

Three Years On: Demanding Answers for the Enforced Disappearance of Sombath Somphone in Laos

Angkhana Neelapaijit¹

Dear Colleagues and Friends,

I remember well that first time I am here at FCCT was on 12th January 2006, the day that the Criminal Court read the verdict of the disappearance of my husband Somchai Neelapaijit. I am here on this stage many many times during the past 11 years on behalf of the families of the disappeared or the Chairperson of the Human Rights Organization, behalf of the Sombath Initiative and today I am now on this stage again on my new position as National Human Rights Commissioner. For today please allow me to speak on behalf of the families of the disappeared.

Time flies but things doesn't change, it happened again and again of enforced disappearance in the country and the region and truth and justice still not delivered to the victims and their families.

For Sombath Somphone, it is now 3 years of his disappearance, despite the fact that many civil society groups in Laos are afraid to speak the name of Sombath but his work and vision continue in various ways and mostly led by some of the young people that he had trained through the Youth Development Program. For example:

- **Community development and empowerment:** Young people trained by PADETC continue to support community development and empowerment activities. They use the techniques learned from Sombath to conduct community needs assessment and planning together with community groups to collectively identify problems.

¹ Angkhana Neelapaijit, speaking on behalf of families of the disappeared, 14th December 2015.

- Support to **women for development small local businesses**: In Laos people in the community, especially women are helped to start small development enterprises, such as handmade products like cotton and silk scarves and textiles which are then sold through PADETC's network enterprises. As a result, many community groups, especially women, can continue their cultural tradition of making local handcrafts, earn income to supplement their family's economic needs, and continue to care for their families.

- Promotion of organic farming.

All of these are just some examples that Sombath's vision has continued despite the fear that prevails in Laos among civil society groups. Ng Shui Meng, Sombath's wife believe that Sombath's vision for sustainable development especially for the poor will continue thrive as there is no force in the world can kill a good idea or "disappear" people's aspirations for a better world for themselves and their children.

As Ng Shui Meng cannot be here today may I take this opportunity to convey her message to all of you on the occasion of 3 years Anniversary of Sombath Somphine Disappearance?

Shui Meng said that "After 3 years of Sombath's disappearance, the pain and burden continues and does not lessen with time. As his wife, I continue to bear the pain and burden every minute of the day – it is like a knife that is permanently embedded in my heart and nothing can take that pain away. Most days, I feel numbed by the pain and exhausted by the search of answers which seem never to come. It is even more exhausting when the state refuses to come clean about what happened, despite clear evidence shown of what happened on the night of Sombath's disappearance."

"There are times when the burden of pain and despair seem too heavy to bear. We, families of the disappeared, are after all only human beings of flesh and

blood and emotions. We are not machines. But we will not give up our struggle however difficult it may be. For me, after 3 years, I understand that it is no longer my personal struggle, it is our collective struggle as a human family. It is for the sake of our human dignity and it is our right."

In Thailand the cases of Somchai Neelapaijit, Billy or Porlagee Rak-Jongchareon and other cases of enforced disappearance still be the burden of the families to struggle for truth and justice. Thailand has no specific law to criminalize enforced disappearance. It requires the bringing of the body of the disappeared as evidence to prove the guilt. Weakness among law enforcement agencies including among others the Department of Special Investigation (DSI) has led to cases of enforced disappearance being intervened by influential people. It has incurred feeble human rights protection mechanisms, inefficient witness protection program, and many problems as to the acquisition of forensic evidence. All of these have made the proving of guilt of the perpetrators become a burden of the victims' families and made their access to justice almost impossible.

Somchai Neelapaijit disappearance still be the first and the only case of the disappeared person in Thailand that the family can brought the case to the Thai Criminal Court. After 11 years and 9 months passed, on 29th December 2015, the Supreme Court will read Somchai verdict. As the family we are waiting to see if the Supreme Court will allow the family to act on behalf of the disappeared person to find truth and justice, and will the accused persons found guilty and or ...if the culture of impunity will still remain in our country.

Some may think that the Supreme Court is the end of the Thai judicial system, but in fact it is not, the Supreme Court decision might be the new journey for the family to work harder and continue to struggle for truth and justice that not only for Somchai but also for all the victims and their families.

I thank you.