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**IMPLEMENTATION OF GENERAL ASSEMBLY RESOLUTION 60/251
OF 15 MARCH 2006 ENTITLED "HUMAN RIGHTS COUNCIL"**

**Written statement* submitted by the 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.

[27 February 2007]

* This written statement is issued, unedited, in the language(s) received from the
submitting non-governmental organization(s).

Laos: Discrimination of ethnic minorities

The Lao People's Democratic Republic (Lao PDR) is an ethnically diverse country. Only about half of its population is ethnically Lao – typically living in the lowlands of the country. The others are mostly members of almost 50 upland hill tribes which migrated from other regions into the current Laotian borders centuries ago. The Hmong, the Khmu and the Phou Thai are examples of highland minority groups.

Ever since the founding of the Lao PDR, the country has been led by the only legal party Lao Revolutionary Popular Party (LRPP). Article 8 of the Constitution of the Lao PDR guarantees that “*the state pursues the policy of promoting unity and equality among all ethnic groups*”. Furthermore, it states that “[*all*] ethnic groups have the rights to protect, preserve, and promote the fine customs and cultures of their own tribes and of the nation”, and that “[*all*] acts of creating division and discrimination among ethnic groups are prohibited”. However, as the “Alternative Report of the Lao Movement for Human Rights (LMDH)” on the “Situation of the ethnic and religious minorities in the Lao People's Democratic Republic” has pointed out in 2005, Article 8 stands in direct contradiction to Article 3 of the Constitution: “*The rights of the multi-ethnic people to be the masters of the country are exercised and ensured through the functioning of the political system with the Lao People's Revolutionary Party as its leading nucleus*“, which basically (re-)enforces the monopoly of the LRPP and is therefore incompatible with the democratic standards that the Lao PDR has recognized by signing various international conventions.

Forced relocation threatens livelihood and culture of ethnic minorities

In November 2006, the World Bank, which – among others – is funding the Nam Theun II Hydropower Dam Project and had prepared the new places for the already relocated 500 families, claimed that these families were satisfied with their new environment, as food and health care were being provided by the World Bank. However, whether this alleged resettlement success will be lasting for a long time is highly questionable. Experience has shown that many of the resettlement projects in Laos were planned rather poorly and often ignored the special needs of the ethnic minorities. The relocated families, thus, often faced severe long-term problems with their new land, environment, neighbours, and mostly ended up being much poorer and considerably more dependent on outside-help than before their relocation. NGO's already report that villagers in the Downstream Channel of the Nam Theun II Dam received inadequate and inconsistent or uneven cash compensation for their loss of their rice fields. Some families are already suffering rice shortages due to the lack of adequate compensation. Furthermore, some families were forced to relocate and did not receive the promised amounts of compensation. In addition, dried up village wells as a result of the Dam project threaten the existence of people in the area of the Nam Theun II Dam.

Military atrocities against the Hmong minority – women and children are suffering especially

As the Vietnam war spread into the neighbouring Laos, the Hmong became an integral part of a secret CIA-trained militia that helped to dismantle Pathet Lao supply lines. Fearing the worst when communists came into power in Laos at the end of the war, a third of the Hmong population left the country. However, some Hmong continued their armed struggle

against the Pathet Lao Movement, while ten thousands of Hmong, and other ethnic minorities such as the Khmu simply fled into the isolated remote mountainous jungles, in order to avoid persecution and relocation camps.

Today, more than 30 years later, many of the descendants of those who fled into the jungles after the war still live in-hiding in the Laotian jungle under disastrous circumstances. Internally displaced and isolated, they face frequent military attacks and rarely remain in one place for longer than three weeks. Most of them are women and children. They constantly live in desperate need for food and medical care. Journalists, who spent time with Hmong in the jungle, reported that many Hmong have scars from bullet wounds or other deformities caused by military aggressions. The Hmong avoid contact with the Lao military, and are too afraid to come out of hiding. These Hmong, who are constantly on the run today, are being persecuted because of their grandparents' decision to support the US army. In the last few years, the military attacks have become more frequent and merciless in their attempts to eliminate the Hmong from the Lao jungles.

In their fear of death, torture, rape or capture through the Lao and Vietnamese soldiers, who are hunting down the Hmong in Laos, many thousand Hmong Lao have tried to escape these life threatening dangers and severe human rights violations by fleeing over the border to Thailand. Right now there are over 8.000 Hmong refugees in the make-shift camp in Phetchabun, Thailand, or held detained in Thailand's detention facilities under unacceptable conditions, including children and infants. Many more are believed to be hiding in other places in Thailand.

The most recent developments have been more than worrying. After facing a number of heavy attacks and years of hunger and fear in the jungle of Laos, more than 400 Hmong surrendered to the Lao military on December 13, 2006. They were put onto military trucks and driven away, the military was not willing to tell where – their fate has been unknown ever since.

No justice for prisoners – Human rights organizations have limited access to the country

Although international human rights organizations have already managed to enter the country, the Lao PDR still limits the access of such organizations strongly. However, these organizations are neither allowed to visit detained or repatriated Hmong nor Lao prisons.

NGO reports revealed the situation of many Lao prisoners: in no case known to the organizations had the prisoners been informed about their legal rights or offered access to lawyers or consul officials. In some cases severe torture and ill-treatment as well as a lack of medical care were reported. Many of those in detention did not know why they were arrested and many did not receive a fair trial, if at all. The Lao government restricts the rights to freedom of expression, association and assembly. In Laos, no opposition to the party running the government, the LRPP, is allowed and the state controls the national media, the trade unions and religious organizations.

No religious freedom for ethnic minorities

In 2006, there were repeated reports about Lao Christians that got arrested for sharing and spreading their belief among their families, neighbours and fellow-villagers. It is estimated that there are more than 35.000 Evangelical Christians in Laos, most of them belonging to the minority groups of the Khmu, the Hmong and other tribes. About 60 per cent of the people in Laos are Theravada Buddhists – and Buddhism is encouraged (and controlled) through the state.

Society for Threatened Peoples calls on the Council to urge the Government of Laos to:

- end the massive human rights violations against ethnic minority groups immediately,
- allow regular access to the country for U.N. staff, foreign diplomats and international human rights organisations, and the media,
- release political prisoners, especially those belonging to ethnic minorities,
- establish sustainable development programs, funds and a monitoring process for Hmong people who are presently hiding in the mountains,
- stop relocation programmes for ethnic minorities/indigenous peoples that threaten their livelihood and cultural traditions.
