

Forum in Commemoration of the International Day of the Disappearance  
Manila, the Philippines  
27 August 2015

In August 2005, I was with my husband, Sombath Somphone, in Manila when he received the Ramon Magsaysay Award in recognition for his contribution for Community Leadership in Laos. It was a happy time, in fact it was a jubilant time, for not only is the Ramon Magsaysay Award the equivalent to the Nobel Prize, Sombath is the 2<sup>nd</sup> Lao ever to receive the Ramon Magsaysay Award. The first Lao who received this prize was in 1967, 45 years earlier! In fact in the panel today, we also have Mr Jon Ungpakorn, a well-respected Thai civil society and political activist, a fellow awardee with Sombath in 2005.

Today, 10 years later, I am here again, but this time without Sombath, and under very different and painful circumstances. Sombath was disappeared nearly 3 years ago on 15 December 2012. His disappearance was recorded by the police surveillance camera where it showed clearly that he was stopped by the police at a police post and later taken into a white truck and driven away. That was the last time I saw my husband.

Now 3 years, or precisely 985 days later, I still have no news as to whereabouts of Sombath, or his status. Over the last 985 days, I have done everything I could to get answers on Sombath. I wrote numerous letters to the Lao Government and appealed to them to find Sombath and give me answers as to where Sombath is and to return him safely to me and my family. The Government official statement on Sombath's abduction is that Sombath could have been kidnapped for reasons of personal conflict or business conflicts. But, Sombath has no enemies, and he has never been involved in any business deals. Sombath is just an ordinary Lao development worker who spent more than 30 years in promoting sustainable agricultural practices, community development, youth education and and youth engagement in his country.

The Lao government also publicly promised to carry out investigation and now three years later, the police said, they have found nothing – no trace of Sombath, no trace of his jeep which was shown to be driven away right in front of the police post; and no trace of the white truck which took Sombath away. Nothing!

With no satisfactory action from the Lao authorities, except repeated stonewalling, I urged numerous representatives of Government Embassies based in Vientiane, the UN Agencies, Human Rights Groups in the region (there are no HR agencies inside Laos), and development agencies to intercede on Sombath's behalf and to secure his return. I also filed a report of Sombath's disappearance with the UNWGEID to seek resolution on the case. Laos has after all signed the UN Convention of Enforced Disappearances, even though it has yet to ratify it, and hence must abide by the principles as outlined by the Convention.

Many government partners, the UN agencies and HR organizations have repeatedly appealed to the Lao Government to expedite the investigation. Many

of these countries have also offered technical assistance, if needed. And the questions to the Lao Government on Sombath's enforced disappearance have continued unabated.

For example, at the 2<sup>nd</sup> Lao Universal Periodic Review in January this year, some ten (10) states (Australia, Canada, Finland, Germany, Luxembourg, Poland, Portugal, Sweden, Switzerland, and the UK) recommended to the Lao PDR government to investigate into Sombath's disappearance. Five (5) other states raised questions on Sombath's disappearance. In the July session, where the Lao Government has to appear again in Geneva to provide answers on the various recommendations for its UPR, including the case of Sombath, the Lao Government continued to repeat the same excuses and provided no satisfactory answers on the investigation or the situation of Sombath.

To this day, 3 years after Sombath's abduction, I am still at loss as to why Sombath is disappeared. As stated, Sombath is just an ordinary Lao development and civil society worker. He has never been engaged in any political activities against the government.

Sombath's lifelong aspiration is only to work for the betterment of his fellow Lao. Growing up as a poor farm boy, he knew the challenges of poor farmers and their struggle with securing food and basic necessities for the family. That was what made him pursue studies in education and agriculture. In agriculture he learned from his own experience that for most Lao farmers who have little capital or modern machinery, they need practical, low-cost and eco-friendly technologies that are not dependent on large external inputs. Having witnessed war and instability as a child during Laos' struggle for independence in the 1960s and 1970s, he also abhorred violence and conflicts. Hence he has always advocated peaceful change as the preferred means for political, social, and economic transformation.

Raised in a Buddhist society, Sombath is also deeply spiritual. His spirituality is rooted in the respect of nature and all living things, and in the goodness of compassion and kindness. Learning from the Buddhist teachings of the "middle path", he believes that development should be balanced between economic growth; cultural and environmental integrity and sustainability; and spiritual well-being.

