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**JOINT SUBMISSION OF THE INTERNATIONAL COMMISSION OF JURISTS, THE EXTRA –
TERRITORIAL OBLIGATION WATCH COALITION AND EARTHRIGHTS INTERNATIONAL
TO THE UNIVERSAL PERIODIC REVIEW OF LAO PDR**

Submitted on 11 October 2024

Composed of 60 eminent judges and lawyers from all regions of the world, the International Commission of Jurists (ICJ) promotes and protects human rights through the Rule of Law, by using its unique legal expertise to develop and strengthen national and international justice systems. Established in 1952, in consultative status with the Economic and Social Council since 1957, and active on five continents, the ICJ aims to ensure the progressive development and effective implementation of international human rights and international humanitarian law; secure the realization of civil, cultural, economic, political and social rights; safeguard the separation of powers; and guarantee the independence of the judiciary and legal profession.

The Extra-Territorial Obligation Watch Coalition (ETOs Watch Coalition) is a network of NGOs that focuses on transboundary issues related to human rights, community rights, natural resources, and the environment. The coalition utilizes a monitoring method to track and monitor investments in large-scale development projects in sectors such as energy, mining, economic land concessions, and special economic zones. This monitoring extends to Thai investors and investors from other nations in Southeast Asia, with particular emphasis on the Mekong region or CLMV countries, namely Cambodia, Laos, Myanmar, and Vietnam.

EarthRights International (EarthRights) is a non-governmental, non-profit organization that combines the power of law with the power of people in defense of human rights and the environment, which we define as "earth rights." We take legal action against perpetrators of earth rights abuses, train activists, and work with communities to demand meaningful and lasting change.

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I. Introduction

1. The International Commission of Jurists (ICJ), the Extra-Territorial Obligation Watch Coalition (ETOs Watch Coalition) and EarthRights International (EarthRights) welcome the opportunity to contribute to the Human Rights Council's (HRC) Universal Periodic Review (UPR) of Lao People's Democratic Republic (Lao PDR).
2. In this submission, the ICJ, ETOs Watch Coalition and EarthRights wish to draw the attention of the HRC and the Working Group on the UPR to their concerns and recommendations regarding Lao PDR's compliance with recommendations in paragraph 115.56, 70-80, 112, 119-128, and 150-153, as set out in the Working Group's report, that Lao PDR accepted or noted during the 2020 UPR cycle. These concerns include:
 - a. Insufficient legal protections for human rights in relation to development projects, particularly concerning compensation and resettlement for affected individuals;
 - b. Human rights violations/abuses resulting from the establishment and development of Special Economic Zones (SEZs) and the construction of dam projects in Lao PDR; and
 - c. The lack of progress in uncovering the fate and whereabouts of a development activist who has been subjected to enforced disappearance, and the threats against and restrictions on human rights defenders (HRDs) and civil society organizations (CSOs) solely because of their work.

II. Insufficient legal protections for human rights in relation to development projects

3. Following its third UPR cycle in 2020, Lao PDR accepted recommendations to improve the planning of development and investment projects to avoid forced displacement and enhance resettlement and compensation plans for land expropriation.¹ The government also noted a recommendation to develop "a national action plan for the full implementation of the (UN) Guiding Principles on Business and Human Rights,"² stating that it did not have such a plan for the next four years but would, instead, "focus on strengthening existing legal measures for the promotion and protection of human rights in relation to the obligations of the private sector."³ However, ICJ, ETOs Watch Coalition and EarthRights regret that, instead of improving or strengthening existing legal measures as committed, the Lao government chose to get rid of some important tools, particularly those governing resettlement and compensation plans for development projects, without providing an adequate framework to replace them. This decision leaves affected individuals in legal limbo and is inconsistent with Lao PDR's international human rights obligations,⁴ including under the International Covenant on Economic, Social and Cultural Rights (ICESCR), by which Lao PDR is bound as a State party, and is thus obliged to protect the right to an adequate standard of living, including housing and food, and the right to effective remedies and reparations, as authoritatively elaborated in the Committee on Economic, Social and Cultural Rights (CESCR)' General Comments Nos. 4, 7 and 26.⁵

General legal frameworks governing compensation and resettlement in relation to development projects

4. The most significant repeal was of Decree No. 84 on Compensation and Resettlement Management in Development Projects, adopted on 5 April 2016. The Decree set standards for "compensation," which could be in the form of land, material, or money,⁶ and managed resettlement activities with the goal of ensuring that people affected by development projects were "compensated, resettled, and assisted with permanent livelihood alternatives, leading to

improved living conditions or, at minimum, conditions as good as before,”⁷ as outlined in Article 1 of the Decree.

5. ICJ, ETOs Watch Coalition and EarthRights noted that, despite its guarantees, the Decree had flaws, such as poor implementation regarding the participation of affected communities in the planning of compensation, resettlement, and livelihood rehabilitation.⁸ The resulting plans often failed to provide effective, prompt and accessible remedies to victims, and compensation for land loss was unavailable for the full spectrum of ownership, often limited to those with land use rights documents. Nevertheless, CSOs and affected persons considered the Decree a crucial tool, providing legal safeguards ensuring public participation and establishing mechanisms to seek compensation and resettlement for those impacted by investment or development projects causing loss and damage to their land and livelihoods.
6. The Decree was repealed by an announcement from the Ministry of Natural Resources and Environment (MONRE) on 13 December 2023, which stated that the Decree’s content was already covered in the amended Land Law (2019). However, the Land Law remains vague and inadequate in addressing remedies and reparations and does not adequately replace Decree 84.
7. The Land Law outlines provisions for ‘Compensation for Loss of Land Use Rights’ in Part IX, Articles 148 and 155, covering compensation for various situations, including those caused by land re-acquisition for public purpose projects and State investment projects. CSOs expressed concern that this framework potentially excludes private investment projects.⁹ Furthermore, unlike Decree No. 84, the Land Law does not explicitly allow landowners or those dependent on the land and affected by projects to participate in decisions related to remedies and reparations. While the Land Law recognizes “customary land use rights,”¹⁰ it remains unclear how these rights will be treated in compensation cases, particularly for lands under collective use and for land-dependent individuals and communities without titles. This is especially concerning since most farmers in rural areas lack formal tenure documents. Indeed, in compensation cases decisions are often left to the discretion of local government officials, increasing the risk of inconsistent, unfair and inadequate outcomes for remedies and reparations.¹¹ In addition, while Decree No. 84 opened the door for social and environmental impacts related to project implementation to be included in the compensation plan,¹² this will not be the case under the Land Law, which limits compensation to land-related losses. As a result, a range of environmental impacts and other social effects may remain unaddressed.
8. The Land Law also contains no resettlement provisions, unlike Decree No. 84. Although the 2018 Law on Resettlement and Vocation, No. 204/P, states that resettlement is available for those affected by development projects,¹³ with ‘development projects’ defined as investment projects or any activities implemented in Lao PDR that require resettlement and compensation,¹⁴ CSOs indicated that the law is poorly implemented in practice and is in reality only applied to State-backed projects.

