

LAO PEOPLE'S DEMOCRATIC REPUBLIC

Prisoners of conscience left to die

Thongsouk Saysangkhi, prisoner of conscience, died in mid-February 1998 in a remote prison camp in Laos, almost two months after Amnesty International had once again alerted the Lao authorities to his deteriorating state of health. Concerned governments have made repeated representations to the Lao authorities in recent months, both in Vientiane and at the United Nations in New York and Geneva. That Thongsouk Saysangkhi should have been allowed to die and his fellow prisoners left in such critical conditions in the face of these many expressions of concern highlights not only the Lao Government's complete lack of care of its political prisoners, but its' contempt for the opinion of the international community.

Since his arrest in 1990 with Latsami Khamphoui and Feng Sakchittaphong, Thongsouk Saysangkhi had been detained in extremely harsh conditions, and was denied access to even the most basic medical care. For weeks after his death, the authorities refused to confirm that he had died, and Lao Government representatives told Amnesty International on several occasions that all three prisoners were in good health, in response to the organization's requests for information. The authorities in the capital Vientiane did not even inform Thongsouk Saysangkhi's family of his death, and they had to make repeated requests to officials in order to find out whether their family member had died.

Amnesty International has campaigned on behalf of these three prisoners since their arrest and detention in October 1990 following their peaceful calls for political and economic change in their country.¹ After two years of pre-trial detention, during which period they were held for some time in dark solitary confinement cells, all three men were convicted in November 1992 after an unfair trial and sentenced to 14 years' imprisonment. A copy of the court judgment obtained by Amnesty International showed that the men were convicted because of their peaceful political beliefs. Part of the evidence quoted against Feng Sakchittaphong was a letter in which he stated:

"I want the democratic change to occur in a peaceful way, without street demonstrations, without confrontation and without overthrow."

¹ For an account of the court proceedings and a full copy of the judgment see Amnesty International *Lao People's Democratic Republic: Prisoners of conscience suffering in isolation*, (AI Index: ASA 26/02/96), November 1996. Biographies of the three prisoners can be found in Appendix A attached to this document.

The men were convicted on five counts:

- preparations for a rebellion
- propaganda against the Lao People's Democratic Republic
- mass meetings with the intention of creating tensions
- libel and slander
- creating disturbances in jail

The last charge is a reference to the men's repeated requests for legal representation of their choice. Amnesty International has seen no evidence to support the charge as declared in the judgment that the three men were involved in violent protests during their pre-trial detention. At the trial they were not represented by counsel of their choice, and were not afforded the right to call and examine witnesses. The evidence presented against them by the prosecution were the letters written by the three men which called for peaceful change in the Lao People's Democratic Republic.

Conditions of detention

In the seven and a half years since their arrest, Amnesty International has been able to obtain accurate information about the conditions in which Latsami Khamphoui, Feng Sakchittaphong and Thongsouk Saysangkhi were detained. In the initial stages of their detention in the capital Vientiane, they were held in dark isolation cells. Later they were transferred to Prison Camp Number 07, Ban Sophao, Houa Phan province, in the far northeast of the country. There they were detained in one cell, measuring six metres long by six metres wide. Although they had mattresses and blankets, the floor of the cell was concrete and a gap between the bottom of the walls and the floor made the cell very cold for several months of the year. The prisoners were required to sit in silence, with a guard at the door to enforce this rule. They were reportedly threatened with beatings or being shot if they spoke to each other. They had no access to reading or writing materials, and were only permitted to leave the cell to bathe once a fortnight. No medical facilities are available in Camp Number 07, and over the years all three men suffered from various chronic medical complaints requiring treatment, including angina, kidney problems and, in Thongsouk Saysangkhi's case, diabetes. The men's families have had very limited access to the prisoners, and on the rare occasions that visits were permitted, only small amounts of food and medicine could be given to the prisoners. The intervals between permitted visits were sometimes as long as two years.

Letters

Although the organization has not been permitted to enter the country and conduct research, letters from the three prisoners to Amnesty International have reached the organization over the years. Some of these letters asked for help, others reported brief improvements or deterioration in conditions, and others explained the men's political views. Until now, Amnesty International has not made public reference to these letters, out of concern for the prisoners' safety, but has undertaken many actions, both publicly and through diplomatic channels in an attempt to improve the conditions under which the prisoners were held, pending an unconditional release for all of them. The organization deeply regrets that warnings it has given to the Lao authorities in the recent past have

been ignored, with the tragic result that one of the prisoners has died in custody, having been denied access to the medical care he desperately needed.

Amnesty International was alerted to the most recent deterioration in the health of all three prisoners in December 1997, when messages were received asking for urgent assistance. Amnesty International promptly issued an Urgent Action (see Appendix B), calling for immediate medical treatment and hospitalization for all three men and urging the Lao authorities to take any possible steps to alleviate the prisoners' conditions as a humanitarian gesture. There is no evidence that the Lao authorities made any efforts to respond to these appeals, in spite of interventions at the highest level, not only from Amnesty International but also from concerned governments and the United Nations.

