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**LAOS**

**Freedom of Expression Still  
Denied**

**Multi-Party Advocates and Political Prisoners  
Sentenced after Unfair Trials**

July 1993  
AI Index: ASA 26/03/93  
Distr: SC/CO/GR

INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 8DJ, UNITED  
KINGDOM

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# £LAOS

## @Freedom of Expression Still Denied

### Multi-Party Advocates and Political Prisoners Sentenced after Unfair Trials

Three prisoners of conscience, arrested on 8 October 1990 for peacefully advocating political and economic reform in Laos, were tried and sentenced to 14 years' imprisonment on 4 November 1992. They were brought from Vientiane, the capital, where they had been held for over two years, to the remote northeastern province of Houa Phanh to be tried at the People's Court in Sam Neua. At the same trial, three other political prisoners, who had been detained for over 17 years without charge or trial for "re-education" in Houa Phanh province, were reportedly sentenced to life imprisonment<sup>2</sup>. Amnesty International is concerned at the continued imprisonment of the three prisoners of conscience and that the trial of other political prisoners may not have met basic international standards for fair trial.

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<sup>1</sup> Detention for the purposes of "re-education" was instituted in Laos in late 1975 and early 1976 by the Revolutionary People's Party of Laos, the ruling Party of the newly established Democratic People's Republic of Laos (currently the Lao People's Democratic Republic). Most of the 10-15,000 people taken into custody for "re-education" were alleged to have been members of the administration, police, or armed forces of the former Royal Government of Laos or were suspected to have had strong sympathies for it. "Re-education" consisted of internment in camps for the purpose of political and moral "rehabilitation". The camps were located in various regions of Laos, either close to or remote from the prisoners' homes depending on the perceived danger to the political system of the prisoner or the position the prisoner held under the former government. The camps were administered by either local or central authorities. Prisoners held in "re-education" camp were initially required to attend political "seminars" and participate in collective manual labour, often of a heavy nature. The labour that they performed was supposed at the same time to help the country reach planned economic goals. Most of the prisoners detained in 1975 have been released, but Amnesty International is aware of political prisoners still being held in camps. For further information and background on "re-education" refer to [Background Paper on the Democratic People's Republic of Laos Describing Current Amnesty International Concerns](#) (AI Index ASA 26/04/85, April 1985), ["Re-education" in Attapeu Province, The Democratic People's Republic of Laos](#) (ASA 26/01/86, January 1986), [Laos: Recent Information on "Re-education" in Attapeu Province](#) (ASA 26/02/88, December 1988) and [Lao People's Democratic Republic: Update on "re-education"](#) (ASA 26/01/91, March 1991).

<sup>2</sup> For further information and background to these cases refer to [Lao People's Democratic Republic: Update on "Re-education"](#) (ASA 26/01/91, March 1991), [Lao People's Democratic Republic: Political Prisoners Still Held](#) (ASA 26/04/91, September 1991) and [Laos \(Lao People's Democratic Republic\): More Information on Three Prisoners of Conscience](#) (ASA 26/05/91, October 1991)

## Multi-Party Advocates Sentenced to 14 Years Imprisonment

Thongsouk Saisangkhi<sup>3</sup>, Latsami Khamphoui<sup>4</sup> and Feng Sakchittaphong<sup>5</sup>, three prisoners of conscience, were arrested on 8 October 1990 in Vientiane. Their arrest followed the circulation during 1990 in Vientiane and elsewhere of letters<sup>6</sup> by Thongsouk Saisangkhi and Latsami Khamphoui addressed to the country's leadership criticizing its political and economic systems. Thongsouk Saisangkhi had been Deputy Minister of Science and Technology but resigned in August 1990 after criticizing the government for "restricting popular liberties and democracy". Latsami Khamphoui, a former Deputy Minister of Agriculture and Forestry, had reportedly circulated letters citing official "corruption" and the "victimization" of government critics. They had criticized Laos' political and economic systems and held meetings at which the creation of a multi-party political system was advocated. Feng Sakchittaphong, a Ministry of Justice official, had reportedly joined the two others in writing an article advocating multi-party democracy.

