of H.E Yong CHANTHALANGSY, Ambassador and Permanent Representative of Lao PDR to UNOG , dated 3 January 2013, providing clarifications on the missing of Mr. Sombath Somphone, we would like to provide addition information, the 2<sup>nd</sup> Briefing on the result of the police investigations to locate the whereabouts of Mr. Sombath Somphone.

The Permanent Mission of the Lao PDR to the United Nations Office and other International Organizations at Geneva avails itself of this opportunity to renew to Special Rapporeurs and the Office of the High Commissioner for Human Rights the assurances of its highest consideration.

Geneva, 25 March 2013

The Office of the United Nations  
High Commissioner for Human Rights  
at Geneva, Switzerland.  
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2<sup>nd</sup> Briefing on the result of the police investigations to locate the whereabouts of Mr. Sombath Somphone

For the purpose of further information and proper understanding regarding the ongoing investigations into the incident conducted by the police as assigned by the superior authorities to search for Mr. Sombath Somphone, on behalf of the Committee in charge of solving the case I, Colonel Dr. Phongsavanh Thiphavongxay, Deputy Director-General of the General Police Department, Ministry of Public Security, would like to provide the second briefing on the result of the investigations as follows:

Following the first briefing on the preliminary result of the investigations to locate the whereabouts of Mr. Sombath Somphone on 11 January 2013, we, the Committee in charge of solving the case, continued with great attention to investigate, collect information from individuals and organizations concerned according to the duties and functions of the Committee.

1. On 15-16 January 2013, we continued to collect information related to Mr. Sombath from his wife, Mrs. Ng Shui Ming, his sister, Ms. Phetsamay and his niece, Ms. Somchit. We learnt from them that Mr. Sombath has close relatives in Khammuan Province. Therefore, on 24-25 January 2013, the investigating police authorities coordinated with the provincial police authorities of Khammuan province in collecting information from Mr. Sombath's two brothers and two sisters in Nongbuakham village and Santisouk village, Thakhek district, Khammuan province and could obtain some additional information. On 8 February 2012, the investigating police authorities invited Mrs. Ng Shui Meng (Mr. Sombath's wife) and Ms. Phetsamay (Mr. Sombath's sister) to come to the Committee with a view to evaluating and discussing together with the Committee ways to continue the search for Mr. Sombath and at the same time they were informed of the progress of the investigations.
2. As far as investigation techniques are concerned, the investigating police authorities have continued to coordinate with and assign all police authorities nationwide to closely watch for sources of information to help the search for the missing person.
3. As to the proposals made by Ms. Ng Shui Meng, wife of Mr. Sombath, and the interest expressed by some countries, some foreign parliamentarians, the European Parliament, some international organizations, some non-governmental organizations, some foreign media groups, some individuals regarding several queries raised in relation to the investigations, I would like to give the following clarifications:

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- 3.1. On the question: "What did the police manning the police post the evening of Sombath's disappearance on 15 December 2012 say what happened that night, and what did they see?"

On this question, I already clarified that we had interrogated the traffic police officers who were on duty that evening and they said that there was a regular random check on cars on daily basis and they could not remember whose cars they checked and which one belonged to whom as they checked many cars each day. After checking the documents and when all documents were found correct, they then returned them to the car owners and allowed them to go according to the rules and regulations. They also confirmed that in the area under their responsibility during the time of reported incident, the situation was normal and there was no any incident of fight or violence occurred and no car or individual was detained.

- 3.2. On the question: "Whether the motorcyclist who drove away Sombath's jeep has been identified?"

We have viewed the CCTV footage many times but could see only what is recorded as this is a technical thing recorded during a night time, so it was not clear to identify who was the motorcyclist and what the license plate number of the motorcycle was. In interrogating the traffic police officers, they said that they did not pay attention on who rode the motorcycle or who drove the Jeep away because the scene that evening was just normal. Before leaving for dinner, they saw a motorcycle parking on the footpath, one of the police officers then walked to the motorcycle and tried to move it because it was blocking the walkway but the motorcycle was locked and could not be moved. That traffic police officer thought that the motorcycle's owner might be nearby in the area so he walked back and then left for dinner.

As for the motorcyclist and the person who drove the Jeep away, they are the most wanted by the police and anyone who may possess information related to them are requested to immediately report to a nearest police station.

3.3. On the question: "Has Sombath's jeep (License plate No. 2624) been found?"

The police authorities have tried hard to search for Mr. Sombath Somphone and the Jeep (License plate No. 2624) since the date of receipt of the report on the incident. We have issued a notification to Provincial and District Public Security Departments across the country and have organized personnel to vigilantly observe the situation, to collect information and to search for the missing person and the Jeep (as has been explained above). Up to this point in time, no individuals or organizations have provided any information about Mr. Sombath Somphone and the Jeep.

3.4. On the question: "Whether the white truck with flashing lights that stopped at the police post and took my husband away been identified?"