In early February 1998, Amnesty International received copies of three handwritten notes, dated November 1997 and sent by Feng Sakchittaphong and Latsami Khamphoui, calling for medical help. While in the past, all three men had written letters, Amnesty International was very concerned that on this occasion, letters came only from two of the three men. One letter states:

“At the moment I am seriously ill ... My stomach is swollen, painful and I can't eat anything. I can't sleep. I am groaning with pain all the time. I ask you to go and ask permission from the authorities to send me home for treatment.”

Another states:

“I beg you to telephone or telegram to my wife and inform her that I am in very much pain. I can't pass my waste or water for more than a week now ... I am constantly groaning. I beg you to go and ask permission for me to have treatment.”

A third short note states:

*“1. Feng is very very thin, he may not survive.
2. Thongsouk is lying down, the illness is very serious.”*

Amnesty International alerted members of the diplomatic community to this development. In the last seven years, a number of concerned governments have made representations to the Lao authorities on behalf of the three prisoners. The response from the authorities has been simply to give assurances that the men were well, and in at least one case to advise the concerned government “not to listen to Amnesty International”. For seven and a half years the Lao Government has refused to improve

the conditions of detention of these prisoners of conscience, with the tragic result that Thongsouk Saysangkhi was left to die, far from his family and with no medical care.

Amnesty International often was better informed about the condition of these prisoners than the Lao Government's own diplomatic representatives. On 18 February, the organization received a message that Thongsouk Saysangkhi had died at least a week before, and asking for confirmation. Amnesty International's representative at the United Nations in New York immediately contacted the Lao Mission to the UN and asked for confirmation; the Counsellor at the mission said he had no knowledge of Thongsouk's death, but would contact Amnesty International if they received news from Vientiane. Amnesty International delivered a letter to the Lao Mission on 19 February, asking in writing for confirmation of Thongsouk Saysangkhi's death, and calling for urgent treatment for Feng Sakchittaphong and Latsami Khamphoui (see Appendix C). Later that day, a letter was sent by fax from the Lao Mission to Amnesty International which was clearly designed to provide assurances about the state of health of the three prisoners. However, the letter was dated 18 June 1997, and was in response to a query from the UN Centre for Human Rights in Geneva, from 28 February 1997 (see Appendix D). Amnesty International reiterated to the Lao Mission that the organization had new information about the prisoners and was seeking confirmation and assistance from the Mission in bringing these concerns to the attention of the Lao Government (see Appendix E).

Concerned governments with diplomatic representatives based in Vientiane also requested official confirmation of Thongsouk Saysangkhi's death from the Lao authorities, which was eventually given by the Ministry of Foreign Affairs in early March, more than three weeks after Thongsouk had died. In spite of repeated requests from Amnesty International, the United Nations, and the representatives of concerned governments, there has been no improvement in the treatment of the two surviving prisoners.

In March 1998, a letter reached Amnesty International from one of the three prisoners. Dated 19 January 1998, the letter was written when all three men were still alive, and almost a month after Amnesty International's December 1997 Urgent Action on their behalf. It is a poignant cry for help from three prisoners of conscience, detained in appalling conditions and isolated from their families. The text of the letter (translated from the Lao original) follows:

Dear Your Excellency the Secretary General of Amnesty International,

We considered it an extremely important event when in December 1997, we had the opportunity to learn of the unceasing activities of Amnesty International with regard to the situation of violations of human rights in

the Lao People's Democratic Republic (Lao PDR), and in particular of its enormously necessary efforts to assist in rescuing us from the danger of being in the vicious hands of those who want with ill-intentions immorally to punish us with death. We do not want to have to speak again about how the dictatorial authorities of the Lao PDR are using schemes of incommunicado detention, including prohibitions on family visits and the total denial of all medical care through their ignominious interdiction of all types of medications. This overall situation is the reason why we have now fallen into double ill-health and deterioration. These are extremely perilous circumstances that will be very difficult for us to traverse, even though we have tried in every way to live long and useful lives. At the same time, we would like to inform you about some things that are urgently necessarily in every aspect:

1. We have learned of news that in early January 1998 some medications were sent to us from abroad via the postal service from Vientiane to Sam Neua, which were then passed to the Justice Department of the Houa Phan provincial police, along with gifts from our families. The news was that these medications and other items were opened and confiscated by the Justice Department of the Police, without acknowledging that they had ever been received. So, when police officials here investigated the reality, they didn't dare to recognize it even though when they checked the packages against the list of items included, they found that the medications and other items had been lost due to damage. We therefore had to write letters to the governor of Houa Phan province and the commander of the Houa Phan provincial police asking for their assistance in having the medications and other items sent us, because we needed them very much. But this, too, was ignored for reasons that we don't know.