Thongsouk Saisangkhi

In November 1990 the government-controlled media accused the three men, all in their mid-50s, of "treason". In August 1991 they were accused of acting "against the law to overthrow the administration". They were also reportedly accused of forming a '*Social Democratic Club*' to call for democracy. In spite of these accusations, no formal charges were known to have been brought against them before their trial and the three men were held without charge or trial in dark solitary confinement cells of Samkhe prison in Vientiane, Laos' main detention centre.

On 4 November 1992, after two years without charge or trial, they were reportedly brought before the People's Court in Sam Neua, capital of Houa Phan province, a remote northeastern province of Laos on the border with Viet Nam. The court was reportedly presided over by judges of the Supreme Court and attended by a small audience selected by

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<sup>3</sup> His name is also written Thongsouk Saisangkhi.

<sup>4</sup> His name is also written Latsamy Khamphoui

<sup>5</sup> His name is also written Feng Sackchittaphong

<sup>6</sup> For the English translation of the text of the letters by Latsami Khamphoui and Thongsouk Saisangkhi please refer to **Appendices 1** and **2** of this document.

the authorities. At their trial charges were brought against them under the **Lao Criminal Code** for "*making preparations to stage a rebellion* (Article 52) and *for conducting propaganda against the Lao People's Democratic Republic (LPDR)*(Art. 59), *gathering groups of people to create disturbances* (Art. 66) and *carry out slanderous charges against other people* (Art. 87), and *creating disorder in imprisonment* (Art. 159) <sup>7</sup>". The three men were each sentenced to 14 years imprisonment. Reports of the trial confirmed that the three men were denied access to a defence lawyer and that the prosecution apparently failed to provide evidence to support its allegations. The court has also failed to make public its evidence to substantiate the allegations against the three men. Amnesty International believes that the language of the articles defining these offences are so elastic as to allow the authorities to prosecute people for the peaceful exercise of their basic human rights, even if they have committed no recognizably criminal offence. After the trial the three men were taken to Sop Hao Central prison, also in Houa Phan province. Amnesty International believes that they are currently being held there in incommunicado detention.

Before the trial the three men had repeatedly requested the opportunity to be brought before a court to contest the legality of their detention and to exercise their right of defence. They had reportedly nominated three Lao and four foreign lawyers to confer with and requested access to documents in order to prepare their defence. All requests were denied, although this appears to be contrary to Article 18 of the **Law of Criminal Procedure** of Laos, which provides that accused persons, whether or not they have been charged, have the rights "to bring counsel to contest the case" and "to examine all documents in the case file after the investigation and interrogation is finished".

Amnesty International had previously stated<sup>8</sup> that the original basis for the detention of the three men appeared to be Article 50 of the **Law of Criminal Procedure** of Laos, which allows up to one year's administrative detention without charge or trial. Article 50 specifies, however, that if after one year "there is still not sufficient evidence to bring charges in court, the public prosecutor must issue an order freeing the accused person immediately". The three men were held without charge or trial for over two years before being charged and brought to trial, which was not only contrary to international human rights standards, but also apparently illegal under Lao law.

Amnesty International is concerned that the trial and its proceedings failed to meet basic international standards for fair trial. The organization believes that in the case of these men the **Lao Criminal Code** is being apparently used by the government to prevent the free

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<sup>7</sup> Refer to **Appendix 3** which provides the text of the relevant articles of the Lao Criminal Code

<sup>8</sup> See Laos (Lao People's Democratic Republic) More information on three prisoners of conscience (AI Index ASA 26/05/91, published October 1991)

expression of economic and political views which challenge the policy adopted by the Lao Government. Amnesty International believes that the three men are prisoners of conscience, imprisoned solely for the peaceful exercise of their rights to freedom of expression and assembly, and should be immediately and unconditionally released.