Specific legal frameworks governing compensation and resettlement in relation to development projects: SEZs

9. Despite flaws and gaps within the general laws applicable to all development projects, some projects have their own specific legal frameworks, which, in many instances, privilege SEZs and provide inadequate human rights protection, including safeguards against forced eviction, adequate compensation, and housing in cases of resettlement, as guaranteed by ICESCR. As a result, legal guarantees for human rights protections, especially in situations where national law is already weak, as seen with the repeal of Decree No. 84, have been diluted. SEZs, a project first introduced in 2003 with the establishment of the first SEZ in Savan-Seno, are a case in point.¹⁵

10. The legal framework for SEZs includes the 2016 Law on Investment Promotion, No. 14/NA (the 'Law on Investment Promotion'),¹⁶ and the 2018 Decree on SEZs in Lao PDR, No. 188/PM (the 'SEZ Decree').¹⁷ They were enacted to standardize the rules and incentives offered to SEZ zone developers and investors, covering various provisions, including the creation of the Special Economic Zone Authority (SEZA), which has the authority to monitor, inspect and encourage zone developers¹⁸ and investors to protect and preserve the "environment, society, national fine culture, and tradition."¹⁹
11. However, the laws and policies in general focus primarily on the benefits and privileges granted to investors and fail to identify potential human rights risks or outline risk management strategies related to SEZ project implementation. They lack explicit and adequate provisions for securing the human rights of affected persons, including sufficient legal safeguards to prevent forced evictions. While some safeguards exist in both laws, such as the obligation for zone developers to provide compensation to affected persons for land allocated for SEZs,²⁰ this compensation is expected to follow the development agreement, laws and regulations—a problematic provision given the repeal of Decree No. 84 and the shortcomings in the Land Law (2019) discussed above. Additionally, the laws grant local SEZ authorities sole responsibility for "allocating, surveying, resolving, and evaluating issues related to land in order to compensate those affected by the project," without clear standards to ensure decisions are made in compliance with international human rights laws and standards.

III. Human rights consequences of development projects, including the SEZs²¹ and the construction of hydropower dams

12. Following its third UPR cycle in 2020, Lao PDR accepted recommendations to improve the planning of development and investment projects, including infrastructure projects, such as dams, to avoid forced displacement. In cases where displacement occurs, Lao PDR accepted the recommendation that affected communities be included in the decision-making process, and that such projects be carried out in accordance with international standards, including with respect to adequate consultation and compensation.²² However, despite these commitments, it is regrettable that many land conflicts persist due to development projects that have forcibly evicted local communities and smallholder farmers without proper consultation, resulting in the loss of their land, access to natural resources, and livelihoods without adequate remedies or reparations.²³ Reports also highlight environmental degradation caused by development projects and investment activities, which have negatively affected the health and livelihoods of individuals living nearby, as well as livestock and other vital nutrition sources for the local population. Additionally, there have been reports of violations of the right to work, just and favorable work conditions and cases of trafficking in persons. These concerns are particularly evident in the context of SEZs and hydropower dam construction, both of which have been linked to numerous reports of human rights violations and abuses over the past decade, as detailed below.

Development projects, forced evictions and the failure to ensure adequate compensation, housing and livelihoods for resettled/ displaced communities

13. The 2019 Land Law allows the State to reacquire land for public purposes or national development projects,²⁴ but this provision is often broadly interpreted to include economic development for private gain.²⁵ Concessions,²⁶ a form of land reacquisition permitted by the Land Law, have become the main strategy for advancing development projects and infrastructure, particularly in SEZs and dam projects, which typically require the displacement of residents. These developments are often carried out without sufficient legal safeguards against forced evictions or protections for local people's land tenure rights, including their access to, use of, and control over land. As exemplified in the example below, compensation provided is frequently inadequate due to a lack of clear standards and transparency in

determining its value, even among affected individuals within the same project. In several cases monitored, compensation decisions were left to the arbitrary discretion of local government officers. Additionally, where alternative housing is provided to displaced individuals, it frequently fails to meet adequacy requirements as set out in CESCR's General Comment No. 4, particularly for smallholder farmers whose livelihoods are jeopardized. Even in instances of dam collapses, affected populations continue to face significant barriers to securing access to effective remedies, including reparations, as guaranteed under international law. These instances are in contravention of international human rights law and standards, such as those set out in the ICESCR, its General Comment No. 4, 7 and 26,²⁷ and the Basic Principles and Guidelines on Development-based Evictions and Displacement.

Mahanathy Sithandone SEZ

14. In the case of the Mahanathy Sithandone SEZ, one of the latest SEZs approved, infrastructure construction is ongoing. According to information obtained from a local researcher who interviewed several affected individuals in this SEZ, they stated that they did not effectively participate in the decision-making process during the development and planning of the project. Although someone spoke with them and collected information about their properties and household members, they were not informed about how this information would be used or for what purpose. Affected individuals also expressed dissatisfaction with the lack of opportunity to voice concerns about the project or challenge compensation determinations made by government authorities and representatives of project developers, and raised concern that, since they depend on fisheries for their livelihoods, being resettled elsewhere from the river area would negatively impact their standard of living.²⁸
15. Similarly, during the construction of the Golf Club located within the Mahanathy Sithandone SEZ, Radio Free Asia (RFA) reported that about 35 families refused to relocate as the golf course construction was set to begin. They requested a reassessment of their properties and an increase in compensation. According to reports, families with land near the main road were set to receive 800 million kip (USD 36,000) per hectare, while those farther from the road were offered 200 million kip (USD 9,000). As of early 2024, some villagers had received partial compensation payments ranging from 50 million kip (USD 2,250) to 500 million kip (USD 22,550), while others had received nothing. In any event, affected individuals said the amounts paid were insufficient to purchase new land or build homes elsewhere.²⁹

