



LAO PEOPLE'S DEMOCRATIC REPUBLIC
PEACE INDEPENDENCE DEMOCRACY UNITY PROSPERITY

Permanent Mission of the Lao PDR
to the United Nations Office and
other International Organizations
Geneva

No 15 /Lao.PM.GE.20

The Permanent Mission of the Lao People's Democratic Republic (Lao PDR) to the United Nations Office and other International Organizations in Geneva presents its compliments to the Office of the High Commissioner for Human Rights (Special Procedures Branch) in Geneva and, with reference to the Cover Letter from Ms. Beatriz Balbin, Chief of Special Procedures Branch OHCHR No: UA LAO 2/2019, dated 25 September 2019, concerning the Joint Urgent Appeal from Special Procedures sent by the Working Group on Enforced or Involuntary Disappearance; the Special Rapporteur on the Promotion and Protection of the right to freedom of opinion and expression; the Special Rapporteur on the situation of human rights defenders and the Special Rapporteur on extreme poverty and human rights whom expressed concerned the alleged enforced disappearance of Mr. Od Sayavong, has the honor to enclose herewith the information, clarification and comments of the Government of the Lao PDR regarding to the above-mentioned issue as follow:

1. In accordance with the Constitution, national law as well as international law, the Government of the Lao PDR has the inherent duty and responsibility to protect the democratic rights, freedoms and legitimate interests of its citizens, wherever they may live, whether inside or outside the territory of the Lao PDR. The Constitution clearly stipulates in its Articles 34 and 42 that "the State recognizes, respects, protects and guarantees human rights and fundamental rights and freedoms of all Lao citizens in accordance with the law;" and that "all Lao citizens have inviolable rights to life, physical wellbeing and dignity." The Penal Code and the Law on Criminal Procedures definitely acknowledges the principle of extraterritorial jurisdiction and confer therefore the right to Courts to institute legal proceedings against any individual who may have committed crime against a Lao citizen outside the country.
2. After being notified by the above-mentioned letter on a Lao citizen, name Mr. Od SAYAVONG who is believed to be missing in Thailand, on 26 August 2019, the Lao Government is deeply concerned over this incident and has immediately assigned the Ministry of Foreign Affairs to coordinate with the relevant Authorities in order to find out the facts and backgrounds of the case. Based on the initial findings, it is confirmed that Mr. Od SAYAVONG, was born on 16 January 1985, in Savannakhet Province, Lao PDR,

and he is a Lao citizen. He used to hold an ordinary passport no. P 0744797 issued on 25 July 2011 by the Ministry of Foreign Affairs of the Lao PDR and expired on 26 July 2016. Since then, the individual has made no request for passport renewal or applied for a new one.

3. The Embassy of the Lao PDR to the Kingdom of Thailand has also checked the list of Lao citizens legally living and working in Thailand, but there is no record of the name of Mr. Od SAYAVONG in the system. In addition, the judicial authorities of the Lao PDR have confirmed that Mr. Od SAYAVONG has no criminal records and is not being the accused in any criminal or civil case.
4. Furthermore, the Government of the Lao PDR has contacted the Thai Government through the diplomatic channel and requested for the factual information surrounding the case, especially the steps that have been made so far in order to find out the truth. In addition, the relevant Lao authorities have visited his family and relatives in the Southern provinces to gain any additional information such as the exact current address of Mr. Od SAYAVONG and his workplace before he went missing as reported, but no one knows where the individual has been living or what he has been doing recently.
5. While the Government of the Lao PDR steadily reaffirms its readiness to cooperate with the international community, especially Thailand, in order to provide all necessary information for investigating and solving the case, it is also deeply disappointed by the Joint Press Release made by the 04 Special Rapporteurs on the OHCHR's website on the 1st October 2019 and opposes to this unconstructive, groundless and fabricated allegation contained in the press release. Such kind of publication is not only an unconstructive slandering attempt, but it has also fallaciously tainted the image of the Lao PDR and fabricated unfounded information that led to a misunderstanding among international community about the Lao Government's policy on human rights. Therefore, the Government of the Lao PDR strongly urges the Special Rapporteurs to conduct themselves in an impartial, ethical, responsible and objective manner, in compliance with their Code of Conduct, and refrain from making biased and unfounded allegations against a sovereign and independent State. Those said misconducts are improper and unworthy of such a privileged and honourable title of UN Special Mandate Holders.
6. The promotion and protection of human rights for all Lao multi-ethnic people is one of the priorities in the policy of the Lao Government. The political, economic, social and cultural rights are guaranteed by the Constitution and also translated into a number of laws adopted by the National Assembly, which has now reached more than 140 laws. All of which are in compliance with the rights and obligations set forth in the 7 core human rights Treaties that the Lao PDR is party to. All Lao citizens are equal before the law regardless of their gender, social strata, education, beliefs and ethnicity. They have equal rights in the political, economic, social and cultural fields and inviolable rights to life, physical wellbeing and dignity.

In this regard, the Permanent Mission of the Lao PDR kindly requests the Office of the High Commissioner for Human Rights to transmit the above-mentioned information to the Working Group on Enforced or Involuntary Disappearance and the Special Rapporteurs concerned in due course and sincerely hope that the clarifications would help the international community and various organs of the United Nations to reach the correct understanding on this case.

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

Geneva, 17 January 2020



The Office of the High Commissioner for Human Rights
of the United Nations (Special Procedures Branch)
Geneva

- CC: Mr. Bernard Duhaime,
Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances
- Mr. David Kaye,
Special Rapporteur on Promotion and Protection of the Freedom of Expression
- Mr. Michel Forst,
Special Rapporteur on the Situation of Human Rights Defenders
- Mr. Philip Alston,
Special Rapporteur on Extreme Poverty and Human Rights