### **Long-term Political Prisoners Sentenced to Life Imprisonment**

Pangthong Chokbengboun, Boonlu Nammathao and Sing Chanthakoummane, three political prisoners, were sentenced to life imprisonment at a trial on 4 November 1992 at the People's Court in Sam Neua, Houa Phan province. They were part of a group of political prisoners being tried which included, Thongsouk Saysangkhi, Latsami Khamphoui and Feng Sakchittaphong, the three prisoners of conscience mentioned above. Pangthong Chokbengboun was reportedly charged with murder, coercion, unlawful abduction or detainment, robbery involving seizure of personal property, intentional destruction or demolition of personal property, forcible rape and exercising of authority beyond lawful bounds. Boonlu Nammathao was reportedly charged with murder, coercion, violation of the freedoms of other persons, exercising of authority beyond lawful bounds and collaboration in the commission of an offence. Sing Chanthakoummane was reportedly charged with murder and collaboration in the commission of an offence. The three men were originally detained for "re-education" in 1975 because of the military positions they held in a former Lao government. The men are currently restricted to the vicinity of Sop Pan camp, in Houa Phan province.

Amnesty International is concerned that the three men were tried after being held in detention without charge or trial for 17 years. The organization is also concerned that the trial may not have been held in accordance with international standards for fair trial, in particular provisions relating to guarantees "to be tried without undue delay"; "the right to the conviction and sentence being reviewed by a higher tribunal"; "to have adequate time and facilities for the preparation of [one's] defence and to communicate with counsel of [one's] own choosing"; and "to examine, or have examined, the witnesses against [one] and to obtain the attendance and examination of witnesses on [one's] behalf under the same conditions as witnesses against [one].", as provided for under Article 14 of the **International Covenant on Civil and Political Rights**.

### **Other Long-term Political Prisoners Held in Houa Phan Province<sup>9</sup>**

<sup>9</sup> For background and more detailed information about political prisoners originally held in Houa Phan province refer to [Lao People's Democratic Republic: Update on "Re-education"](#) (ASA 26/01/91, March 1991), [Lao People's Democratic Republic: Political Prisoners Still Held](#) (ASA 26/04/91, September 1991) and [Laos \(Lao People's Democratic Republic\): More Information on Three Prisoners of Conscience](#) (ASA 26/05/91, October 1991)

Amnesty International welcomed the news of the releases of Khamphan Pradith, a prisoner of conscience, and Phan Nola. Both men had originally been detained without charge or trial in 1975. They were being held at Sop Pan "re-education" camp in Houa Phan Province. Khamphan Pradith was flown to Vientiane in December 1992 from Sop Pan, where he had spent some 11 years of his detention, to await his "final and official" release. Phan Nola was released from Sop Pan in September 1991.

Khamphan Pradith, a former Deputy Governor of Luang Prabang Province under the Provisional Government of the National Union of Laos, was one of 10,000 to 15,000 civil servants and military personnel detained by the authorities of the Democratic People's Republic of Laos. He had presented himself peacefully and voluntarily when the authorities requested people associated with the previous regime to participate in what they said would be brief "re-education" seminars to prepare for serving the new administration. During his 17 years of detention, he had been assigned to heavy labour with road construction gangs, despite deteriorating health which sometimes required hospitalization.

Amnesty International has also learned of the death on 10 April 1993 of Thuck Chokbengboun, a prisoner of conscience. Thuck Chokbengboun had been detained without charge or trial for over 17 years. He had been suffering from ill-health for many years. Shortly before his death, on 15 March 1993, he was transferred from Sop Pan camp to a government hospital in Vientiane for medical treatment, where he was allowed visits by his family.

Thuck Chokbengboun was a civil servant in the administration of a former Lao Government and held the position of Head of Thinh Keo province. He was sent for "re-education" in July 1975 and spent several years working in different camps before being sent to Sop Pan camp in 1986. He suffered from chronic attacks of malaria and liver complaints which were probably exacerbated by the lack of medical facilities at the camps. Thuck Chokbengboun was the brother of Pangthong Chokbengboun who is mentioned above. Amnesty International has reason to believe that Thuck Chokbengboun's continued imprisonment for almost 18 years may have been due to the fact that one of his brothers is a leading member of an armed opposition group.

