

For Immediate Release**Accountability and Justice Denied: End Cover-Ups in “Disappearances” of Human Rights Defenders**

(Bangkok, 13 June 2014): The Asian Forum for Human Rights and Development (FORUM-ASIA), a regional human rights group with 47 member organisations from 16 countries across Asia, calls on the ASEAN Intergovernmental Commission on Human Rights (AICHR) and ASEAN governments to take firm action against disappearance cases of human rights defenders in the region and put an end to impunity and efforts by authorities to cover up any involvement of the State.

This Saturday marks the one-and-a-half-year anniversary of prominent Lao activist and civil society leader **Sombath Somphone**'s disappearance. Sombath was last seen on 15 December 2012 after being stopped by police in Vientiane. After leaving the police station, unknown individuals forced him into a vehicle and drove away. Analysis of the closed-circuit television (CCTV) footage outside the police station shows that Sombath was taken away in the presence of police officers, which indicates government complicity. Despite widespread international calls for his return, the Lao Government has only issued three “progress reports” on the investigations, denying any knowledge of his whereabouts. In addition, Lao authorities have rejected offers of technical assistance by other countries to analyse the CCTV footage.

“Sombath’s case is not an isolated incident in Laos as well as in other ASEAN member states where enforced disappearance is used to silence dissent and stifle the exercise of rights to free expression. ASEAN and its member states must stop this crime against humanity and make those responsible accountable for their crimes.” said Evelyn Balais-Serrano, FORUM-ASIA’s Executive Director.

On 17 April 2014, well-known ethnic Karen community leader, **Porlajee 'Billy' Rakchongcharoen** disappeared in Kaengkrachan National Park in Phetchaburi province, Thailand. Park officials claim he was arrested for the possession of wild bee honeycomb and six bottles of honey and released after questioning. There are, however, no official record of his detention and Billy has not been seen since. There are grave concerns that Billy could have been disappeared by officials because of his involvement in a lawsuit against the Head of Kaengkrachan National Park officials and the Ministry of Natural Resources and Environment’s Department of National Parks, Wildlife and Plant Conservation. The villagers claim that in July 2011 park authorities burned and destroyed the houses of over 20 Karen families living in the National Park. Before park officials detained him, Billy was on his way to meet with ethnic Karen villagers and activists and was carrying documents related to the lawsuit. The investigation into Billy’s disappearance has stalled and it is expected that Chaiwat Limlikitakorn, the chief of Kaengkrachan National Park who arrested Billy but claimed to have released him after giving a warning, will return to his post on 15 June leaving the villagers fearing for their safety.¹

This year also marks the 10-year anniversary of the disappearance of prominent Thai human rights lawyer **Somchai Neelaphaijit**. Somchai had been defending five men who were tortured while in custody by police in Southern Thailand. On 12 March 2004, he was abducted by five police officers in broad daylight in Bangkok, yet only one official was convicted. In 2011, the Appeals Court overturned that decision and all the accused were acquitted.

¹ Villagers in fear of park chief’s return, Bangkok Post, 8 June 2014, <http://www.bangkokpost.com/news/local/414143/villagers-in-fear-of-park-chief-s-return>

“The cases of Sombath, Billy and Somchai are similar in that in all three cases state officials were present at the time of their disappearance yet authorities have failed to punish those responsible. The lack of accountability in cases of enforced disappearances sends a threatening signal to those defending their rights and the rights of others,” deplores Balais-Serrano.

Cases of disappearances of human rights defenders should be of great concern not only to the national authorities but to the whole of ASEAN. Despite repeated civil society calls to the AICHR to take immediate action,² the regional human rights body has remained mum on all three disappearance cases. “ASEAN and governments in the region must pursue accountability in cases of enforced disappearances and guarantee an enabling environment for human rights defenders. The AICHR should take action to obtain information on cases of enforced disappearances under their mandate to promote and protect human rights, as well as promote the effective implementation of international human rights treaty obligations and encourage member states to sign and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED). For their part, ASEAN member states must fully cooperate with regional and international human rights mechanisms, particularly the AICHR and the UN Working Group on Enforced and Involuntary Disappearances,” concluded Balais-Serrano.

About FORUM-ASIA:

The Asian Forum for Human Rights and Development (FORUM-ASIA) is a regional human rights group with 47 member organisations in 16 countries across Asia. With offices in Bangkok, Jakarta and Geneva, FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratisation.

For further inquiries, please contact:

- Renato Mabunga, Human Rights Defenders Programme Manager, boyet@forum-asia.org, +66 (0) 990937938
- John Liu, South & East Asia Programme Manager, johnliu@forum-asia.org, +66(0) 802828610
- Saartje Baes, Human Rights Defenders Programme Officer, saartje@forum-asia.org, +66(0) 868864534

² Laos: Open Letter – Request for AICHR to ensure the safety and wellbeing of disappeared development worker, Mr. Sombath Somphone, 4 January 2013, <http://www.forum-asia.org/?p=15722>;

Laos: Open letter – Follow-up on request for AICHR to ensure the safety and wellbeing of disappeared development worker, Mr. Sombath Somphone, 1 February 2013, <http://www.forum-asia.org/?p=15788>