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Cooperative Repression: A Case Study of Enforced Disappearances in Laos

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1. Introduction

In 2018, two self-exile, Thai activists went missing in Laos. Their bodies were found days later, disemboweled, stuffed with concrete, and with other signs of trauma (BBC News 2019). These activists, along with many others, fled Thailand into Laos in hope of a chance of survival and protection from Thailand's harsh criminal laws against political activists and those who dissent. However, these activists have found themselves disappearing in Laos, Cambodia, and Vietnam. National organizations and other activists believe that these states are cooperating with Thailand, disappearing them, in hope of spreading fear and deterrence. This form of repression is called enforced disappearances.

Although enforced disappearances are not a new subject, this form of cooperation on repression is minimized in the world of research. There is substantial literature on why states repress their citizens and how the involvement of their military or law enforcement is significantly used to commit human rights abuses and heinous acts. However, there is no literature in combination of state cooperation on repression. What happens when two states cooperate on repression of their own people or from another's state? Why would they cooperate? These are important questions in the field of human rights and international relations for us to understand the motive of the states and set accountability and answers.

I argue that these states cooperate on repression for several security and economic gains, dependence, and through shared regimes. This paper has used several theories to help understand why cooperation on repression is used and what factors drive to it; thus, there are more than one explanation. I have used the case study of Laos and Thailand and six missing activists, international relations literature, cooperation literature, and Lao-Thai contemporary politics.

Throughout these theories, the gains of Laos cooperating with Thailand outweighed the costs. The case study has helped explained and understand potential factors of state cooperation on repression, including the strongest theory that analyzes that both states shared similar regimes and cultures as one reason. The most difficult to prove was issue linkages as there is missing information.

The above research and findings can speak to human rights and repression literature to better understand why enforced disappearances are used and how state cooperation under this form of repression is against international law. This paper can also help explained why these activists in Laos disappeared and motivate further accountability mechanisms for Laos.

The first section will introduce repression and cooperation literature as bases of why states cooperate and repress. Second, I will provide my argument that two states repress base mostly on gains and that there is a high chance that Laos is cooperating with Thailand. I will then follow with information on the six activists that disappeared, Thailand and Laos' relationship, and my hypothesis. The following sections will analyze the results and conclusion.

2. Literature

Repression

There are various definitions of state repression by scholars that focus on the aim of repression or specific characteristics of repressions. Davenport (2007) defines repression as the "actual or threatened use of physical sanctions against an individual… within the territorial jurisdiction of the state" (2). His definition deals with the "application of the state power that violates the first amendment" such as freedom of speech, religion, and due process (Davenport, 2007, p. 2). Chenoweth et al. (2017) define it as any "realized or threatened limit or coercive action taken by state authorities to control or prevent challenges that could alter the status quo policy or

distribution of power" (1952). The use of the word coercion or threatening appears in many definitions by scholars. There is a growing consensus that state repression uses coercion and threats against their citizens in order to prevent them from changing the status quo and from any social, cultural, or political change. As Henderson (1991) describes it, repression is used "to weaken their resistance to the will of the authorities" (121).

There are different forms and variations of repression that states use against their citizens. The oldest forms, according to Davenport (2007), are genocide, torture, mass arrests, the outlawing of political organizations, book banning, and domestic spying. These are two variations of repression- nonviolent and violent. Violent forms of repression go against the personal integrity rights of an individual that of security and protection of torture to mass killing. Where nonviolent repression can be inequality and come in non-physical form. Henderson (1991) sees repression as the way to not give full access to individuals due to scarcity or inequality that by doing so, it will change the status quo or cultural power of the elites. Earl (2011) sees that repression is used primarily on ethnicity and racial issues. The form to repress based on ethnicity or race can come in the form of political repression where it is different from repression itself. Political repression comes with the purpose to influence and diminish the social, cultural, and/or political power of those seen as inferior or as a threat (Henderson 1991). Activism, voting, to prevent people from speaking a certain language is also considered political repression as the aim of the state or the repressor is to diminish the control or power of those repressed. Political repression has a specific purpose that comes with the personal integrity rights that Davenport (2007) described. Here, both violent and nonviolent forms of political repression can be used.