Three other long-term political prisoners remain in Houa Phan province. Ly Teng, Tong Pao Song and Yong Ye Thao, who were detained without charge or trial in 1975, are currently held in what Amnesty International believes may be a state of "internal exile"<sup>10</sup>. They were apparently moved in January 1993 to a village in Sop Hao, Houa Phan

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<sup>10</sup> "Internal exile" in this case means the removal of a prisoner from his or her home with obligatory resettlement in a specific locality where restrictions are imposed on the movement of the prisoner either in leaving the specific locality or entering other areas apart from the specific locality.

province. The organization believes that, although they were released from Sop Pan camp, they are either restricted in their movement from leaving Sop Hao village or entering other areas within and without Houa Phan province. Amnesty International is concerned about the restrictions imposed on them and the current state of their health, given the fact that all three men are elderly and have been held in poor conditions for many years.

### **Amnesty International Recommendations**

Amnesty International is calling once more on the Lao authorities to release Thongsouk Saysangkhi, Latsami Khamphoui and Feng Sakchittaphong immediately and unconditionally. It is also calling on the government to review the cases of Pangthong Chokbengboun, Boonlu Nammathao and Sing Chanthakoummane in order to ensure that their trial has been carried out in accordance with all appropriate international standards and to make public full details of the trial proceedings and the evidence on which the charges are based. It is urging the Lao Government to allow all the political prisoners the right of appeal against their sentences before a court that conforms to international standards. The organization is urging that all the political prisoners should be treated in accordance with international standards for the treatment of prisoners, which includes the provision of medical facilities and access to the prisoners by their families and lawyers. It also appealing for the restrictions on Ly Teng, Tong Pao Song and Yong Ye Thao to be lifted and for their complete release on humanitarian grounds.



## APPENDIX 1      Letter by Latsami Khamphoui - 9 January 1990

To His Excellency Kaysone Phomvihane, His Excellency Phoumi Vongvichit, His Excellency Khamtai Siphandone, His Excellency Sisomphone Lovansai, His Excellency Sali Vongkhamsoo, and His Excellency Oudom Khatthana, with the utmost respect:

*We - your second-generation offspring - would like to follow up your ideas and thoughts about the current political situation in our country and its daily transformation into one of irreversible confusion.*

### I. Political situation

*The rank and file among our intellectuals, persons of various classes and the people are despondent and no longer know to whom they can turn, in face of the failures and the crisis of confidence and hopelessness which have befallen them, in the face of corruption and anarchy, the lack of order and discipline and the opportunism at every turn, all of which are spreading everywhere and bringing about undreamed of deterioration. In every nook and cranny the voice of mass opinion is complaining about the crisis that our nation is currently encountering.*

*What's on almost everybody's lips is that there is no longer any competence at the upper echelons to sort out this state of affairs that currently obtains because:*

*First, they are already old men and in exceedingly weak health, worn out and broken down. Their intellectual faculties are depreciating along with their becoming excessively old men.*

*Second, a number among the contingent of successors and general staffers upon which they rely are still immature and incompetent and lack experience in administering the state and society: overall their assets remain limited in every respect; while a number of them are now shamefully blemished and diminished in character. A number of them are even conservative autocrats in whom nobody any longer has faith or finds acceptable, whereas those whose line of thinking and perspectives are correct have been subjugated, are given no rights or voice, and are viewed from the angle that they are in error.*

### II. The Economic Situation

*Laos is a truly rich country, endowed with abundant resources, and the more than four million Lao people are industrious and intellectually creative. The situation as it stands now is that with the passage of Resolutions 7 and 8, it has become more and more obvious that the resolutions issued by the upper echelons are no longer in touch with reality. The capitalist economy has re-emerged with genuine strength as the master playing the guiding role. A minority is getting wealthy. The upper echelons then say the lines and the policy plans laid down are correct, but the lower echelons can't carry them out, are not capable of carrying them out. So now one can obviously sum up what the real situation is. Among the popular voices, at the centre of which are the intellectuals, everybody is asking how long such a situation can go on. The upper echelons always say the same old things. They've been saying the same old things for more than a decade. The people in general, in speaking of which one includes cadre, could no longer care less about what they have to say, because fundamentally the practical reality is that nothing has ever happened to give them any hope that the future holds anything except hardship and destitution. No way forward can be seen that could possibly recoup the economic crises of the state sector and the utter destitution in the standard of living for soldiers, police, cadre*

and people. And alongside all the mistaken assessments there are the innumerable persons who have been let go or imprisoned, who have fled or been victimised.