Luang Prabang Hydropower Project

16. In its ambition to become the 'Battery of Asia,' the Lao government has constructed hydropower dams along the Mekong River and its tributaries.³⁰ This includes the Luang Prabang Hydropower Project, which is affecting 26 villages, according to the Environmental and Social Impact Assessment (ESIA) report completed in May 2019. Among these, six villages—comprising a total population of approximately 2,885 people and 581 households—will be fully impacted by land acquisition. The Luang Prabang Dam developer has proposed the resettlement of affected individuals to different locations—with relocation having apparently already begun—along with compensation for the assets concerned. However, regarding compensation,³¹ affected residents have claimed that the compensation for land is lower than the actual market value, and demanded, in certain cases, five times the offered value, which they believe represents economically assessable damage that should be guaranteed, including under the UN Basic Principles on Evictions and Displacement.³²

Pak Lay Hydropower Project

17. Another example is the Pak Lay hydropower dam, built on the Mekong mainstream in Pak Lay District. According to the project's ESIA, the dam will affect villagers in eight villages, comprising 993 households, who will need to be relocated. However, as RFA reported in

January 2024, many villagers, who are to be relocated, stated that they had not received any updates regarding compensation or relocation plans, despite some infrastructure being built and the dam's construction set to commence at the end of 2024. They also expressed their unwillingness to leave their villages and voiced concern about their livelihoods in the relocated areas. Additionally, during road construction in the dam area, some roads crossed the plantation areas of several local villagers and smallholder farmers. While these individuals did not need to relocate, they expressed dissatisfaction with the compensation granted for the plantation areas, which was only 30 to 40 million kip (approximately USD 1,350 to 1,800), amounts they deemed inadequate.³³

Xayaburi Hydropower Project

18. In addition to inadequate compensation, alternative lands proposed by companies involved in projects like the Xayaburi Hydropower Project have been criticized for failing to support the livelihoods of resettled households. The Social Impact Assessment prepared by the dam developer in 2010 anticipated that 458 households would need to be relocated.³⁴ Although resettlement villages were constructed and compensation paid, RFA reported at the end of 2021 that the resettlement areas still lack sufficient farming land and access to running water.³⁵

Xe Pian-Xe Namnoy Hydropower Project

19. Dam collapses have occurred in Lao PDR, leaving affected populations facing significant obstacles in securing their right to access justice and effective remedies, including reparations, as guaranteed under international law. A disaster occurred in 2018 when the auxiliary dam 'Saddle D' of the Xe Pian-Xe Namnoy Hydropower Dam in Attapeu province collapsed, allegedly due to potential substandard dam design and construction.³⁶ This catastrophic event resulted in the release of five billion cubic meters of water, severely impacting 19 villages. Official government figures reported 43 people killed and 28 people missing, although concern was raised about the accuracy of the casualty count due to an alleged lack of transparent surveying.³⁷ Approximately 7,000 people were displaced and placed in temporary accommodations with the promise of resettlement and financial support.
20. UN experts and other actors raised concern about lengthy delays in providing long-term accommodation to survivors, leaving them stranded in unsuitable and unsanitary temporary shelters, with serious negative impacts in violation of their rights to adequate housing and health. The irregularities in providing allowances, compensation money and rice, thereby affecting survivors' rights to food and an adequate standard of living, were also noted. UN experts also expressed concern about the lack of support for immediate evacuation and monitoring mechanisms for dams in the country.³⁸
21. In response to the concerns raised, the operator of the dam insisted it had provided a total of USD 91.2 million for compensation payments and the construction of four new villages with better housing and public infrastructure.³⁹ However, NGOs expressed concern that, according to the company's internal records, the majority of the compensation (USD 64.87 million) was paid to the Lao government for the designated "Master Plan," not directly to the affected people. Noting the lack of public information on how the money was spent or the specifics of the "Master Plan," they observed that the compensation process might "prioritize the development needs of the Lao government over the effective remedy of the survivors." Additionally, according to the Korean Transnational Corporations (KTNC) Watch's interviews with the survivors, the survivors were relocated to unfamiliar lands and were not provided with sustainable livelihoods. The lands provided were allegedly not suitable for rice cultivation, on which they traditionally relied for a living.⁴⁰

Detrimental impacts on the environment, ecosystems and cultural heritage site

22. CSOs continue to receive reports that the construction of dam projects in Lao PDR may have detrimental impacts on the environment and ecosystems in several countries, including those along the banks of the Lower Mekong River, as well as on a certain cultural heritage site, if these projects are implemented as planned. In several instances, environmental impact assessments have been conducted reportedly haphazardly, failing to comply with scientific evidentiary standards and analysis, risking violating the right to a clean, healthy and sustainable environment. Moreover, several projects have already caused and may lead to further deprivation of livelihoods, posing a threat to the affected communities' human rights, including the right to adequate food, work and just and favorable conditions of work.

Sanakham Hydropower Project

23. For example, in the case of the Sanakham Hydropower Project, for which construction has yet to begin due to Thailand's strong and repeated objections, raising serious concern about its impact on the Mekong River's ecosystem, on the livelihoods of communities in riparian areas, who rely on the Mekong's biodiversity, and on the potential transboundary impacts in Thailand.⁴¹ The Mekong River Commission (MRC)⁴² and several environmental organizations have warned the project may lead to the loss of crucial habitats for key fish species, a catastrophic decline in critically endangered species' populations, and the loss of livelihoods, particularly for poorer riparian villagers.⁴³ The dam could also remove sediment from the Mekong vital for the fisheries of Tonle Sap in Cambodia and for the banks of the delta in Vietnam.⁴⁴ Additionally, there are concerns about its potential impact on demarcation lines for Thailand and Lao PDR.⁴⁵

24. In July 2020, the MRC's Joint Committee also rejected documents submitted by the Lao government for prior consultation regarding the Sanakham project, as they found that the Transboundary Environmental and Social Impact Assessment and Cumulative Impact Assessment (TBESIA/CIA) contained "out of date information."⁴⁶ Save the Mekong Coalition further claimed that large sections of Sanakham's TBESIA/CIA are outdated and plagiarized⁴⁷ from the TBESIA/CIA of the dam project at Pak Lay.⁴⁸ In January 2021, the developer reportedly submitted a revised technical report to the MRC, which sought to address some concerns about the impact assessment, but the MRC did not accept the revisions, concluding that the information in the new report was still insufficient.⁴⁹