However, Davenport (2007) argues that the different ranges of repression are used by certain regime types. The degree to which the government is democratic or autocratic changes the

relationship between political conflict and repression. States that are democratic tend to use non-violent forms of repression such as "crowd control tactics, arrests, imprisonment" (Chenoweth et al. 2017, p. 1953). Furthermore, democratic states are far less likely to commit human rights abuses, declare martial law, perpetrate mass killings, or use other forms of repression than authoritarian or hybrid regimes (Chenoweth et al. 2017). However, Aviles and Celis (2017) introduce low level-democracies when authoritarian regimes are transferred to democracies or supposed democracies that are considered "market democracies" whose goal is to advance in markets rather than human rights. These low-level democracies use state violence, especially against protestors. Authoritarian regimes use both forms of repressions but tend to be violent when faced with dissent.

So, when and why is repression used? First, Henderson (1991) describes that there are certain conditions that induce the state towards repression. These conditions can be independent or intertwined with each other and "may include the type of government, socioeconomic progress, inequality in society, the rate of economic growth, and the level of economic development of society" (Henderson 1991, p. 121). Repression comes when the population does not agree with a policy or the status quo that they are forced to deceive, which in return brings oppression or vice versa. Davenport (2007) states repression is used "for the purpose of imposing a cost on the target as well as deterring specific activities and/or beliefs perceived to be challenging to government personnel, practices or institutions" (2). Oliver (2008) identifies three goals of repression-deterrence, incapacitation, and surveillance. Overall, the understanding of why can best explain when it is likely for repression to happen.

Davenport (2007) argues that in order to understand when repression and coercion are likely to occur, we must understand the political leader's emotions as they weigh cost versus gains.

He states that “when benefits exceed costs, alternatives are not viewed favorably, and there is a high probability of success, repressive action is anticipated. When costs exceed benefits, alternatives exist, and the probability of success is low, no or little repression is expected” (Davenport 2007, p. 4). This argument can be sustained with Earl’s (2011) Threat Perception of state actors that repression can occur based on the threat perceived by states of “challengers that have strength in areas in which the state is weaker” (266). There is also the issue of dependence on the repressors. When considering benefits and costs, state repression is difficult if the political leader relies on the “acquiescence and consent” of the dissented population to remain in power. However, when the relationship is one of indirect dependency, then state repression is not as costly (Chenoweth et al. 2017). Reliance can be on the economic gain that the population produces, skill sets, or politics.

Dissent is an important finding and factor that contributes to the use of repression. When dissent is used to displace current political leaders and/or the political-economic system, then the leader is most likely to repress to legitimate their ruling. If the political power of the leader is doubted by enemies or followers, they become less likely to support his position in office and support a challenger instead (Bueno de Mesquita et al. 2003). A leader then concerned that he may lose power, therefore, faces incentives to repress for survival of himself and his party (Ritter 2014). Ritter (2014) argues that leaders are likely to repress certain individuals rather than the entire population. In authoritarian regimes or semi-democratic states, when repression and dissent do occur, they should be coercive, disruptive, or violent. “A politically vulnerable leader is more prone to engaging in rights violations than a stable one. Second, a stable leader is less likely to repress in the first place, when he does, it is likely to be more severe” (Ritter 2014, p.153).

Repression or coercion is not likely to occur when international law and "hard" treaties are involved. Hathaway's (2002) research finds that governments that have agreements with "hard" standards and clear enforcement mechanisms are much less likely to repress their citizens. Thus, this is one preventative mechanism, it does not always work and there is not a lot of research that explains why states don't repress besides the issue of cost versus gains and international law.