A lot of people are in agreement that "the upper echelons are longer competent". "They are no longer capable of laying down a line for the people of Laos which they can possibly put into practice." This means that those who are with them are few. Everybody is distancing themselves from them simply in order to survive. Those that seem to take the initiative or responsibility, to work with them, do so in form only. It's like the saying goes: "One's home cannot be made magnificent if the bamboo is out of alignment".

The popular critique is that the economic situation is disastrous and the system and its apparatus are ineffectual. The economy has everywhere deteriorated so much that it cannot recover on its own, and nowadays the reasons for this are conspicuous for the eye to see. They cast their votes to the effect that it is simply the inapplicability of what's supposed to be done. It's not that the lower echelons can't put things into practice or don't know how to do so. It is wrong the way nowadays our country is being transformed into a marketplace up for sale to the capitalists, and it is undoubtedly easy prey for them. Whereas exports are weak and few, imports flood in and drowning in them is inescapable. Not only are the utilisation of cadres and the intellectual development of the masses so irrelevant that human capital is wasted in a genuinely unfortunate way, but in addition the utilisation of capital is inept and lacks focus. Indebtedness is thereby increasing and the repayment of debt is going into the red. And what happens when you apportion it per capita?

The current slogan of building up socialism and an economic foundation via commerce signifies that we are already being swallowed up even if we are not conscious of it at the moment.

Given that agricultural production so far remains at the natural level, as well as the current situation of limited capacity of dispersed and natural small-scale farmers, as is now visible, there can no longer be any basis for any sort of economic expansion. The economy of our country has now already become a consumer economy, and one that is terribly dependent on the capitalists. Everybody can now clearly see that our country has no persistent line as regards economic strategy. No way forward exists to give any hope whatsoever about the present or the future.

To speak the truth, our leaders no longer have intellectual potential: "As our Party is isolated, it is also as if our country has been isolated. It no longer has any edge at all."

The fledgling Lao state, which is only 14 years old, has become an old and decrepit one. The current system of administration has also become an old and antiquated one. We should be inhabitants of the world of new thinking, of living realities, of a world that is progressing via the upward path of new thinking. The time has come and it is right that we human beings should wake up to reason, bounce back and drive forward with the courage to give a push to the material world so as to open the door to the light, to advance into the scientific era and to a culture on the developed model, one with genuinely bright prospects.

Marxism-Leninism demands of genuine communists, patriots and revolutionaries and demands of labourers that they take highly their responsibilities and take the initiative, that their repertoire include the ability to make deft swings and turnabouts and that they possess a contemplative consciousness, that they view the world with realistic and scientific eyes, that they have the courage to be creative, and that they push forward the wheel of history so that it rolls ahead into a majestic new era. The ideals of Marxism-Leninism are noble and magnificent, correct and immutable. No clouds, no matter how thick, can obscure them. They are irrefutable and irrevocable truths.

We - your second generation offspring - would like to ask your permission to say in addition that if the upper echelons lack the courage to recognise the reality of the situation, and are going to try to continue to insist on maintaining their

*antiquated viewpoints, this will undoubtedly only lead to a further incredible deterioration in our country's situation. The situation will certainly plunge into doubly more serious all-round crises. Confusions will arise one after the other in a succession of complications. The reactionaries (supported from behind by imperialism and international reaction) will rear their heads and seize the opportunity to make threats, to incite unrest and foment confusion, and all kinds of misfortune will arise. Our people will suffer undreamed of hardship and shed undreamed of tears.*