Pak Beng Hydropower Project

25. In the Pak Beng Hydropower Dam's case, Thai residents living along the banks of the Lower Mekong River raised concerns about the lack of an official study of the Dam's transboundary impact in Thailand.⁵⁰ Additionally, there are concerns about the Dam's backwater effects, posing a flooding risk to certain communities and farmlands in Thailand, as well as the potential impact on demarcation lines for Thailand and Lao PDR.⁵¹ As a result, people living along the river may be forced to relocate or resettle. CSOs, including the ETOs Watch Coalition and International Rivers, have also expressed concern that the construction of the Dam would block fish migration routes and disrupt the Mekong's biological conditions and ecosystem, resulting in income loss for many fishing families and the potential extinction of endangered species.⁵² Despite these concerns, on 13 September 2023, Thailand's Electricity Generating Authority and the Pak Beng Dam developers signed a power purchase agreement for the Pak Beng, allowing construction to begin once a social impact report is issued.⁵³

Luang Prabang Hydropower Project

26. In the Luang Prabang Hydropower Project, which is planned to be located approximately 25 kilometers upstream from Luang Prabang, a designated UNESCO World Heritage Site,

concerns have been raised regarding its security and safety standards, as well as the potential violation of the State's obligation to respect and protect cultural heritage in all its forms (see, CESCR's General Comment No. 21). While the developer already completed a Social Impact Assessment, UNESCO called for a more detailed assessment, including conducting the Heritage Impact Assessment (HIA), which was submitted by Lao authorities in November 2021. However, in January 2022, the technical review conducted by the International Council on Monuments and Sites (ICOMOS) and the International Union for Conservation of Nature (IUCN) concluded that the HIA was insufficient to demonstrate the absence of negative impacts on the Outstanding Universal Value. They requested the Lao PDR government to address these shortcomings and provide additional information. Following a monitoring mission to the dam site in April 2022, both the UNESCO World Heritage Centre and ICOMOS International recommended that Lao PDR reconsider the project and relocate it, along with any future similar projects, to areas that do not pose a threat to the World Heritage properties, their associated values or their environmental setting.⁵⁴ Despite these warnings, construction continues.

Labour Rights Abuses

27. Reports indicate that in several SEZs, workers face an environment conducive to labour exploitation, with excessive working hours and inadequate working conditions. Instances of serious violations of labour rights, including human trafficking for the purposes of labour and sexual exploitation, have also been reported, despite the Lao PDR government's acceptance of several recommendations during the previous UPR cycle to combat trafficking in persons and related labour and sexual exploitation.⁵⁵ These violations contravene international human rights law binding on Lao PDR, including the International Covenant on Civil and Political Rights, ICESCR, the Convention on the Elimination of All Forms of Discrimination against Women and International Labour Organization (ILO) Conventions.
28. In several cases, SEZ companies have committed to providing employment opportunities for the local population within the zone. However, Lao employment in the SEZs is reportedly primarily limited to young women in the unskilled workforce, earning the minimum wage — which is generally not sufficient to ensure a decent living for themselves and their families, as guaranteed under the ICESCR and ILO Conventions, particularly given the current economic pressures caused by the high cost of living and inflation.⁵⁶ Skilled and higher-paying jobs are often given to workers brought in from other countries. Additionally, reports continue to surface regarding employers within SEZs disregarding labour law protections, including allegations of forced overtime, restricted holidays, wage deductions for sick leave, harsh working conditions and resort to violence.⁵⁷ For example, Casino workers reportedly have to endure long working hours in a smoke-filled environment.⁵⁸
29. In SEZs, like the Golden Triangle SEZ (GTSEZ), which serves as a gambling and tourism hub, significant concerns arise regarding criminal activities. These include sexual exploitation and abuse of women and girls, trafficking for forced labour in online scams, and drug trafficking. People from various countries were allegedly lured to the GTSEZ with promises of employment, but many were forced to work as online scammers, reportedly through beatings and torture.⁵⁹ Reports have emerged of female workers being held against their will, who were forced to work overtime and, in some cases, trafficked for sexual exploitation.⁶⁰ Between the GTSEZ's establishment in 2007 and August 2022, it was reported that the Lao authorities rescued more than 1,680 human trafficking victims, both Lao nationals and foreign nationals, from the GTSEZ.⁶¹ In 2018, the U.S. government sanctioned the Chinese Chairperson of the GTSEZ as head of a trafficking network for engaging in drug trafficking, human trafficking, money laundering, bribery and wildlife trafficking, much of which had been facilitated through the Casino located within the GTSEZ.⁶²

30. Reports also noted the arrest and deportation since the end of 2023 of over 1,000 Chinese nationals involved in human trafficking and cyber scams in Lao PDR, particularly in the GTSEZ and the northern provinces.⁶³ In 2024, the Lao government also ordered that online scammers operating in the GTSEZ be “completely shut down by 25 August 2024.”⁶⁴ Following this order, 771 individuals were arrested in the GTSEZ,⁶⁵ many were identified as trafficking victims.⁶⁶ Despite these efforts, which primarily target trafficking related to online scams, trafficking of persons within the SEZs remains a significant concern. The US Department of State’s 2024 Trafficking in Persons Report highlighted that the Lao government identified relatively few trafficking victims exploited in SEZs since the government classified almost all cases involving potential trafficking victims removed from SEZs as “labor disputes.” Furthermore, it warned that the Lao government approved the opening of Bokeo International Airport, adjacent to the GTSEZ, reportedly partially financed by transnational criminal entities, without adequate safeguards to prevent the facilitation of human trafficking at this airport. Most of the concerns raised remain unaddressed.⁶⁷

IV. HRDs

31. The authors are also concerned about reports of alleged enforced disappearances and threats faced by HRDs advocating for human rights in the context of development projects, as well as the restrictions on CSOs’ activities.

32. For example, despite Lao PDR accepting recommendations during the third UPR cycle to continue taking measures to improve investigations into cases of enforced disappearance, as well as noting recommendations to search for missing Lao citizens, including Sombath Somphone—a development worker and human rights defender—who was abducted from a busy street in Vientiane on 15 December 2012 and whose fate and whereabouts remain unknown.⁶⁸ Footage from a CCTV camera showed that police stopped his vehicle at a checkpoint and that, within minutes, unknown individuals forced him into another vehicle and drove him away in the presence of police officers. CCTV footage also showed an unknown individual later arriving and driving Somphone’s vehicle away from the city center.⁶⁹ Despite calls from numerous UN Member States, human rights monitoring mechanisms and NGOs,⁷⁰ no reports of progress in the investigation of his case have been announced to the public.