Majority of the literature is subject to understanding why the states repress and how. It is evident through studies that the states use third parties to enforce the repression such as law enforcement and military (Pierskalla 2010; Davenport 2007; Chenoweth et al. 2017). These third parties are subject to the state's control and goal to be seen tough but only if it sees the strength of that state. Pierskalla (2010) argues that third parties might attempt coups of their own government if they don't share "posterior beliefs" as the government. Third parties, especially the military, have been used by authoritarian states significantly to repress. There is a clear connection between third-party cooperation with the states. However, the literature does not explore the concept of state and state cooperation in repression and why. It is possible for two states to cooperate on issues they find important and necessary. We have seen this as forms of climate change and border treaties among many. However, to one state help the other repress or accept their acts of repression is a form of cooperation not talked about. First, I will introduce international relations theory to explain what makes cooperation likely between two state actors, and how this can apply to repression.

Cooperation

There are three motivational reasons why states would cooperate with each other: security, economics, and power. Substantial literature in the international relations realm focuses on security as the principle that states would cooperate or not with one another under anarchy rule. It is not

that states decide to help each other for policy and friendship, but because under anarchic rule, one must worry about itself and self-gain, according to realist theorists (Jervis 1999). However, instead of focusing on what each side of the table says about international relations such as institutionalism versus realism, for the sake of this paper, we will focus first on existing explanations of what makes states cooperate and what makes state cooperation feasible or not.

Why States Cooperate

Security

Under the security realm of why states cooperate, there are different meanings and possibilities of security that persuades the state to come to an agreement with another: self-help, gains, arms and military, war prevention and dialogue, aid and issue linkage. However, under international relations literature, we first have self-help and maximum gains of security. Self-help refers to states cooperating for their own interests rather than the other states, including allies. When it comes to cooperating with allies, it is still the state's own desire to protect itself from security or policy issues as they will also have something to lose. A state may cooperate with others, but the real intent is to not depend on its relationship but to maximize its own gains in case it needs to leave the relationship and it will still be strong and independent. Thus, for repression, cooperating can lead to maximum gain of being politically stable.

To be more precise in why states cooperate under the security realm is for arms and military security. Relations among states are marked by war, arms races, and arms control (Oye 1985). State cooperation in arms and security cooperation allows states to work together on external or internal threats and receive protection. A popular example will be Article 5 of the North Atlantic Treaty Organization (NATO) where the Collective Defense Article means that an attack against

one ally is considered an attack against all allies (NATO 2021). Thus, cooperation can allow states to be protected from outside states and civil wars with the use of arms and military security.

To have a relationship with another state or cooperate in agreements does not necessarily mean that it prevents war, but it decreases the chance of war as no state wants to decrease their gains (Bailes & Cottey 2006). Dialogue can lead to cooperation on emerging issues, but it is also intertwined with war and security loses prevention. At the most basic level, regional security institutions serve as frameworks for communication and dialogue among their members.

Furthermore, under the security realm, we have assistance, aid, and issue linkages. Cooperation comes with benefits and that is a relationship that comes with help and aid. Countries that are part of institutions and longtime allies tend to support each other when one is in conflict. Cooperation itself can create relationships and dialogue and by introducing these factors, states can argue their need for support. A state can gain these outcomes by cooperation and being part of relationships that otherwise would have not gotten if it didn't participate. They all have something to lose or win, so it is beneficial for them to work on the same problem together rather than by themselves.

Economic

Furthermore, under the economic realm of cooperation, states come to partnership under the influence of gaining economic advancement. This is most notably seen in economic institutions where states join trade agreements to "help to protect markets and industries in their region, increase their competitiveness in the global economy and strengthen their hand in global economic forums" (Bailes & Cottey 2006, p. 211). The stronger the trade interests of states are, the more regional organizations they join and the more strongly they push for tackling negative, unintended consequences of their cooperation, according to Panke (2019). To join agreements with different

states allows the country to expand its economic capabilities. However, not all agreements lead to gaining, but depending on the economic policy, states can come to deals or agreements that will protect their own markets and industries. Economic gains also come in finance, industry, business, science, technology, transportation, and infrastructure. State cooperation under the economic realm can lead to profitable success from the state that decides to invest or risk economic growth. In recent years, the Mekong region in Southeast Asia has provided opportunities for economic investment and tourism development projects, thus, attracting various groups of businesspeople, government officials, and tourism promoters (Ghimire 2001; Congressional Research Service 2019).

