



LAO PEOPLE'S DEMOCRATIC REPUBLIC
 PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

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 Permanent Mission of Laos
 to UNOG

A l'attention: 4 Special Rapporteur

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Chair-Rapporteur of the Working Group
 on Enforced or Involuntary Disappearances

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OHCHR REGISTRY

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Recipients *SPD.*

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Lao People's Democratic Republic

Peace, Independence, Democracy, Unity, Prosperity

Permanent Mission to UNOG

Ref. No.001.....

Date: 3 December 2013

Referring to the letter Ref. No. UA G/SO 217/1 G.SO 214 (67-17) Assembly & Association (2010-1) GSO 214 (107-9), I would like to provide clarifications on the missing of Mr. Sombath Somphone as follows:

As a Member of the United Nations, the Lao PDR has always cooperated with the international community, particularly in the promotion and protection of human rights, which is reflected in the country's implementation of its international obligations and commitments on human rights with achievements being progressively made. The Lao PDR is State party to 7 core UN Human Rights Conventions and 2 Optional Protocols. In addition, the Lao PDR is also a signatory to the Convention on the Protection of All Persons from Enforced Disappearance. Being the 4th Nation in Asia to sign this important Convention the Lao PDR is currently in the process of preparations for its ratification. In the implementation of its human rights obligations and commitments the Lao PDR has the Constitution and laws which are in conformity with the treaties to which the Lao PDR is party to. Furthermore, the Lao PDR has adopted the Legal Sector Master Plan on the Rule of Law by 2020 in order to create enabling conditions for the Lao people to fully enjoy their human rights and fundamental freedoms.

The Lao Government is deeply concerned about the missing of Mr. Sombath Somphone and attaches importance to the ongoing investigations in order to find out the truth of this incident. According to the information from the authorities

concerned which was based on the CCTV footage, on the day of the incident, the traffic police were conducting their routine random checks on cars at the police outpost on Thadeua road in the vicinity of Watnak village, Sisattanak district, Vientiane Capital. At 6:00 pm the traffic police stopped Mr. Sombath's jeep in order to check his driving license and car documents as normal procedures. Being stopped, Mr. Sombath walked out from his car to present his documents to the police. Contrary to the information the UN special procedures received, Mr Sombath was not taken by the police to the police outpost. After the police checked the documents they returned them to Mr. Sombath and continued their duty of checking other vehicles.

Then, a man came on a motorbike, parked it on the side road near Mr. Sombath's jeep and moved quickly in the police outpost direction. Later, the same person walked to Mr. Sombath's car and drove it away slowly.

About 10 minutes later, a pickup truck came with hazard lights flashing and stopped near the police outpost. One man entered the pickup truck and shortly after that another person got on, then got off and then entered the pickup truck again as the vehicle was driving away to an unknown destination.

From the CCTV footage it cannot be confirmed that it was Mr. Sombath who entered the pickup truck. The two persons who got into the truck were not forced to do so. This fact is different from the information the UN special procedures received which alleged that Mr. Sombath was forced to get into the pickup truck.

Following the preliminary assessment of the incident from the CCTV footage, the authorities concerned viewed that, it may be possible Mr. Sombath has been kidnapped perhaps because of a personal conflict or a conflict in business or some other reasons and at this stage the authorities are not in a position to say exactly what has actually happened, why Mr. Sombath has gone missing and who might have been involved in the incident

On this incident, the concerned authority as the law protection agency that protects and maintains social order has the legal duty to find out the truth in

order to bring perpetrators to justice and ensure justice to Mr. Sombath and to his family according to the law.

Based on their legal duty, the concerned authority is accelerating the investigations, collecting evidences in order to reach a conclusion of the incident.

Please accept, Chairperson-Rapporteur, Special Rapporteurs, the assurances of my highest considerations.

Ambassador



Yong Chanthalangsy

- Chairperson – Rapporteur of the UN Working Group on Enforced and Involuntary Disappearances;
- Special Rapporteurs 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