Sombath also has a great respect for education, especially inclusive and holistic education, especially for the young. He believed that learning should take place within the schools, in the family, in the temples, and in the community at large. For Sombath, learning should be about equipping the younger generation not only with new knowledge and skills, but more importantly with critical and analytical thinking, as well as respect for indigenous wisdom, spiritual and cultural integrity. It is only with such holistic learning and experiences that Sombath believes that the younger Lao can be better prepared to build a better life for themselves, their families and their society.

So I am truly at loss as to why such a man of peace and man of integrity like Sombath who has devoted his entire adult life for betterment of the rural poor in Laos, and to the empowerment of the young could meet such a terrible fate – the fate of enforced disappearance. Could Sombath be disappeared because his ideas and values that places people and their wellbeing at the heart of development be at odds with the development agenda of certain powerful interests in Laos? Could his ideas that educating the young to think for themselves and that they should participate in shaping their own community and society be a threat to the more dogmatic and conservative elements of the political system? Or could it be that he was abducted by some rogue elements within Laos? I guess I will never know the answers to these questions. Whatever the reasons, the fact remains that Sombath is a Lao citizen, and he was abducted in Vientiane in front of a police post and recorded by the police surveillance camera. Hence it is the responsibility of the Lao authorities to investigate his disappearance, find Sombath and return him safely to me and my family.

Sadly, after 985 days, I am still waiting; day after day enduring the endless anguish of uncertainty and the unknown. It is an endless state of emotional and mental torture; a wound that does not heal, and a pain that never go away.

This kind of torture unfortunately is not only endured by me; it is endured across Asia and many other parts of the world by the thousands of families in the same situation. The UN Working Group Against Enforced Disappearance has recorded more than 53000 cases of enforced disappearances awaiting resolution. And here among us today are also victims sharing the same pain, like Edith Burgos and Mary-Ann Burgos who are still awaiting for the return of Jonas Burgos, Edith's son and Mary-Ann's husband. And they have already waited many more years than I.

Enforced disappearances is one of the most cruel forms of violation of a person's rights as it violates a host of other rights: it deprives a person's right to freedom and places him/her outside the protection of the law, and often to torture. It leaves families devastated and bereaved and in despair and deprives them of the right and dignity of a family life. This is why enforced disappearance is often regarded as the "mother of human rights violation".

However, what Sombath's disappearance has taught me is that I am not alone. Thanks to the Asian Federation Against Disappearance (AFAD), I have become connected to a network of human rights organizations and victims networks across Asia and beyond. I have met many of the victims and their families. Many have struggled economically and socially and against the continued impunity. But what most amazed me is that they have somehow found strength and continued to fight for truth and justice for their loved ones – some for 10 years, some for twenty or even more. Unfortunately, many cases remained unresolved – but there are also some successes. Some disappeared have surfaced alive, some children who were disappeared with their mothers were miraculously reunited with their birth family after many years. It shows clearly that the light that keeps our human hopes in our search for truth and justice can never be

snuffed out, not even under the most difficult situations. It is this connection and solidarity with the other victims of the disappeared that keeps my own hope alive, and my own search for truth and justice for Sombath ongoing. I draw strength from the other victims and I am in solidarity with their struggle.

This is why I am here at this forum today to commemorate the International Day of the Disappeared; to raise awareness of the cruelty and injustice of enforced disappearance, and to urge all the good people of the Philippines and beyond that Enforced Disappearance must be stopped. And it can be stopped if governments have the courage to deal with such crimes truthfully and abide by the rule of law to bring the perpetrators to justice, and reveal the truth and restore justice to the victims and their families. Also to ensure that such violations do not occur again, governments must take actions to pass and implement strong domestic laws against enforced disappearances. At the same time to uphold international standards, governments also need to sign and ratify the International Convention against Enforced Disappearances.

I personally hope that the Philippines Government which has already passed a domestic law of Enforced Disappearance, will be a model for the other Asian countries by also ratifying the Convention Against Disappearance.

In conclusion, I once more want to express my sincere thanks to AFAD and to the Free Jonas Burgos Movement for organizing this forum and dedicating it specifically to the surfacing of Sombath, the surfacing of Jonas Burgos, as well as the other disappeared. To Edita Burgos and Mhe-Ann Burgos and to all the victims families here today, I join you in our hopes and prayers that we will see our loved ones returned to us very soon. Let us all keep the faith that truth and justice will eventually be ours.

Last but not least, I would also like to thank Weldon Bello, Jon Ungpakorn, SengRaw for showing their solidarity for Sombath by joining me on this panel. Your support and continued show of concern and friendship gives me courage to continue my struggle.

Thank you and god bless.