Power

Finally, the last realm in which states decided to cooperate is for power. Aside from economic and security incentives, cooperation and agreements are a way to counterbalance international power, but there are states with intentions to simply advance their power and influence for their own gain. Powerful states can use international or regional organizations and cooperation to achieve their own interests, according to realist theories (Jervis 1999). The more powerful states are, the better position to influence the negotiation outcomes in line with their own preferences. Even in international institutions in which states are formally equal, where they possess the same rights and obligations, there are power differences between states, such as the U.S in the United Nations. “Economically powerful states can use their superior economic capacities to offer side-payments or package deals or even engage in vote-buying in order to pursue their interests” (Panke 2019, p. 485). Political power is also instrumental in keeping leadership in repressive states. This can explain why cooperation can be used to further coercive power.

Although these, theoretically, are the main existing factors that make states cooperate, it all depends on what makes cooperation feasible or not. Much of the international relations literature about cooperation focuses on the level of analysis on constraints on cooperative behavior among states. Cooperation can be achieved in several ways. It can be tacit and occur without communication or explicit agreement. Cooperation can also be negotiated in an "explicit bargaining process" (Milner 1992, p. 469). This is the most common type of cooperation based on international relations literature. Finally, cooperation can be imposed. The stronger party in a relationship can force the other side to alter its policies. Depending on the type of cooperation and the reason, it alters the possibility of states to cooperate.

What Makes Cooperation Feasible or Not

Based on the literature, we will focus on constraints or possibilities of cooperation based on the self-gain perspective. While the following hypotheses do not constitute a theory of cooperation, "they do suggest a series of variables that might affect the likelihood of the emergence of cooperation among nations" (Milner 1992, p. 470). According to Milner (1992) and realism (Jervis 1999), each actor is not out to help the other, but it is bettering one's own situation that leads to the adjustment in one's policies. States can then be considered uncooperative if they do not reduce the negative consequences or losses from each state's policies.

Relative gains and reciprocity are the first factors that can lead to cooperation or not between states. Grieco argues that cooperation is much more difficult even when all sides can achieve absolute gains because no state wants to realize they have fewer absolute gains than any other (Milner 1992). Concern for relative gains is likely to impede cooperation. Absolute gains allow the states to receive the maximum number of gains one would have gained. However,

relative gains are the difference in gains between both states and if it weighs more than the other gain. Neoliberal institutionalism argues that states focus primarily on their individual absolute gains and not the gains of others. However, Waltz argues that "relative gain is more important than absolute gain" (Powell 1991, p. 1). If one state gains more power than the other or higher utility, then a state might not cooperate to not let the other state gain more. If the cost is higher than the win, then less likely for cooperation and vice versa. This also leads to potential problems such as cheating; thus, if cooperating, "states seek to ensure that partners comply with their promises and that their collaborative arrangements produce "balanced" or "equitable" achievement of gains" (Milner 1992, p. 470). States can be reinforced by doubts about their partner's motives and intentions. This uncertainty works against cooperation (Glaser 1994).

Cooperative behavior may be more likely when states pursue reciprocity because they know their gains will then be balanced with the same weight (Milner 1992). Reciprocity involves the exchange of equivalent values of both good and bad. Dai et al. (2010) put it as "if you cooperate with me, then I will cooperate with you in the future; but if you do not cooperate, then neither will I (4)." To include reciprocity into relative gains issue, there is the option of side payments by a state. Side payments can be done from one state to the other to set the equilibrium of gains and can come in different forms, such as foreign aid. Within reciprocity and from side payment comes the bargaining option. The use of bargaining tactics allows the state with less gain to bargain with the second state on options that will set the equilibrium.

Iteration focuses on the players' expectations about the future. Their willingness to cooperate is influenced by whether they believe they will continue to interact several times. It has been argued that iteration in the Prisoner's Dilemma game makes cooperation more likely if the value of continued cooperation outweighs defection at any time (Milner 1992; Glaser 1994; Oye

1985). If a state does not see a fruitful, overall future or there are no attempts to become partners, the less likely it is for a state to cooperate (Oye 1985).

