

PUBLIC

AI Index: ASA 26/005/2003

UA 168/03

Fear of extrajudicial execution/Fear for safety

11 June 2003

LAO PEOPLE'S
DEMOCRATIC
REPUBLIC

Yeng Houa (m), aged 9
Ka Ying Yang (m), aged 18
Bang Yang (f), aged 15
Mai Xiong Lee, aged one month – Bang Yang's baby
Plus several hundred men, women and children – names unknown

Several hundred Hmong rebels and their families are surrounded by Lao and also reportedly Vietnamese army units in the Phoukout district of Xieng Khouang province, northeast of Vientiane, the capital. Many if not all of the group may be at risk of extrajudicial execution by the Lao authorities who publicly refer to them and other similar groups as 'bandits'.

The group, who are lightly armed with old guns and other antiquated weapons, are reported to be too frightened of official Lao government retribution to put down their arms. They live under a state of constant siege. Hiding in the jungle, many of them are suffering from serious health and nutrition problems due to a lack of access to medical care and other basic services.

In May, the plight of the group was brought to the attention of the international community by two Bangkok-based journalists who visited the Hmong rebels and published a photo-essay in Time Asia magazine. The group were recently visited by two different foreign journalists, and an ethnic Hmong Pastor with US nationality. They were subsequently arrested on 4 June together with four Lao nationals (See UA 165/03, ASA 26/004/2003, 11 June 2003).

Amongst the group are nine-year-old Yeng Houa, who has 18 shrapnel scars on his legs, a broken jaw and an open shrapnel wound on his neck as well as other infected sores. His parents were both killed in the mortar attack in which he sustained these injuries. Eighteen-year-old Ka Ying Yang was orphaned in 1999 when a landmine killed his father and his mother died from an illness. He cares for his sister but is reportedly unskilled at foraging for food in the jungle. The pair suffer from severe malnutrition and are not expected to live long. Fifteen-year-old Bang Yang's parents and husband were shot dead by soldiers while looking for food. She is reportedly unable to look after her one-month old baby, Mai Xiong Lee.

Laos ratified Additional Protocol II to the four Geneva Conventions in 1980. This Protocol explicitly provides for the protection of those not involved in fighting and those who choose to lay down their arms and forbids attacks on civilian populations as well as individual civilians. Persons who cease to take part in hostilities "shall in all circumstances be treated humanely". Article 5 sets out strict rules protecting those detained for reasons relating to the armed conflict. Children, especially, must be provided with the care and assistance they require.

BACKGROUND INFORMATION

The Hmong ethnic minority group in Laos were allied to the US during the Viet Nam war and its spill-over fighting in both Laos and Cambodia. They have a long history of resistance and aspirations of independence from Lao government control. Following the creation of the Lao People's Democratic Republic in 1975 and the fall of the former regime, as many as a third of the Hmong ethnic minority are believed to have fled the country. Most of these refugees resettled in the USA, but a large number spent many years in refugee camps in Thailand. Sporadic Hmong resistance continues, and there are also continuing allegations of serious human rights abuses against those Hmong perceived as still being opposed to the Lao government.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English, French or your own language or your own language:

- expressing concern about the plight of those named above and several hundred ethnic Hmong rebels and their families, including women, children and elderly living under extremely harsh conditions in northeast Laos;
- expressing concern that many members of the group are at risk of extrajudicial execution;
- calling on the Lao authorities to give access to specialist UN agencies and others to provide much needed humanitarian assistance;
- calling on the Lao authorities to comply fully with their international obligations, in particular to those laid out in Additional Protocol II to the Geneva Conventions.

APPEALS TO:

Bounyang Vorachit
Prime Minister
Office of the Prime Minister
Rue Sisavat
Vientiane
Lao People's Democratic Republic
Telegram: Prime Minister Bounyang Vorachit, Vientiane, Laos
Fax: + 856 21 212408 (c/o Ministry of Information)
Salutation: Dear Prime Minister

Somsavat Lengsavat
Deputy Prime Minister & Minister of Foreign Affairs
Ministry of Foreign Affairs
That Luang
Vientiane
Lao People's Democratic Republic
Telegram: Minister of Foreign Affairs, Vientiane, Laos
Fax: + 856 21 414009
Salutation: Dear Minister

COPIES TO: Diplomatic representatives of Lao People's Democratic Republic accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 23 July 2003.