In viewing the CCTV footage many times we can see the pickup truck. However, its license plate number is not clearly visible and it is not possible to identify the persons who entered the truck and its driver. Our investigating police officers with great attention went to inspect the area, interrogated the traffic police officers who were on duty that evening and also people who live in that neighborhood. All of them said that there was no fight nor they heard anybody asking for help from any car during that particular time. We now still continue our work, collecting information to rely on in searching for the truck and the person who drove the truck away.

3.5. On the question: "If the footages were too blurry, as claimed by the police, has the Ministry of Public Security sought technical assistance from any other government or international security agencies? Are they too blurry for the entire Tha Deua Road CCTV cameras?"

CCTV footages serve as a technical basis for investigations. As a rule, no countries in the world would allow individuals who do not have responsibility to access to CCTV Centers. However, the police authorities of the Lao PDR recognized the importance of the matter

and showed their sincerity as they allowed Mrs. Ng Shui Meng and Mr. Sombath's sister to enter the CCTV Center of Vientiane Police Department to view and record the CCTV footage which was later sent by them to many organizations, including posting on the internet. It is the only CCTV footage related to the incident which was recorded with such level of visibility that we all see. This visibility of the CCTV footage technically will stay the same blurry when to be seen by any other persons because this is a technical matter of CCTV footage recording and the recorded footage cannot be zoomed in or zoomed out for clear viewing, which is different from a live video picture. However, the investigating police officers will continue their technical work on the recorded CCTV footage.

We, the Committee in charge of solving the case, also went to inspect the CCTV footage at the CCTV Center of Vientiane Police Department and could see only the CCTV footage of the same clarity as recorded by Mrs Ng Shui Meng. We also found out that there are no other CCTV footages on the incident recorded at other areas. Therefore, we ourselves are capable to handle the inspection of the recorded CCTV footage concerning the case because it is our internal responsibility and thus it is unnecessary to seek assistance from outsiders. On the other hand, this matter is related to public security and safety and all countries have their own principles and rules.

- 3.6 On the question: "Has the Lao police issued an Interpol Yellow Notification to inform colleagues in the region about Sombath's disappearance and sought their assistance?"

The police authorities of the Lao PDR have notified ASEANPOL and INTERPOL asking them to help watch for information that might be related to Mr. Sombath and the car.

This case happened in the Lao PDR despite missing cases hardly occurred in this country before unlike in many other countries. Only following missing incidents have occurred in the country in the past:

- In 1988 a Japanese diplomat was abducted. The authorities have spent a long time to locate his whereabouts, he was finally found in Thailand.

- 5 years ago, a sister of spouse of Mr. Prasith Sayasith, Director General of the Protocol Department, Ministry of Foreign Affairs went missing and until now she has not been found.
- In 2010, a police officer of the Pakading District Police Department, Mr. Sakhone, went missing and has not been found.
- In mid 2012, a police officer of Luangprabang Provincial Police Department, Mr. Bounlath, went missing and has not been found.

While similar cases also happen in many countries we cannot say how much time will take us to investigate this complicated case. In this event, as Lao citizens, we are saddened and sympathetic with Mr. Sombath's family and relatives. We all want him to return to his family safely and we would like to express thanks to all parties, organizations, countries, etc. for their concerns about the case. If asked when the investigations will be complete, no one at this stage is in a position to give a correct answer whereas our police authorities are thoroughly and seriously investigating the case.

Therefore, on the above mentioned case, we have made an announcement through television, newspapers, and also have notified all police authorities at the provincial and district levels all over the country, as well as INTERPOL and ASEANPOL to provide relevant information. However, we have yet to receive any information and evidence that would enable us to locate the whereabouts of the missing person. The leadership of the Ministry of Public Security, the General Police Department pay their great attention to the investigations by giving guidance to the Committee in charge of solving the case. This Committee has concentrated tireless efforts with its utmost responsibility on the investigations to find out the truth. On the contrary, some individuals, some non-governmental organizations, some foreign media groups made unconstructive and socially disturbing comments, accusing the police authorities of detaining Mr. Sombath Somphone, which is absolutely not true. Similarly, in 2010 there was an event where some individuals, organizations, including foreign media accused the police officers in Phonethong Detention Center of raping Ms. Samantra, a British national, who was arrested for possession of heroines. In the end, the truth was brought to light when it was revealed that her pregnancy was a result of her tricky way of impregnating herself by inserting sperms obtained from Mr. John Watson, also a British national, who at that time was a detainee in Phonethong Detention Center, into her female vaginal organ to become pregnant in order to receive a deducted sentence from the capital punishment under the law of the Lao PDR.

Therefore, I, on behalf of the Committee in charge of solving the case, have provided the second briefing to all parties and organizations on the result of the investigations for further information and proper understanding. Any individuals, organizations that may have any information related to the case are requested to report the information to the district, provincial, and Vientiane police authorities.

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