LAO PDR: NGOS CALL ON GOVERNMENTS & LAO AUTHORITIES TO ENSURE THE IMMEDIATE RELEASE OF CHINESE HUMAN RIGHTS LAWYER LU SIWEI

Lao authorities have reportedly arrested and detained well-known Chinese human rights lawyer Lu Siwei since 28 July 2023. We are gravely concerned that he is at serious risk of forced repatriation to China where he faces the high likelihood of torture and other ill-treatment.

Southeast Asian governments have frequently been pressured into forcibly returning vulnerable individuals back to China, where they have faced arbitrary detention, unfair trials, torture, enforced disappearances, and other ill-treatment. Our organizations have documented numerous cases, ranging from the 2009 forced return of Uyghurs from Cambodia to the August 2022 disappearance of Chinese democracy activist Dong Guangping from Vietnam into Chinese custody. Gui Minhai, a bookseller, was disappeared in Thailand in 2015 only to resurface in China without his passport. These individuals are effectively disappeared for extended periods, with family members and colleagues unable to obtain information until months or years after.

We urge third party governments to:

Ask Lao authorities to immediately halt Lu Siwei’s repatriation and to move quickly to ensure he has access to the relevant UN authorities and a lawyer of his choice; and,

Publicly call on Chinese authorities to drop any potential charges against Lu Siwei.

By handing Lu Siwei over to the Chinese authorities, the Lao government would be putting Lu Siwei at grave risk of torture and inhuman treatment. UN rights experts have found that the Chinese government frequently subjects rights defenders and lawyers to torture and inhuman treatment.[1] Under international customary law and as a state party to the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) since September 2012, the Lao PDR government has a non-refoulement obligation as stipulated in Article 3 of the CAT not to return a person to a state where they are at high likelihood of being subjected to torture.

We urge the Lao government to:

• Halt all processes of repatriation for Lu Siwei and release him immediately according to its international human rights obligations;
• Arrange for him to meet with the relevant UN authorities and a lawyer of his own choosing;
• Allow him to meet with diplomats from the United States and other countries, as needed, to help him resume his journey to reunite with his family currently in the United States; and
• Pending the above, to disclose his whereabouts and ensure his personal safety as well as his physical and mental well-being.

Lu Siwei is a renowned rights defender and lawyer in China, advocating for vulnerable groups and representing numerous political dissidents. As the Chinese authorities have become increasingly intolerant of independent rights advocacy, they have targeted Lu with intimidation and harassment, including disbarment in January 2021 for online speech that allegedly “endangered national security”. Lu Siwei was also physically attacked while traveling to the hearing for his disbarment. Since then, Lu has been closely monitored by the Chinese authorities and subject to an exit ban since May 2021. It is understood that Lu was in Laos en route to joining his family in the United States.
Undersigned, in alphabetical order

Amnesty International
ALTSEAN-Burma
Asia Democracy Network (ADN)
Asian Forum for Human Rights and Development (FORUM-ASIA)
ARTICLE 19
Bar Human Rights Committee of England and Wales
Bytes For All, Pakistan
Campaign For Uyghurs
ChinaAid
China Change
Chinese Human Rights Defenders (CHRD)
Civic Initiatives
CIVICUS: World Alliance for Citizen Participation
Committee for the Abolition of Illegitimate Debt (CADTM)
Committee for Freedom in Hong Kong Foundation
CSW
Exile Hub, Thailand, Myanmar
FIDH (International Federation for Human Rights), within the framework of the Observatory for the Protection of Human Rights Defenders
Focus on the Global South
Foundation for Media Alternatives
Free Expression Myanmar
Freiheit für Hongkong e.V.
Fresh Eyes, United Kingdom
Front Line Defenders
Georgetown Center for Asian Law
Gill H. Boehringer, Professor, Chair, Australian Branch, IAPL
Hong Kong Watch
Hongkonger in Deutschland e.V.
Humanitarian China
Human Rights in China
Human Rights Online Philippines (HRonlinePH)
HuMENA for Human Rights and Civic Engagement
ILGA Asia
Indonesia Save Uyghur
Innovation for Change South Asia
International Association of People’s Lawyers (IAPL) Monitoring Committee on Attacks on Lawyers
International Service for Human Rights (ISHR)
International Tibet Network Secretariat
Internet Policy Observatory Pakistan
Judicial Reform Foundation
Lawyers for Lawyers
Manushya Foundation
Migrant Forum in Asia (MFA)
New School for Democracy Association
Open Net (Korea)
PakVoices.pk
PEN America
Public Virtue Research Institute
Safeguard Defenders
Social Innovations Advisory
Society of Young Social Innovators (SYSI)
Southeast Asia Freedom of Expression Network (SAFEnet)
Taipei Bar Association Human Rights Committee
Taiwan Bar Association Human Rights Protection Committee
Taiwan Support China Human Rights Lawyers Network
Tibetan Centre for Human Rights and Democracy
Tibet Initiative Deutschland e.V.
29 Principles
Uyghur Human Rights Project
Victims of Communism Memorial Foundation
Wang Dan, Dialogue China
We The Hongkongers
World Organisation Against Torture (OMCT), within the framework of the Observatory for the Protection of Human Rights Defenders
Young Leadership for Social Change Network

[1] E/C.12/CHN/CO/3, CESCR Concluding observations on the third periodic report of China, including Hong Kong, China, and Macao, China, 2 March 2023; and CAT/C/CHN/CO/5, CAT Concluding observations on the fifth periodic report of China, 3 February 2016.