

# LAOS

## LAO PEOPLE'S DEMOCRATIC REPUBLIC

Head of state: Khamtay Siphandone

Head of government: Bounyang Vorachit

Death penalty: retentionist

International Criminal Court: not signed

**Torture, prison conditions, arbitrary detention and lack of a fair and impartial judiciary were all of urgent concern. At least eight prisoners of conscience and two political prisoners were in detention. Three people were sentenced to death for drugs-related offences under new tougher sentencing laws. They were awaiting the results of their final appeals. Basic freedoms, including the rights to freedom of expression, association and religion, remained severely restricted.**

### Background

National elections were held in February for the National Assembly. Khamtay Siphandone was re-elected head of state and remained head of the Lao People's Revolutionary Party (LPRP). The LPRP held all but one of 109 elected seats in the National Assembly. Most leading government figures remained unchanged. Major General Soutchay Thammasith replaced Major General Asang Laoly as Minister of Security. Major General Asang Laoly was appointed Deputy Prime Minister.

Laos failed to ratify the two UN human rights covenants that it signed in December 2000.

The Lao authorities continued to seek the extradition from Thailand of 17 Lao nationals, alleged to be members of an opposition group involved in an armed attack in Champassak province in 2000.

### Torture and ill-treatment

Information was received indicating widespread torture and ill-treatment of detainees and prisoners within police stations and prisons. Eyewitnesses reported seeing prisoners abused during police interrogations. Reported methods of torture and ill-treatment included kicking and punching, beatings with sticks or truncheons, death threats and mock executions, solitary confinement and long-term shackling in wooden stocks. There were also reports of suffocation, near-drowning, use of electric shocks, burning with cigarettes, and exposure to extremes of temperature.

☞ A prisoner held in Phonthong prison stated in a letter that he had been repeatedly beaten and that police had placed a board on his feet, then stood on it for more than five hours so that he could no longer walk. He also said that he had been beaten in the chest and was coughing blood, that his penis had been burned and that he was "dying slowly".

Prisoners were held for long periods, months at a time, in stocks and had to lie in their own excrement. Stocks were reportedly used as a matter of routine in prisons including Samkhe prison, Vientiane.

### Prison conditions

Medical care in prisons and detention centres was inadequate and mental health care non-existent. Prisoners suffering from mental health problems were labelled as "crazy" by prison guards and were particularly vulnerable to abuse.

The health of detainees and convicted prisoners deteriorated during their detention because of malnutrition. Food rations provided were insufficient. Prisoners lacking funds, family or consular access were reported to be dependent on basic rations and on the goodwill of fellow prisoners, without which they become seriously malnourished.

☞ An Australian couple held in Phonthong prison in 2000-2001 witnessed the death in custody of a French citizen, Francis Prasak, on 5 January 2001, from a suspected heart attack. Desperate requests from fellow prisoners to the prison guards for help were ignored.

### Political prisoners

Official secrecy about political imprisonment continued, and the collection of independent and impartial information continued to be hampered by lack of access to the country and restrictions on freedom of expression. However, Lao officials admitted for the first time to members of the European Parliament during talks held in Strasbourg, France, in June that five members of a group called the Lao Students Movement for Democracy had been convicted in June 2001 and were held in Samkhe prison. They had attempted to hold a demonstration in Vientiane in October 1999 to call for respect for human rights, the release of political prisoners, a multi-party political system and elections for a new National Assembly. The five, Thongpaseuth Keuakoun, Khamphouvieng Sisaath, Seng-Aloun Phengphanh, Bouavanh Chanhmanivong and Keochay, were prisoners of conscience.

Prisoners of conscience Feng Sakchittaphong and Latsami Khamphoui remained in Prison Camp 7, in a remote area of Houa Phan province. Both men are former government officials who were arrested in 1990 after advocating peaceful political and economic change. In 1992 they were sentenced to 14 years' imprisonment under national security legislation following an unfair trial. Their conditions of detention remained extremely harsh with access to their families severely restricted.

Khamtan Phousy, a prisoner of conscience detained since 1996, remained in Prison Camp 7. A former army officer who converted to Christianity, he was sentenced to seven years' imprisonment on what were believed to be politically motivated charges. No information was available about the situation of two other political prisoners believed to be still held in Prison Camp 7. Sing Chanthakoummane and Pangtong Chokbengboun were detained for "re-education" without charge or trial in 1975, and were sentenced to life imprisonment after an unfair trial in 1992.

### Religious persecution

In July a Prime Minister's decree to "ensure religious freedom" was issued. Articles in the decree severely restrict freedom of religion by requiring official authorization for many aspects of organized worship.

Arrests and harassment of members of small unauthorized Christian churches continued to be reported. There were also unconfirmed reports of the release of some religious prisoners. Verifiable information about religious persecution was extremely difficult to obtain.

### **Death penalty**

In the first such ruling since the death penalty was introduced in 2002 for drugs trafficking, three drug traffickers were sentenced to death in June. All three reportedly appealed to the Supreme Court. The death penalty is applicable for a number of offences, but according to government officials, no executions have been carried out for more than 10 years.

### **AI country reports/ visits**

#### **Report**

- Lao People's Democratic Republic: 'The laws are promulgated but have no impact on the people' – Torture, ill-treatment and hidden suffering in detention (AI Index: ASA 26/004/2002)