*At the same time, the most disturbing thing is what the voice of the masses and the intellectuals is saying: that everybody is talking in the most worried way about how they think that the upper echelons are not only incapable of recognizing the reality of the situation because they have become so limited in a lot of spheres, but also that all of them are lost in nostalgia about their pasts, their exaltedness, their beauties and virtues, and the burdens they have and roles they play vis-a-vis the collectivity and the country's future. Now, it is indeed correct to have resolutions in favour of pushing democratic modification, the promotion of an expansion of the people's right of mastery. These are objective necessities. Always be for the people and stay on the side of the rights and interests of the nation, the honour and reputation of the Lao race, so that it will be preserved and protected from one generation to the next in a dignified manner.*

*Such ideas and views demanding an atmosphere of new imagination are genuine improvement, and our leaders will receive the veneration that comes with the splendour of rank and lasts forever. The time has now come in the lives of our more than four million people at which conditions must be created allowing them to have the opportunity to command genuine mastery. Every life must enjoy protection. May the richly abundant wealth of the nation ensure that everybody lives and eats well as justice would have it.*

*Once again, we - your first and second generation offspring - would like to affirm that we have the utmost respect for His Excellency Kayson's ideas and utterances, what he has said again and again: that it is imperative to dare to speak what one truly has on one's mind, whatever thoughts one has about what is in the national and common interest, and to do so without concealing anything, not to have in mind doing things in one way, but then when it comes time to speak out to nevertheless say something yet again.*

*Not long ago, the upper echelons issued a number of laws. Oh, this is the greatest! May life and humanity thereby be upheld and protected at a civilised level.*

III. The Lao people - diligent and hard-working labourers and genuinely patriotic Lao intellectuals - would like to propose:

*A request that the upper echelons reflect seriously on how to evaluate the true situation objectively. We - your first and second generation offspring - of course understand that this is no easy matter. "The new and the old have become two aspects of the problem which will determine the moment of a historical turning point." That the reasoning on which things had been premised is punctured is a reality that is now objectively buffeting and pushing us. No country, no nation, nobody is going to willingly become a fool or a quarry for others to prey upon. The conservative line of the feudal bureaucrats is a disease which is viciously dangerous and means oppression, starvation, sadness and backwardness, a truly kowtowing backwardness.*

*That the world is being transformed along the path of a brilliant new thinking is a truth which no obstacle can impede, neither any denial nor any failure of knowledge. Thus, although Rumania possessed first-class police including assassins, the end result was the termination of this viciously oligarchical regime. The hegemonic yoke imposed by antiquated authoritarianism vanished in such a manner that no power could have helped save it.*

*What your second generation offspring have in mind is to appeal to you uncles with the utmost respect to care about the country. The future demands that we see things in a sharper perspective. If you are tardy or forget this, if you ignore it or think you might use some sort of authoritarianism to restrain and obstruct things, or to prevent the masses from hearing what's going on or block their vision, then it will be impossible for you to be accepted as honourable men. Ultimate knowledge of who one's benefactors are is something which can never be forsaken nor bought and sold. Your first and second generation offspring would like to emulate the excellent example of the uncles' dedication and sacrifice, and would like to preserve the esteem the leading uncles enjoy through to this final period of your lives.*

*We - your first and second generation offspring - would like to request the uncles to take our proposals on board and to have a firm faith in the new thinking which is blossoming so robustly and which would guarantee a bright future.*

*Today's world doesn't allow us to be feeble old conservatives any more. Almost all the socialist countries are changing along an upward path of progress that is the spirit of new thinking or "perestroika". New thinking means a new and brilliant life. Your first and second generation offspring would really like to stress that it's not by any means the case that the masses in all these countries are idiots, are incapable of mutual supervision and control, don't know the difference between right and wrong, or have been duped by the tricks of the capitalist reactionaries. What is established is that it is "The impulse of a law of necessity which by its very nature requires the dismantling of the antiquated and oppressive apparatus of oligarchy and truly stands in the way of the wheel of history's progress." New thinking means a future full of hope. It means constructing a new relevance within the scientific framework of a Marxism-Leninism that is developing itself in its new era with genuine dynamism.*