2. Later, on 11 January 1998, the Head of the Prison 7 came personally to inspect the poor state of our health. He thus knew the facts of how truly poorly we were. He said, "we here at the camp have many times in the past reported your state of ill-health, and we have also sent every one of your letters to the upper echelons, but for some reason that I don't know the Ministry of Interior has consistently ignored all this." And the head of the camp reemphasized that "We all know that we are no different from simple watchmen, and we have the utmost pity for you." We then asked about our food ration, because for the past three or four months we had only low quality rice, and none of us would be able to withstand this any longer, this endless deprivation, this just giving us plain rice. The head of the Camp interrupted to reply, "This matter is

similarly under the control of the Ministry. We go to the provincial level to keep asking and asking again and again until we're blue in the face. Give us a break and wait until I go again and ask yet another time."

Thus, again with the greatest of confidence in your role as Amnesty International's spokesperson for what is morally right and for the glorious power of the civilized world, we would like to conclude by asking you to redouble your pressure through the most stringent of means vis-a-vis the dictatorial authorities of the Lao PDR to get them to cease all their base and vicious behaviour in our regard, and to release us unconditionally so that we can regain our freedom. At the same time, given all that we know, we would like to express our overwhelming gratitude to Your Excellency the Secretary-General of Amnesty International and our even more overwhelming and sincere gratitude to you, as a most senior and exalted person, for your every future good-hearted and well-intentioned move to put a stop to this most terrible and abject punishment to which we are being subjected by the Communist authorities in Vientiane.

With my greatest esteem,

[signed]

Prison 7, 19 January 1998"

Shortly after this letter was written, and smuggled out of the country at great personal risk to those involved, Thongsouk Saysangkhi died. It is too late for him and his family, but it is not yet too late for Latsami Khamphoui, Feng Sakchittaphong and their families. Amnesty International has tried for many years to engage the Lao authorities in dialogue about the conditions of detention of these three prisoners of conscience. The organization's appeals, both public and private, direct and through intermediaries have been ignored, at the cost of one life. Amnesty International calls upon the Lao authorities to release Latsami Khamphoui and Feng Sakchittaphong immediately and unconditionally and to return them to Vientiane, to their families, where they can receive the medical treatment they desperately need.

EXTERNAL

AI Index: ASA 26/03/97

UA 404/97 Health Concern / Prisoners of conscience

22 December 1997

LAOS

**Thongsouk Saysangkhi
Latsami Khamphoui
Feng Sakchittaphong**

Three prisoners of conscience, detained since October 1990, are seriously ill and need immediate medical treatment. Amnesty International fears that if they do not receive appropriate medical treatment in hospital, the three prisoners of conscience will not survive.

Thongsouk Saysangkhi, Latsami Khamphoui and Feng Sakchittaphong are detained in a prison camp in a remote area of Laos, to which access is very difficult. There are no medical facilities in the prison camp, and their conditions of detention are extremely harsh and fall far short of international minimum standards for the treatment of detainees. Recent calls for help from the three prisoners indicate that they are all gravely ill and urgently require medical treatment. All three men are known to have suffered from serious medical conditions throughout their detention, made worse by the harsh environment in which they are held. They have been denied the adequate medical care that they need, and their health has seriously deteriorated. Latsami Khamphoui has angina; Thongsouk Saysangkhi and Feng Sakchittaphong are suffering from a variety of illnesses including kidney problems, diabetes, and intestinal problems. Medicines recently sent to the three prisoners have not been received by them.

BACKGROUND INFORMATION

Thongsouk Saysangkhi, Latsami Khamphoui and Feng Sakchittaphong are former government officials who were arrested in October 1990 for writing letters advocating peaceful political and economic change in Laos. They were tried in a grossly unfair trial in November 1992 on various charges including "preparations for a rebellion", "propaganda against the Lao People's Democratic Republic" and "libel and slander". They were sentenced to 14 years' imprisonment. All three have been adopted as prisoners of conscience by Amnesty International.

Family visits to the men have been severely restricted. At one point, no visits were allowed for almost two years. The men are allowed no reading or writing material, and at various times have been held in small cold cells with no beds, forbidden to talk to each other, allowed out of their cells only once a fortnight to bathe, and have been threatened with beatings by prison guards.

RECOMMENDED ACTION: Please send telegrams/express/airmail letters in English or French or your own language:

- calling for immediate medical treatment and hospitalization for Thongsouk Saysangkhi, Latsami Khamphoui and Feng Sakchittaphong;
- urging the authorities to take any steps they can to alleviate the conditions of these prisoners of conscience who may not survive their current situation, as a humanitarian gesture;
- urging that all three prisoners of conscience be immediately and unconditionally released .

APPEALS TO:

Khamtai Siphandone
Prime Minister
Office of the Prime Minister
Vientiane
Laos

Telegrams: Prime Minister, Vientiane, Laos

Salutation: Your Excellency

Major General Asang Laoli
Minister of Interior
Ministry of Interior
Vientiane
Laos

Telegrams: Interior Minister, Vientiane, Laos

Salutation: Dear Major General

Governor Somphanh Phengkhammy
Sam Neua
Houa Phanh Province
Laos

Telegrams: Governor Somphanh Phengkhammy, Sam Neua, Houa Phanh, Laos

Salutation: Dear Governor

COPIES TO: diplomatic representatives of Laos accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 10 February 1998.