33. In addition, despite accepting recommendations during the third UPR cycle to create and maintain a safe and enabling environment for HRDs and civil society to constructively contribute to policymaking and national development,⁷¹ Decree No. 238 on Associations, of August 2017 and in force since November 2017, continues to limit the activities of CSOs in the country. The Decree gives government authorities in Lao PDR sweeping powers that enable arbitrary restrictions or denials of human rights, including the authority to unreasonably control and/or prohibit the formation of associations; arbitrary broad powers to inspect, monitor, and curtail the activities and finances of associations, requiring CSOs to seek prior approval from authorities before carrying out any activities; the power to order the dissolution of associations on arbitrary grounds without the right of appeal; and powers to discipline associations and individual members on arbitrary grounds. The decree also includes measures to criminalize unregistered associations and allows for the prosecution of their members. This is particularly concerning given that the Decree was enacted against the backdrop of Article 44 of the Lao Constitution, which already establishes that the right and freedom to “set up associations” is limited to those “not contrary to the laws.” These provisions impede the rights to freedom of opinion and expression, and association, which are guaranteed under the ICCPR and the UN Declaration on Human Rights Defenders adopted by consensus by the UN General Assembly.⁷²

34. HRDs have also expressed concern about the challenges they encounter in carrying out their work, including documenting human rights violations/abuses committed in Lao PDR. The lack

of sufficient support and collaboration from local authorities hinder their efforts to access relevant information and receive answers to their queries. Furthermore, HRDs face risks, such as their work being disclosed without their permission to alleged perpetrators/abusers, and to others who may harm them, in an atmosphere characterized by general distrust between the authorities and HRDs. This situation puts them at risk of reprisals, contrary to the UN HRDs Declaration.

V. Recommendations

35. In light of the above concerns, the ICJ, ETOs Watch Coalition and EarthRights call upon the HRC and the Working Group on the UPR to recommend that the Lao PDR authorities:

- Rescind the repeal Decree No. 84 on Compensation and Resettlement Management in Development Projects and, instead, improve the Decree to address its flaws (outlined above).
- Amend the Law on Investment Promotion and the Decree on SEZs in Lao PDR to ensure the inclusion of explicit and adequate provisions for securing the human rights of affected persons, including sufficient legal safeguards to prevent forced evictions and to ensure adequate remedies and reparations for affected individuals;
- Conduct human rights impact assessments, environmental impact assessments and assessments prior to the initiation of any project that could result in forced eviction, including transboundary impacts and impacts on cultural heritage, with genuine public participation, in compliance with international law and standards, and ensure these assessments are given detailed consideration before the project begins;
- Adopt laws and legal safeguards that explicitly prevent forced eviction, including amending the 2019 Land Law, to ensure that people are not forcibly evicted from the lands, territories, and natural resources they have customarily occupied and used, regardless of their legal title, including in the context of SEZs and hydropower dam constructions. Eviction should occur only when procedural protections required under international human rights law are in place and effectively implemented in practice, and ensure prior adequate and meaningful consultations with communities;
- Ensure that adequate compensation and alternative housing, in accordance with international human rights law and standards, including CESCR's General Comments Nos. 4, 7 and 26 and the Basic Principles and Guidelines on Development-based Evictions and Displacement, are provided to displaced individuals and communities affected by development projects, including SEZs and the construction of hydropower dams. This should involve meaningful consultations with affected communities during the compensation and resettlement determination process, ensuring transparency and an effective appeal process;
- Review all SEZs and hydropower dam projects in Lao PDR, including halting those that pose harm, to ensure they do not cause detrimental impacts on the environment and ecosystems, as well as potential transboundary impacts on neighboring countries, comply with scientific evidence and analysis, and do not deprive local communities of their livelihoods or their right to a clean, healthy, and sustainable environment;
- Ensure that the minimum wage is sufficient to ensure a decent living for workers and their families, as guaranteed under the ICESCR and ILO Conventions;

- Immediately address serious human rights violations/abuses, including human trafficking for labour and sexual and other forms of exploitation of women workers in the SEZs, including the GTSEZ;
- Adopt plans to respond to and prevent the occurrence of disasters, such as dam collapses, in the future, including details on evacuation plans and monitoring systems for dams;
- Ensure that development projects do not contribute to violations of the State's obligation to respect and protect cultural heritage in all its forms. This includes revisiting the decision to develop a hydropower dam near the Luang Prabang World Heritage Site;
- Conduct prompt, thorough, effective, independent, impartial and transparent investigations into allegations of enforced disappearances, including that of Sombath Somphone, with the aim of ascertaining the fate and whereabouts of the disappeared and holding those responsible accountable;
- Repeal or significantly amend Decree No. 238 on Associations and other relevant laws, such as the Constitution, to ensure their provisions and application do not hinder but rather enable the work of CSOs, allowing them to carry out their work without needing prior approval; and
- Ensure a safe and enabling environment for HRDs to operate free from hindrance, reprisals, and insecurity, while also ensuring that they are not criminalized or restricted in their legitimate exercise of human rights, including the right to association, in compliance with the various treaties to which Lao PDR is a party and the UN Declaration on Human Rights Defenders.

ENDNOTES

¹ Human Rights Council, 'Report of the Working Group on the Universal Periodic Review: Lao People's Democratic Republic,' A/HRC/44/6, 17 March 2020, para. 115.150, 151 and 153 ('2020 UPR Report').

² 2020 UPR Report, para. 115.56

³ Human Rights Council, 'Addendum, Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review,' A/HRC/44/6/Add.1, 16 September 2020, para. 14.

⁴ See the provisions enshrining a right to a remedy for victims of violations of international human rights law found in numerous international instruments in which Lao PDR is a party, in particular: Article 8 of the UDHR; Article 2 of the ICCPR; Article 6 of CERD; and Article 39 of the CRC.