*Most respected and esteemed uncles!*

*In just one more decade, the 20th century will be over. This is a time which demands that every person, every nation and every country know how to make adjustments, to take a long and broad view, and to believe firmly in human knowledge and capabilities. This is something for devoted scrutiny, and we must have a high level of unity and coordination, and have the strength to extricate ourselves from servitude and economic colonization. Our objective circumstances do not allow us to retreat or live in illusion. Necessity means we must hold fast to a correct ideology. This is what the people expect of the leadership. They are still devoted to you. So please reflect deeply and uphold the purity of your obligations with regard to new thinking. We - your first and second generation offspring - firmly believe in uncles' devotion, your knowledge and capabilities and the dignified way in which you are models. Please accept and assess our ideas and views and our proposals thoroughly.*

*These are sincere proposals. They are a reflection of the thinking of the overwhelming majority of the people, as voiced in the complaints among the lower strata masses, which we - your second generation offspring - have gathered from the true situation, one which is most worrying.*

*Please don't construe this malevolently.*

*Please uphold hope and scrutiny.*

*May you be forces for the protection of the demands of progress and be the heart and soul of new thinking.*

*With best wishes for the long life and good health of the uncles.*

Vientiane 9 January 1990

**Latsami Khamphoui**

**Appendix 2 Thongsouk Saysangkhi's letter of Resignation - 26 August 1990**

The Lao People's Democratic Republic  
Peace, Independence, Unity, Socialism

To: His Excellency Kaysone Phomvihan,  
General Secretary  
Central Executive Committee of the LPRP  
Chairman of the LPDR Council of Ministers

at Vientiane

Re: Request to resign from my function as a deputy minister and from my membership in the LPRP and to return to Your Excellency My Decorations

*I, Mr Thongsouk Saysangkhi, age 52, a deputy minister in the Ministry of Science of the LPDR would like to submit the following to Your Excellency, that Your Excellency and the leading bodies of the Party and State have always educated and instructed me to have an honest allegiance to the nation and the people; to oppose official malfeasance and be ready to suffer on the people's behalf and put the people's happiness ahead of one's own; to loathe putrid old regimes that restrict popular liberties and democracy, that oppress, exploit and repress the people; and in which the rapacious build up dens of wealth for their families and their cronies from the blood, sweat and tears and the flesh and bones of the people. A revolution is supposed to be made with a view to national and popular liberation, so that the country would be independent and strong, so that our people would enjoy happiness, progress, fairness, justice and mutual compassion. Because I have, in the past as in the present, imbibed the teachings and training of Your Excellency and the leading bodies of the Party and State, I have thus always striven to oppose absolutely official malfeasance; to oppose oppression and exploitation of the people; and to oppose the dictatorial power of personal cliques, which are precisely what the Party and the State apparatus are; and I am demanding the holding of free elections, the putting into practice of popular liberties and democracy, and the existence of democratic institutions opposed to the maintenance of a system of communist feudalism and Politburo dynastism.*

*The history of humankind has now confirmed that a single-party system relying exclusively on coercion and deception is incapable of ever bringing prosperity and happiness to our people. The pain of escalating oppression, whether physical, intellectual or psychological, cannot inhibit this conjuncture in the forward march of humankind. Darkness will never absolutely triumph over light.*

*Upon having pondered the lessons of the past 15 years, I have become utterly convinced that if I am to bear allegiance and be loyal to the teachings of Your Excellency and the leading bodies of the Party and State, I cannot blithely continue in my functions, because the reality is that the former are merely deceptive propaganda, and if I did so I would moreover stand to be punished by the nation and the people. It is for this reason, therefore, that I request to resign from my function as a deputy minister and to become an ordinary and common member of the people, that I request to resign my membership in the Lao People's Revolutionary Party, and request to turn back in all the decorations bestowed on me by the Party and State:*

- 1. One Medal for Resistance Against America;*
- 2. One LPDR Fifth Anniversary Medal;*
- 3. One Second Class Excellent Victory Medal;*

4. *One Second Class Itsara Victory Medal;*
5. *Two Third Class Itsara Victory Medals.*

