



General Assembly

Distr.: General
XX June 2020

English only

Human Rights Council

Forty-fourth session

June–July 2020 (TBC)

Agenda item 3

Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Written statement* submitted by Society for Threatened Peoples, a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[03 June 2020]

* Issued as received, in the language(s) of submission only.

Human rights denied in the Lao People's Democratic Republic

Recently, the Government of the Lao People's Democratic Republic has been more open to dialogue and cooperation with UN human rights mechanism. Society for Threatened Peoples (STP) is welcoming this new development, but unfortunately, this has not translated into more engagement of the Lao authorities to improve the human rights situation. During the Universal Periodic Review (UPR) process in the year 2015, some 196 recommendations had been proposed to improve human rights, but Laos rejected 80 of them. Now five years later, during the next UPR in January 2020, it became evident that most of the 116 accepted recommendations in the year 2015 have not been implemented. Basic human rights such as the freedom of press and speech, the religious freedom, land rights and rights of ethnic minority people, including the protection of their human rights defenders, are not respected. The Government continues to exercise massive control over civil society, which faces severe restrictions. Intimidation, criminalization and enforced disappearances of human rights defenders have created an atmosphere of fear and distrust.

The Government of Laos claims to guarantee religious freedom. The new Decree on Management and Protection of Religious Activities (Decree 315), promulgated in 2016, enshrines the total control of all religious activities by state authorities. All religious organizations have to register officially. State authorities have the right to regulate virtually all aspects of the faith communities. The approval of the state authorities is required for the construction or modification of houses of worship. These obligations are not complying with international human rights standards. Until now, many conflicts have been avoided because Decree 315 was not fully endorsed by local authorities and faith communities have been profiting from personal relationships with state officials in their area. Society for Threatened Peoples fears that new conflicts will arise than Decree 315 will be fully implemented.

Christian faiths of unofficial religious communities (Assemblies of God, Lutherans, Methodists, Baptists, Church of Christ) or indigenous faith groups will suffer most under the new Decree 315, which is prohibiting all religious activities by non-officially registered religious groups. The requirement of a registration by state authorities will create huge problems for smaller religious communities because they will face enormous difficulties to register officially. The state authorities have shown not much interest in registering smaller religious communities. Even the Methodists have been applying to register in the year 2018, but they are still waiting for a response.

The situation will even be more difficult for smaller religious groups related to ethnic minority people as the Talieng ethnic group. Traditionally the Talieng are building shrines according to their indigenous faith. In February 2020, local authorities in Sekong Province issued a ban on building religious shrines in front of their homes or shops because this practice was perceived as offensive for the Buddhist-majority population.

Despite the freedom of religion, pastor Sithon Thipavong was arrested by local authorities in Kalum Vangkhea village in Savannakhet Province on March 15, 2020 for his religious activities. Later he has been sentenced to six months in prison for unspecified religious activities. His family has no contact with the arrested pastor.

State authorities are especially suspicious of religious and ethnic minorities, particularly Hmong Christians. Only 49 ethnic groups of the existing 237 minority groups have officially been recognized, but the acknowledgement of a status as "indigenous people" has been refused. Laos is one of Southeast Asia's most ethnically diverse countries. According to the national census, the Hmong constitute some 10 percent of the Laotian population. Their human rights situation is desperate, especially for the ChaoFa Hmong. They have been forced into hiding in the jungle in Northern Laos after several military attacks aiming to destroy their community by force. A new military attack was launched on May 9, 2020, provoking the death of at least one Hmong civilian. Arbitrary arrests, killings and enforced disappearances are common practice in Hmong populated areas.

Indigenous people very often are suffering from land grabbing for development projects or dam construction without being paid fair compensation for property, lost crops and livelihoods. Resettlement and illegal appropriations are violating basic human rights and present a major cause for tensions in Laos. In November 2019, the arrest of a 69-year-old landowner for refusing to vacate land made headlines in international media. Thitphay Thammavong was arrested in September 2019, after declining to sign papers that would cede control of a 1.5 hectare plot of land in Bolikhamsai Province for the construction of a health center. Very often, state authorities are conspiring with investors and using legal loopholes to grab land, because most of the villagers do not have permanent land titles.

Two years after the collapse of a hydropower dam in Southern Laos, which destroyed 13 villages, killed 71 people and displaced 7.000 villagers, the survivors are still waiting for government support. After the disaster, the authorities promised compensation and resettlement to new land. The survivors are still waiting for adequate compensation and

new land. The same situation are facing victims of land grabs displaced by Chinese backed dam projects on the Nam Ou river in Northern Laos. They are complaining that their compensation is not appropriate and that they have lost with their land their existence as farmers.

The massive land grabbing has been criticized a lot by the human rights defender Sombath Somphone. He disappeared in December 2012, when police stopped him at a checkpoint outside the capital Vientiane. STP is deeply concerned that more than seven years later there is no progress in clarifying his whereabouts and the responsibility for his disappearance. Though authorities have denied any responsibility, his abduction is widely acknowledged as an enforced disappearance.

Society for Threatened Peoples therefore calls upon the UN Human Rights Council to urge the Government of the Lao People's Democratic Republic to:

- respect religious freedom of all religious groups and to abandon state control of faith,
 - stop persecuting ethnic Hmong people for their Christian faith and their ethnic origin,
 - ensure a better protection of land rights,
 - enable an independent international investigation into the disappearance of Sombath Somphone and to guarantee a better protection of human rights defenders.
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