Another explanation on the likelihood of cooperation centers on the role of international regimes, which are defined as "sets of norms, principles, rules, or decision-making procedures around which actors' expectations converge" (Milner 1992, p. 475). Regimes are seen as improving each side's information about the behavior of the others, especially about the likelihood of cheating and compliance. Regimes are meant to be truthful and impartial; thus, regimes reduce states' uncertainty and their fears that others will cheat (Dai et al. 2010). However, there are arguments that instead of helping states, it creates problems as states are likely to disagree about the amount of information regimes release to others and the principles of enforced the regimes themselves (Jervis 1999; Milner 1992) According to Milner (1992), international regimes affect "transaction costs by making it easier or more difficult to link particular issues and to arrange side-payments as it goes against the principles of the regimes or agreements" (478).

Furthermore, power asymmetries can also make cooperation feasible or not as it incorporates dependence. Power in an interdependent relationship flows from asymmetry: the one who gains the more from the relationship is the more dependent. One state can gain and lose depending on the outcome of the other state because it depends. Threats to end the relationship differentially influence the side gaining more. If they no longer cooperate then they will lose everything they are dependent on. In reality, "the side with leverage then is not the one with the greatest relative gains, but the one with the least" (Milner 1992, p. 487). In this case, the relative gains of your allies may enhance your own security, but the losses of your allies will also affect you if you are dependent on them.

Finally, perception and reputation are two important factors that can affect the possibility of cooperation. A state might depend on its perception of the actors or events and their thoughts based on their current experience and from those around them. However, perception can also change over time with the effects of technology, a change of leadership, and environment (Islam 2009). Perception, in other words, can be defined as the shadow of the future where the future is unknown, but one must rely on its perception or assumptions of how things might be to make decisions. Similarly, actors who do not interact frequently must rely on the shadow of the future of their own interaction to support cooperation or not (Dai et al. 2010). Reputation, as the last theory, explains that parties will be unwilling to cooperate with a defector if it is known to break agreements (Dai et al. 2010). Why cooperate or make gains when the agreements will break and can lead to losses? According to Dai et al. (2010), for reputation to support cooperation, defection or cooperation must be observable. Also, Mercer (1996) argued that although states may be sensitive about others' reputation, other states may not judge the reputation of a state based on its past behavior. However, others believe that reputation does matter.

Furthermore, repression and cooperation are two separate issues that have not been studied together. Repression literature introduces the third party as a domestic entity such as the military. However, what happens when the third party is not a domestic institution, but another state? This field is underdeveloped. However, based on cooperation literature we have read, we can analyze and determine what influences states to cooperate with one another on repression, which is a different realm than working together on a different issue. With repression comes accountability and negative consequences. So, despite these circumstances, why risk it?

3. Research Design

This paper aims to explain what makes states likely to cooperate on repression and what are some existing possibilities for why a state would cooperate on enforced disappearances from another country. Enforced disappearances are a form of repression in which it is "the act of detaining or abducting a person and then either killing or keeping that person in detention without admitting responsibility, or without there being any evidence that a crime has been committed" (Sarking & Baranowska 2019, p. 12). Unlike genocide, which attempts to wipe out a group in whole or part, disappearances intend to spread fear in order to repress a population. While genocide aims to destroy a group in some way, disappearances are usually used as a method of control. Disappearing political opponents sends a message to anybody intending to challenge the government. In fact, disappearances require less work for the government than committing genocide because they can achieve similar goals "without forcing the government into the costs associated, or to take on responsibility for the crimes committed" (Sarking & Baranowska 2019, p. 35). I will use the case study of Laos and Thailand and the missing six Thai political activists in Laos from 2014-2019 reported. Thailand, after its 2014 coup, has had intense issues with political activists protesting against the military junta and criticizing the Thai monarchy, sentences that range up to 15 years of imprisonment. Individuals have fled to Laos in hope of protection but have been reported missing shortly after. Activists say that it was soon after the visit of the Thai junta leader, Prayuth Chan-ocha, that they believed Laos and Thailand were cooperating. NGOs and activists believe that Laos is involved although there is no evidence of it. There is no direct evidence to prove who is behind these enforced disappearances although activists and literature point to the government, which they then deny responsibility. There is also no evidence because

both countries have failed and refuse to do proper investigations. However, this can also be seen as motivation.