*The aforementioned decorations do not have the altruistic value I understood they possessed.*

*It is my utmost hope that, being the intelligent and perspicacious persons that you are, Your Excellency and the leading bodies of the Party and State will understand and sympathize with me and my sincere entreaty.*

*I will also like here to make this submission with the utmost respect.*

**Vientiane, 26 August 1990**

**- The Secretariat of the Lao RPP Central Committee - The LPDR Council of Ministers - The Minister of Science and Technology**

**Thongsouk Saysangkhi**

### **Appendix 3 Articles of the Lao Criminal Code Applied in the Cases of Thongsouk Saysangkhi, Latsami Khamphoui and Feng Sakchittaphong**

#### **Article 52:Insurrection**

*Any person who participates in a movement to provoke insurrection for the purpose of overthrowing or weakening the governing authority will be sentenced to imprisonment for a term of ten to twenty years, and may have property confiscated, and may be put under restriction of movement, or be imprisoned for life, or be executed.*

*Conspiring to commit an offence and attempting to commit an offence are also punishable.*

#### **Article 59:Propagandizing against the Lao People's Democratic Republic**

*Any person who disseminates propaganda which defames and slanders The Lao People's Democratic Republic, or who distorts party objectives or state policies, or who propagates malicious, insurrection causing rumours by way of the spoken word, the written word, the printed word, periodicals, documents, motion pictures, video images, photographs, or in any other form, the contents of which is in opposition to the Lao People's Democratic Republic, for the purpose of weakening the authority of the state, will be sentenced to imprisonment for a term of one to five years.*

#### **Article 66:Unlawful assembly creating a disturbance**

*Any person who organizes or participates in the organization of an assembly of persons for the purpose of protest, demonstration, etcetera, and to create a disturbance which poses danger to society, will be sentenced to imprisonment for a term of one to five years.*

*Attempting to commit an offence is also punishable.*

#### **Article 87:Slander and libel**

*Any person who causes the honour and esteem of another person to be severely diminished by the use of written or printed matter, speech or other means, will be sentenced to imprisonment for a term of three months to one year, or rehabilitation without imprisonment, or be fined in the amount of 5,000 to 10,000 kip.*

*Any person who slanders or defames another person with falsehoods by the use of written or printed matter, speech or images which causes severe diminishment of the honour and esteem of the affected person, will be sentenced to imprisonment for a term of three months to one year, or rehabilitation without imprisonment, or be fined in the amount of 5,000 to 10,000 kip.*

#### **Article 159:Creating a disturbance in an internment or rehabilitation centre**



*Any person who creates a disturbance or commotion which causes a breakdown of the internal order of an internment or rehabilitation centre, will be sentenced to imprisonment for a term of three months to three years.*

**Article 2: The basis of criminal responsibility**

*All persons are responsible under the law and can and will be punished according to the law when and only when such persons act with intention or negligence in a way that is dangerous to society as stipulated in the criminal code and as determined by the courts.*

**Article 40: Sentencing for the commission of multiple offences**

*In sentencing for a single offence in violation of many articles of law, the article of law which prescribes the greatest punishment should be applied.*

*In sentencing for many offences in violation of many various articles of law, sentence is to be pronounced for each separate offence then all of these sentences are to be added together the total of which is not to exceed the maximum penalty allowed for the most serious of the offences committed as prescribed by the law.*

*An additional punishment to the primary punishment for one or more offences may also be given in cases where such offences carry an additional punishment as set forth in a specific section of this criminal code.*

*In cases in which a judgement has already been made or a judgement has already been strictly implemented or an offender has already served part or all of their sentence, and it is then found that the offender has committed a previous offence, additional sentencing is to be pronounced according to the method stated above.*

*In cases in which a judgement has already been strictly implemented or during the time of the serving of sentence if the offender commits an additional offence, the court will add to the uncompleted portion of the original sentence all or part of the additional sentence pronounced for the latter offence.*

*As for punishment by fine, each fine is to be considered separately. Fines cannot be added together or added to different forms of punishment as in the method stated above.*