

Rights Group Demands Transparency in Case Against 10 Lao Villagers Jailed Over Land Dispute

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Two Yeub village residents arrested for cutting down rubber trees are shown in a file photo.

A civil society organization (CSO) in Laos has called on the government to proceed with its case against ten villagers jailed for more than a year over a land dispute in a transparent manner and demanded an update on their health conditions in prison.

In July 2017, 14 residents of Yeub village in Sekong province's Thateng district were taken into custody by police for obstructing workers and cutting down trees on land granted by the government to a Vietnamese rubber company in what is believed to have been a 50-year concession.

Several of those now held in detention were beaten or subjected to electric shocks in the days following their arrest, and many are now malnourished and in failing health, relatives told RFA in earlier reports.

Three of the residents were released in June this year and another—a man named Somsavanh—died in jail on Jan. 29 in what authorities described as a “suicide,” though a relative said the man's funeral was later arranged by authorities, leaving family members unable to participate or perform religious rites.

An official from a local CSO recently told RFA's Lao Service that his group is concerned about the status of the 10 residents who remain in prison, and called for transparency in the cases against them.

“[I] would like to see the government provide a clear explanation on this case to the public about how the prosecution is proceeding,” he said, speaking on condition of anonymity for fear of reprisal.

“International agencies, relatives of the detainees and humanitarian groups are following up with this issue, but there have been no clear answers from the Lao authorities.”

The official said that in normal circumstances, the prosecution should proceed according to a clear timeline, but that no information on the 10 had been forthcoming from authorities.

“I have no idea about who is [currently] responsible for them—whether the police have finished filing the lawsuits and the prosecutors have begun their case,” the official said, adding that “there is only silence.”

“Meanwhile, the detainees are facing poor conditions are in jail. They aren't provided with enough food and they are being held in filthy cells.”

One of the relatives of the jailed residents echoed the CSO official's concerns over their situation in prison.

“They are facing difficult circumstances and only allowed to meet with family members once a month, plus they lack nourishment and adequate food,” the relative said.

“Additionally, family members must pay the police 20,000 kip [U.S. \$2.34] each time they seek permission to meet with the detainees, despite being poor.”

Speaking to RFA, Sekong deputy governor Leklay Sivilay said on May 31 that the court case against the residents was proceeding “according to law” and would soon be settled.

Speaking later to Lao state media, however, Leklay appeared to deny all facts connected to the case, condemning RFA for what he called its “untrue and unacceptable” reporting on the villagers’ complaints and arrests.

Revised land law

Meanwhile, observers expressed concern over government revisions to the country’s land law, saying the proposed legislation is likely to be pushed through the National Assembly—Laos’ rubber stamp parliament—without provisions that adequately protect the rights of the public.

“The revised law says nothing about whether land owners have the right to refuse compensation from developers if they feel it is unfair,” said one Lao law expert, who declined to be named, noting that certain development projects such as special economic zones “are not in the public interest and only take into account business interests.”

The expert added that the revised law refers to land as “collective,” meaning that “the government can take it over as it sees fit.”

Phil Robertson, deputy director of New York-based Human Rights Watch’s Asia division, told RFA that Laos routinely enacts new laws in a “top-down, non-

participatory” process that ignores the rights of ordinary people, and that the proposed revisions to the land law are no exception.

“If the government mishandles land titling in a way that ignores customary land rights, it will be a disaster for Lao people who could face an onslaught of influential, well-connected companies and government officials seizing the best lands for themselves,” he said.

“On land reform, Laos should take it slow, involve all the stakeholders in a truly participatory process, and ensure that the customary land rights of ordinary Lao are respected. The people of Laos are highly dependent on their access to land and so any action that mishandles land ownership will be a rights disaster for the country.”

Despite the concerns, officials in Laos said they are optimistic that the revised land law will better empower the people.

“The public will benefit from the revised land law once it is approved because it will provide them with a broader set of land rights,” Bounty, a ranking official from the Ministry of Natural Resources and Environment recently told RFA, without providing details.

Much of Laos’s economic growth is generated through land concessions for natural resources, including timber, agricultural products, minerals, and energy, even though these come at a cost for those who lose their land and may not receive proper compensation.

Land grabs and the appropriation of public property to turn over to foreign and domestic companies are common in Laos, and villagers affected by them often refuse to speak out publicly because they fear retribution.

In an Oct. 23, 2017 speech to Laos’s National Assembly, Prime Minister Thongloun Sisoulith said that loopholes in Lao land laws must be closed to ensure that the interests of the country’s common people are not ignored as “individuals and business groups” scramble for wealth.

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