⁵ See UN Committee on Economic, Social and Cultural Rights (CESCR), 'General Comment No. 4: The Right to Adequate Housing (Art. 11 (1) of the Covenant)', E/1992/23CESCR, 13 December 1991 ('CESCR General Comment No. 4'); CESCR, 'General Comment No. 7: forced eviction,' 20 May 1997 (CESCR General Comment No. 7') and CESCR, 'General Comment No. 26 on Land and Economic, Social and Cultural Rights,' E/C.12/GC/26, 22 December 2022 ('CESCR General Comment No. 26'); and the Basic Principles and Guidelines on Development-based Evictions and Displacement. See also: ICJ, 'The right to a remedy and reparation for gross human rights violations – 2018 update to Practitioners' Guide No 2,' 2018, available at: <https://www.icj.org/resource/the-right-to-a-remedy-and-reparation-for-gross-human-rights-violations-2018-update-to-practitioners-guide-no-2/>

⁶ Article 2, Decree No. 84 on Compensation and Resettlement Management in Development Projects

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- ⁷ Article 1, Decree No. 84 on Compensation and Resettlement Management in Development Projects
- ⁸ Article 18, Decree No. 84 on Compensation and Resettlement Management in Development Projects
- ⁹ Information obtained by the submitters through interviews with members of CSOs in Lao PDR.
- ¹⁰ Article 130, Land Law (2019)
- ¹¹ Information obtained by the submitters through interviews with members of CSOs in Lao PDR.
- ¹² Article 7, Decree No. 84 on Compensation and Resettlement Management in Development Projects
- ¹³ Article 12, Law on Resettlement and Vocation, available at: https://data.laos.opendevdevelopmentmekong.net/laws_record/law-on-resettlement-and-vocation
- ¹⁴ Article 3, Law on Resettlement and Vocation
- ¹⁵ Since then, at least 21 SEZs have been established across the country.
- ¹⁶ Available at: https://policy.asiapacificenergy.org/sites/default/files/LAW%20ON%20INVESTMENT%20PROMOTION%20%28Amendment%29_2016%20%28EN%29.pdf
- ¹⁷ Available at: https://laosez.gov.la/pdf/Decree_188GOV_en.pdf
- ¹⁸ Given budget constraints, the Lao government encourages the private sector and public-private partnerships to invest in and develop SEZs. The Lao government relies on such entities to build infrastructure (such as roads, electricity, water supply, waste management and telecommunications) within SEZs and even in areas outside the zones, usually in exchange for land and other benefits.
- ¹⁹ Article 38, SEZ Decree
- ²⁰ Article 53, SEZ Decree
- ²¹ See also: ICJ, 'Mekong Region: Authorities must address the adverse impacts of economic activity in SEZs on the environment and human rights', 2022, available at: <https://www.icj.org/mekong-sezs-human-rights/>; ICJ, 'Mekong Region: ICJ convenes the second regional dialogue to address human rights concerns regarding special economic zones,' 20 March 2024, available at: <https://www.icj.org/mekong-region-icj-convenes-the-second-regional-dialogue-to-address-human-rights-concerns-regarding-special-economic-zones/>
- ²² 2020 UPR Report, para. 115.150-152
- ²³ For example, RFA Lao, 'Power agreement hastens timeline for Laos' Pak Beng Dam', 21 September 2023, available at: <https://www.rfa.org/english/news/laos/agreement-09202023162437.html>; RFA Lao, 'Five years on, compensation yet to arrive for Lao dam collapse survivors', 21 July 2023, available at: <https://www.rfa.org/english/news/laos/dam-07212023101019.html>
- ²⁴ Article 147, Land Law. The land of Lao PDR is under the ownership of the national community, the State represents the ownership holder and manages the allocation of land through land allocation plans, land use planning and land development.
- ²⁵ Kuaycharoen, P., Longcharoen, L., Chotiwan, P., Sukin, K., Lao Independent Researchers, 'Special Economic Zones and Land Dispossession in the Mekong Region', at 22, 2020, ('2020 SEZ and Land Dispossession Report'), available at: <https://th.boell.org/sites/default/files/2021-05/SEZs%20%26%20Land%20Dispossession%20in%20the%20Mekong%20Region-Update.pdf>. See also Article 19, Land Law.
- ²⁶ In Lao PDR, the exchange of land for development, through the granting of large-scale concessions to investors, became the dominant interpretation of the "Turning Land Into Capital"

policy. See: 2020 SEZ and Land Dispossession Report, at 21. Further, subject to Articles 118 and 119 of the Land Law, a land concession is the authorization by the State for the concessionaires to use State allocated land in certain areas to conduct concession investment activities in accordance with the contract and the laws, including in SEZs. The lease or concession of State land shall go through an auction process and take place within land areas allocated by the State. After being granted with lease or concession of State land, such lessee or concessionaire will be given State land title.

²⁷ CESCR General Comment Nos. 4, 7 and 26.

²⁸ See also RFA Lao, 'Lao villagers unhappy with compensation as SEZ development begins,' 4 January 2024, available at: <https://www.rfa.org/english/news/laos/champassak-land-compensation-01042024160353.html>

²⁹ *Ibid*

³⁰ According to Stimson's Infrastructure Tracker, the Lao government had constructed and operated at least 58 hydropower dams in Lao PDR as of 2020, out of a total of 93 hydropower dams that are either completed, under construction, or proposed/planned. See: Stimson, 'Mekong Infrastructure Tracker Dashboard,' 25 May 2020, available at: <https://www.stimson.org/2020/mekong-infrastructure-tracker-tool/>

³¹ Decision on Compensation Unit Price for People Affected by the Luang Prabang Dam (No. 365/LPBG), dated 16 August 2021.

³² In this regard, residents from Nga District in Oudomxay Province have reportedly lodged complaints with local officials, demanding compensation for residential and farmland at five times the offered value. An official from the Lao Ministry of Energy and Mines informed RFA in early 2023 that the provincial people's council was reviewing these demands. To our knowledge, no further updates have been provided since. See: RFA, 'Villagers to be displaced by Luang Prabang Dam want more compensation,' 17 February 2023, available at: <https://www.rfa.org/english/news/laos/laos-dam-02172023175843.html>; and Sypha Chanthavong, 'Mekong River Hydropower Development, Compensation and the Resettlement Legal Framework in Lao PDR: The Case of Luang Prabang Dam,' Heinrich Boll Stiftung, 19 December 2022, available at: <https://th.boell.org/en/2022/12/19/mekong-compensation-resettlement>

³³ Transborder New, 'Lao people are concerned about compensation for the Pak Lay Dam, expecting construction of the dam at the end of the year,' 16 January 2024, available at: <https://transbordernews.in.th/home/?p=36950> (in Thai) Reportedly, compensation was granted for only 30 to 40 million kip (approximately USD 1,350 to 1,800).