There are two scenarios in which Laos may be cooperating with Thailand. It either allows Thailand military or law enforcement personnel to come to Laos to enforce the disappearances without negative consequences or Laos, with the approval of Thailand, enforces the disappearances themselves.

Argument

This paper aims to answer theoretically what makes it possible for a state to cooperate with the repressive states in this new form of repression. I argue that a state cooperates with the repressive state to repress in order to gain a range of security and economic utility. I also believe the state will share culture and believes with the repressive states that it makes it easier to decide to cooperate. This paper seeks to argue through the case study that it is possible for Laos to cooperate with Thailand on enforced disappearances of six Thai activists in Laos for the following reasons. I will use international relations theory, enforced disappearance literature, and Thai-Laos contemporary politics to test the following hypothesis.

Hypotheses

1. State #1 cooperates with the repressive state on repression due to sharing several commonalities
2. State #1 cooperates with the repressive state on repression based on dependence
3. State #1 cooperates with the repressive state on repression to gain or secure economic and security utility
4. State #1 cooperates with the repressive state on repression based on issue linkages

5. State #1 cooperates with the repressive state on enforced disappearances because loss is minimal based on international repercussions

The first hypothesis will perhaps be the strongest as Laos and Thailand have many similarities that will be important in decision making and their relationship. I see theory number three as being the most difficult to prove. Although issue linkages can be part of their communication and agreement, it is difficult to foresee what Laos, or a state, will gain or ask other than security and economic utility. The way these hypotheses will be approached is by using them as reasoning in why states will cooperate in repression, or Laos, in this case. If I can find enough motivation behind each action or gain, then it will be easier to articulate each hypothesis.

4. Case Study

I will start with analyzing the cases of the missing activists that can tell us who they were and why they were targeted. Specific timing during these disappearances is also important information to consider. Part two of the case study will be about Thailand-Laos relationship before the 2014 coup and will tell us if it was likely, they had a strong relationship to cooperate before the coup on the disappearances. Following that information, I will test my hypothesis.

Disappearances

Six individuals have disappeared in either Laos or Thailand by each country in the past five years. Other Thai activists are also missing in Cambodia and Vietnam (Beech 2020). Their missing cases are considered an enforced disappearance because of the political and activism ties they had in their country and who suddenly disappeared. Most enforced disappearances are connected with descent over the state and these individuals did that. It is important to know who these individuals were and understand the circumstances that led to their disappearances. My focus will be about the disappearances in Laos.

Chatcharn Buppawan and Kraidej Luelert were critics of the Thai military and royal family. They have been active in the United Front for Democracy against Dictatorship (UDD) protests in 2010, which ended in a military crackdown (Setboonsarng & Johnson 2019). Both of these individuals were outspoken and would appear in YouTube videos speaking out against the military regime. A month after the 2014 coup, the military junta issued arrest warrants for both Buppawan and Luerert, according to the UN (Setboonsarng & Johnson 2019). They then join a group that fled Thailand to Laos shortly after. Both members disappeared on December 12, 2018, along with their partner, Surachai Danwattananusornm, as the last day they were seen in Laos (Ellis-Peterson, 2019). On December 27 and 28 the bodies of Buppawan and Luelert were found in a small Thai village on the banks of the Mekong River (Peterson 2019; BBC News 2019). "The bodies found were disemboweled and stuffed with concrete posts, their legs broken and their hands handcuffed, as well as tied with rope at the neck, waist and knees and wrapped in several thick bags" (Peterson 2019) "Given the active arrest warrants and their involvement with the UDD, it is believed Thai officials may be responsible for the killing of Mr. Buppawan and Mr. Luelert and the disappearance and possible killing of Mr. Danwattananusorn," a group of top U.N. envoys said in the letter (Setboonsarng & Johnson 2019).

