

AMNESTY INTERNATIONAL

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Laos: Mass surrender of ethnic minority rebels and their families

Recent reports from a variety of sources, both inside and outside Laos, indicate that large numbers of ethnic Hmong rebels and their families have emerged from years of fighting in the Lao jungle, and have given themselves up to the authorities in at least two areas of the country.

Amnesty International has received conflicting reports as to their reception and treatment by the authorities. The organization calls upon the Lao government to ensure that all those who put down their arms and their civilian non-combatant family members are treated humanely and with dignity and respect. The Lao People's Democratic Republic has international obligations in this regard under the Geneva Conventions and the two UN Covenants.

The organization furthermore calls upon the Lao government to provide UN specialist agencies and other non-governmental organizations access to those who have put down their arms and to their families in order to assist with basic humanitarian needs, including food and health care requirements. Longer term assistance with their reintegration into Lao society will also be needed. It is essential that neutral observers are given access to these groups of former rebels in order to independently assess their situation and the veracity of on-going claims of serious human rights violations being made by overseas ethnic Hmong groups.

Amnesty International urges the Lao government to seize this opportunity to find a peaceful solution to decades of fighting and the high human cost on all sides to the conflict. Transparency and access to relatives of those who have surrendered, in addition to specialist agencies of the international community, are essential elements in moving towards a comprehensive and durable resolution to internal armed conflict in the country.

Background

A number of ethnic minority groups, especially the Hmong, 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.

An unknown number of Hmong and other minority groups have continued armed resistance to the Lao government to this day. Their plight has become increasingly desperate and has been highlighted by Amnesty International in recent months.

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. Those who cease to take part in hostilities "shall in all circumstances be treated humanely". Article 5 of the Protocol sets out strict rules protecting those detained in relation to armed conflict. Children, especially, must be provided with the care and assistance they require.

Laos has signed but not yet ratified the UN International Covenant on Civil and Political Rights (ICCPR) and the UN International Covenant on Economic, Social and Cultural Rights (ICESC)