³⁴ Ch. Karnchang Public Company Limited, 'Social Impact Assessment: Xayaburi Hydroelectric Power Project,' August 2010, at 5-1, available at: <https://www.mrcmekong.org/assets/Consultations/2010-Xayaburi/Xayaburi-SIA-August-2010.pdf>. However, according to IR, at least 2,100 people would be resettled, and an estimated additional 200,000 people would experience flooded agricultural land and a reduction in fish catch. See: International Rivers (IR), 'The Xayaburi Dam: Threatening Food Security in the Mekong,' September 2012, available at: https://archive.internationalrivers.org/sites/default/files/attached-files/intl_rivers_xayaburi_food_security_report_sept_2012.pdf

³⁵ RFA, 'Lao Villagers Displaced by Xayaburi Dam Still Lack Farmland, Water,' 29 September 2021, available at: <https://www.rfa.org/english/news/laos/displaced-09292021174252.html>; ETO Watch, 'Letter of Request to the Bank Providing Loans to the Xayaburi Dam to Follow up with the Company to Disclose Progress Reports on Measures to Reduce the Impacts on Fisheries, Restore the Livelihoods and Economy of Displaced Individuals, and Provide an Emergency Relief Plan from Xayaburi Dam Management,' 19 August 2024, available at: <https://www.mymekong.org/document/xayaburi-letter/> (in Thai).

³⁶ The company in charge of operating the dam argued that the collapse was not caused by faulty construction but by a natural disaster (*force majeure*).

³⁷ According to the joint statement of NGOs, the collapse killed 71 people and displaced thousands. KTNC Watch et al., 'Lao Dam Disaster: NGOs Decry Lack of Effective Remedy for Survivors Five Years on,' 4 July 2023, available at: <https://www.manushyafoundation.org/post/lao-dam-disaster-ngos-decry-lack-of-effective-remedy-for-survivors-five-years-on> ('KTNC Watch's 2023 Joint Statement).

³⁸ E.g., 'AL OTH 50/2022,' 18 July 2022, available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=27375> and 'AL LAO 1/2020,' 17 April 2020, available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=25088>

³⁹ Xe Pian-Xe Namnoy Power Company Limited, 'Response to Joint Communications from Special Procedures,' 30 August 2022, available at: <https://spcommreports.ohchr.org/TMResultsBase/DownloadFile?gId=37134>

⁴⁰ KTNC Watch, '[Press Release] Lao dam disaster: NGOs decry lack of effective remedy for survivors five years on,' 23 July 2023, available at: <https://ktncwatch.org/news/press-release-lao-dam-disaster-ngos-decry-lack-effective-remedy-survivors-five-y/>

⁴¹ E.g., Marwaan Macan-Markar, 'Thailand challenges Laos dam building spree on Mekong River,' Nikkei Asia, 30 January 2021, available at: <https://asia.nikkei.com/Politics/International-relations/Thailand-challenges-Laos-dam-building-sprees-on-Mekong-River>.

⁴² The MRC is an intergovernmental organization established in 1995 to boost regional dialogue and cooperation in the Lower Mekong River Basin. Based on the Mekong Agreement among Cambodia, Lao PDR, Thailand and Viet Nam, the MRC serves as both a regional platform for water diplomacy and a knowledge hub – to manage water resources and support sustainable development of the region.

⁴³ According to the Rapid Assessment of Transboundary Impacts Caused by Rapid Water Fluctuation Downstream of the Sanakham Hydropower Project, which was prepared by the Secretariat of the MRC and released in October 2021, if the dam undergoes rapid changes in discharge, it may result in significant water level changes, measured in meters per day, immediately downstream of the dam. These changes may have various adverse effects, including the loss of crucial habitats for key fish species, a catastrophic decline in critically endangered species' populations, and the loss of livelihoods, particularly for poorer riparian villagers.

⁴⁴ E.g., Prachatai, 'Isaan Mekong basin network concerns the Sanakham hydropower push,' 29 May 2020, available at: <https://prachataienglish.com/node/8553>

⁴⁵ Transborder News, 'Pak Beng and Sanakham dams may impact demarcation lines for Thailand-Laos,' 18 September 2022, available at: <https://transbordernews.in.th/home/?p=32405>; and MRC, 'Executive Summary: The Rapid Assessment of Transboundary Impacts Caused by Rapid Water Fluctuation Downstream of the Sanakham Hydropower Project, 29 October 2021, at 13, available at: https://www.mrcmekong.org/assets/Consultations/Sanakham/EN_Rapid-assesment-for-SNHPP_2021.pdf.

⁴⁶ Bangkok Tribune, 'Formal Consultation for Sanakham, the Mekong's Sixth Proposed Dam, Kick-Started with Dam Documents Thrown Back For Improvement,' 30 July 2020, available at: <https://bkktribune.com/formal-consultation-for-sanakham-the-mekongs-sixth-proposed-dam-kick-started-with-dam-documents-thrown-back-for-improvement/>

⁴⁷ Save the Mekong Coalition, 'The Mekong doesn't need more destructive dams,' 5 June 2020, available at: <https://www.bangkokpost.com/opinion/opinion/1929692/the-mekong-doesnt-need-more-destructive-dams>.

⁴⁸ BHRRC, 'Laos: Villagers concerned over Pak Lay dam as relocation and compensation plans remain unclear,' 20 February 2023, available at: <https://www.business-humanrights.org/en/latest-news/laos-villagers-concerned-over-pak-lay-dam-as-relocation-and-compensation-plans-remain-unclear/>

⁴⁹ RFA, 'Thailand Rejects New Technical Report on Large-Scale Lao Mekong Mainstream Dam,' 22 January 2021, available at: <https://www.rfa.org/english/news/laos/dam-01222021205124.html>

⁵⁰ This was despite the launch of the Guidelines for Transboundary Environmental Impact Assessment in the Lower Mekong River Basin (TBEIA) by the MRC Secretariat in February 2023. See: Transborder News, 'Thai ISOC and others worried about transboundary impacts in Pak Beng is built,' 3 May 2023, available at: https://transbordernews.in.th/home/?p=33813&fbclid=IwAR3dxqgeXqUkNO03tLiHq-rOe5JLlfE5TjwOmt6Kkl6DrSmragNZ_h42tpQ (in Thai).