Surachai Danwattananusorn was the third person who also disappeared the same day, but no body was found. Danwattananusorn ran an anti-majeste and anti-junta radio program called *Thailand Revolution* from Laos with both partners mentioned above (Wongcha-um & Tanakasempipat 2019). He was a political prisoner until 1996 and later became a leader in Thailand's pro-democracy movement "Dang Siam." He was jailed for lèse-majesté law and eventually pardoned in 2013 (Ellis-Peterson 2019). He self-exiled in Laos after the coup. His disappearance was found not shocking as family members stated that before he disappeared, he

said, “I think we are being watched” and claimed he and the group were going into hiding “after they had received a warning from the Laos police officer who looked after them” (Ellis-Peterson, 2019).

Reuters and activists claim that evidence points to the three men going missing on December 13, the same day that Thai prime minister Prayut Chan-o-cha arrived in Laos for a meeting, “where he requested assistance bringing back lèse-majesté exiles” (Ellis-Peterson 2019). This series of disappearances were not the first reported. In 2016, Ittipon Sukpaen, also known as DJ Sunho, disappeared after he was reportedly last seen at a restaurant in Vientiane, Laos (Charuvastra 2016). He was also a former UDD leader and broadcasted political commentary on YouTube (Amnesty International 2021). He is wanted for royal defamation and for failing to report to a summons issued by the junta in 2014 (Amnesty International 2021).

On July 29, 2017, Wuthipong “Ko Tee” Kachathamakul, an activist leader and host of the anti-monarchist radio show “Red Guards" faced 21 arrest warrants for a series of offenses, including lèse-majesté. He was abducted from his Vientiane home in Laos and has not been seen since (Reuters 2017). According to witnesses and family members, he was abducted by “a group of 10 armed men dressed in black, before he was put in a car and driven away” (Reuters 2017).

Within Thailand, Laotians have also disappeared including Od Sayavong in August 2019. Od Sayavong was a Lao refugee in Thailand and a critic of the Lao government. He was part of the “Free Lao” group in Thailand that advocated for human rights and democracy in Laos (Human Rights Watch 2019a). “Od engaged publicly in drawing attention to human rights abuses and corruption in Laos and met with the United Nations (UN) Special Rapporteur on Extreme Poverty and Human Rights in Bangkok” (Human Rights Watch 2019b). The UN special rapporteur on human rights defenders has called on Thai authorities to provide information on Od’s case but

there has not been any investigation (Human Rights Watch 2019b). Members of "Free Lao" told Human Rights Watch that they have been under surveillance and intimidated by Thai and Lao authorities. They believe this is to stop them from protesting or otherwise criticizing the Lao government during the ASEAN People's Forum that was being held in Bangkok in September 2019 at that time (Human Rights Watch 2019a). This is another disappearance that occurred shortly before large international events.

There are reports of other individuals disappearing as the number continues to grow. UN reporters have taken some of these cases and have called out Laos and Thailand for not investigating individuals that disappeared. Amnesty International and Human Rights Watch have advocated for proper investigations and have spent years informing the public of these activists. The disappearances, more or less, have a pattern due to the background of the activists, their power to reach audiences via radio shows, organizations, and influence, and have disappeared in circumstantial timings of large events. Friends of the disappeared and other members of exile groups have stated their fears publicly that Laos is no longer a safe place for any Thai activist. An activist has stated that "friendly officials in Laos" had urged exiles to go into hiding ahead of the new elections and coronation in Thailand in 2019 (Wongcha-um and Tanakasempipat 2019). In fact, after the disappearances of Chatcharn Buppawan, Kraidej Luelert, and Surachai Danwattananusorn and after the bodies were discovered, three Thai activists exiled in Laos fled to Vietnam in which then they were captured by authorities and disappeared on their way to Thailand (Setboonsarng and Johnson 2019). Thailand and Vietnam, of course, claim that they are not aware of such things. It is clear now that we are in danger," said Trairong Sinseubpol, another Thai activist in exile. "Things are now very different... Laos doesn't look that safe now" (Reuters 2019).