⁵¹ The Mekong Butterfly, 'The Changing of Mekong's Water Level Due to the Pak Beng Dam,' 5 April 2023, available at: bit.ly/3DIV5N5 (in Thai)

⁵² E.g., the Mekong Butterfly, 'Circumventing State's Responsibility in Transboundary Investment: the case of Pak Beng Hydropower Project in Laos PDR,' 22 December 2017, available at: <https://themekongbutterfly.wordpress.com/2017/12/22/circumventing-states-responsibility-in-transboundary-investment-the-case-of-pak-beng-hydropower-project-in-laos-pdr/>; and IR, 'Independent Expert Review of the Pak Beng Dam EIA,' 2017, available at: <https://archive.internationalrivers.org/resources/independent-expert-review-of-the-pak-beng-dam-eia-16488>

⁵³ RFA, 'Power agreement hastens timeline for Laos' Pak Beng Dam,' 21 September 2023, available at: <https://www.rfa.org/english/news/laos/agreement-09202023162437.html>

⁵⁴ Nao Hayashi (UNESCO World Heritage Centre) and Laurence Loh (ICOMOS), 'Report on the Joint World Heritage Centre/ICOMOS Mission to the "Town of Luang Prabang",' April 2022.

⁵⁵ For example, 2020 UPR Report, paras 115.119-128

⁵⁶ Xin Hua, 'Laos approves wage increase for low-paid workers amid high inflation,' 3 October 2024, available at: <https://english.news.cn/20241003/61d8e61f20634ccbaa60722e6e9a566b/c.html>; VOA, 'Laotian Workers, Facing Poor Economic Conditions, Seek Work Elsewhere,' 4 May 2024, available at: <https://www.voanews.com/a/laotian-workers-facing-poor-economic-conditions-seek-work-elsewhere-/7597775.html>

⁵⁷ For example, RFA, 'Lao authorities order Golden Triangle SEZ to suspend hiring locals,' 28 July 2022, available at: <https://www.rfa.org/english/news/laos/hiring-suspension-07282022170307.html>

⁵⁸ 2020 SEZ and Land Dispossession Report, at 24-25; and Pinkaew Laungaramsria and Souksamone Sengchanh, 'Negotiating post-resettlement livelihoods: the Chinese special economic zone and its impact in northwestern Laos,' 2018, at 10, Canadian Journal of Development Studies, available at: https://data.laos.opendevelopmentmekong.net/en/library_record/negotiating-post-resettlement-livelihoods-the-chinese-special-economic-zone-and-its-impact-in-north

⁵⁹ E.g. RFA, '700 Malaysian workers stranded, held for ransom in Lao SEZ,' 3 October 2022, available at: <https://www.rfa.org/english/news/laos/ransom-10032022143444.html>; Frontier Myanmar, "Like slaves': Myanmar workers trafficked to Laos scam hub, 19 June 2024, available at: <https://www.frontiermyanmar.net/en/like-slaves-myanmar-workers-trafficked-to-laos-scam-hub/>

⁶⁰ E.g. RFA, 'Lao officials propose new labor contract to protect workers in Chinese-run SEZ,' 25 February 2022, available at: <https://www.rfa.org/english/news/laos/labor-contracts-02252022160405.html>; and RFA, 'Lao authorities order Golden Triangle SEZ to suspend hiring locals,' 28 July 2022, available at: <https://www.rfa.org/english/news/laos/hiring-suspension-07282022170307.html>

⁶¹ RFA, 'Nearly 1,700 human-trafficking victims rescued from Lao SEZ since 2007,' 19 December 2022, available at: <https://www.rfa.org/english/news/laos/human-trafficking-12192022185054.html>

⁶² U.S. Department of the Treasury, 'Treasury Sanctions the Zhao Wei Transnational Criminal Organization,' 30 January 2018, available at: <https://home.treasury.gov/news/press-releases/sm0272>. Nevertheless, the zone developer has denied accusations of involvement in criminal activities in the zone. Lao SEZ officials did not deny reports of human trafficking, drug smuggling or wildlife smuggling. However, they blamed such abuses on tenants and not on the zone itself, which in itself is not an excuse. See: Thibault Serlet, 'Golden Triangle: The world's worst special economic zone,' Investment Monitor, 28 March 2022, available at: <https://www.investmentmonitor.ai/comment/golden-triangle-special-economic-zone-laos-worst/>

⁶³ This action was carried out in cooperation with Chinese authorities. RFA, 'Lao official: Gov't can't afford to address rise in human trafficking', 24 May 2024, available at: <https://www.rfa.org/english/news/laos/trafficking-government-resources-05242024151331.html>

⁶⁴ The Diplomat, 'Laos Issues Ultimatum to Golden Triangle Scam Operators', 14 August 2024, available at: <https://thediplomat.com/2024/08/laos-issues-ultimatum-to-golden-triangle-scam-operators/>

⁶⁵ Including 275 Laotians, 231 Burmese, and 108 Chinese.

⁶⁶ It was a joint operation between Lao and Chinese security forces conducted ahead of the deadline for illegal call centers to close. RFA, 'Lao and Chinese security forces raid call centers in the Golden Triangle', 21 August 2024, available at: <https://www.rfa.org/english/news/laos/golden-triangle-call-centers-raid-08212024154847.html>

⁶⁷ US Department of the State, '2024 Trafficking in Persons Report: Laos', 2024, available at: <https://www.state.gov/reports/2024-trafficking-in-persons-report/laos/>

⁶⁸ 2020 UPR Report, para. 115.70-80.

⁶⁹ ICJ, 'Missed Opportunities: Recommendations for investigating the disappearance of Sombath Somphone,' 2015, available at: <https://www.icj.org/wp-content/uploads/2015/01/Lao-Somphone-disappearance-Publications-report-2014-ENG.pdf>

⁷⁰ ICJ, 'Laos: 11 years of government inaction on Sombath Somphone's enforced disappearance,' 15 December 2023, available at: <https://www.icj.org/laos-11-years-of-government-inaction-on-sombath-somphones-enforced-disappearance/>; OHCHR, 'Lao Government must shed light on whereabouts of activist Sombath Somphone: UN experts,' 13 December 2022, available at: <https://www.ohchr.org/en/press-releases/2022/12/lao-government-must-shed-light-whereabouts-activist-sombath-somphone-un>

⁷¹ 2020 UPR Report, para. 115.112

⁷² ICJ, 'Lao PDR: the ICJ criticizes new Decree on Associations,' 13 December 2017, available at: <https://www.icj.org/resource/lao-pdr-the-icj-criticizes-new-decree-on-associations/>