By looking into these individuals, we see that they were not ordinary activists. Instead, they had leading roles in past insurrections in 2010 and were popular individuals due to their voice reaching people through the radio, videos, and communication with the UN and broader networks. They had social influence that could be reached by numbers, something very dangerous for an authoritarian government that does not wish to hear insults against the military or royal family. The activists heavily insulted and rallied against the military junta and Thai monarchy, which is illegal to do so and receive up to 15 years of imprisonment. However, they used social media and influence to get their views across which is one reason why they were considered a threat. The timings of the disappearances also are key. The disappearances were before two important events and visits. Activists believe it was a warning, but also a strategy by either government to reduce or eliminate the threat they perceive by using these events. Literature on enforced disappearances argues that in a newly set of an authoritarian regime, enforced disappearances are most helpful when deployed in the early stages of the regime to "stabilize the power of the military, uproot any source of resistance, and protect the state from any prosecutions and external security while consolidating their power" (Aguilar & Kovras 2018, p. 7). This argument makes sense since shortly after the 2014 coup, there was an increase in enforced disappearances, and the targets dissented while the new regime was forming.

Lastly, these disappearances occurred in Laos. The Thai government has been persistent to the Laotian government, as well as neighboring countries, to extradite these activists several times (Ganjanakhundee 2016; Prachatai 2017). However, extradition is prohibited under Laos's extradition law if the individual committed a political offense (Ganjanakhundee 2016). The extradition law is meant to protect the individual. However, the head of Thailand's National Security Council, Gen. Thawip Netniyom said "Although Thailand and Laos do not have an

official agreement to extradite suspects, we can proceed in terms of mutually beneficial cooperation. If Laos wants a criminal who violated the law in Laos and is hiding in Thailand, they may ask Thai officials to make an arrest and send that person back" (Chiang Rai Times 2017). Laos is cooperating with Thailand, directly or by turning a blind eye even against their own extradition law. This issue of issue linkage might be one reason why they do it, but there are other reasons that point out why Laos is willing to work with Thailand based on cooperation and repression theory.

However, first, it is important to understand Laos and Thailand's past relationship to find the reasoning and motivation for Laos' cooperation. If Thailand were to ask Laos to cooperate in these disappearances before the 2014 coup occurred, it would have not happened. Instead, the 2014 coup was a turning point in their relationships that allowed their state relations to increase to cooperate in enforced disappearances.

Thailand-Laos Relationship before 2014

Thailand and Laos' relationship has been rocky since 1975 due to historical conflicts and ideology. Laos and Thailand had border disputes in the 1980s dealing with three Lao villages on Thailand's side of the border (Viraphol 1985, p. 1268). These villages led Laos to openly oppose Thailand through propaganda and through the national level while Thailand was open for negotiations. It started when "Laos ambushed a Thai road construction crew building roads near the three villages" which led the Thai side to send in security forces for the Thai workers (Viraphol 1985, p. 1268). It was unclear then which were the border lines between those three villages. Laos began to use propaganda as a political tool to allegedly keep Thailand from joining the United Nations Security Council. They argued Thailand was "colluding with China in order to undermine the unity and territorial integrity of the three Indochinese states" (Viraphol 1985, p. 1268). Laos

insisted for Thailand to admit its mistake of intrusion, withdraw its forces, and pay the price to the villages (The Library of Congress 1994). Even "anti-Thailand rallies in cities and towns throughout Laos involving thousands of Laotians were staged by authorities" (Viraphol 1985, p. 1270).

During these years of conflict, Thailand wanted dialogue and cooperation to meet a solution, but Laos refused and met with aggression. The border also became a problem and affected the Thai-Lao relationship through Lao refugees seeking shelter in Thailand, armed incursions by Laos, and closing the border affecting Thai trade (Viraphol 1985; Hays 2014). Throughout these issues, Laos refused to cooperate with Thailand in solving its refugee crisis and accusing "Thailand of using these refugees to form unrest in Laos against the current regime" (Viraphol 1985, p.1271). Thailand was a democratic country and Laos a communistic state during the 1980s which created ideological issues for cooperation. Before the 2014 coup, Laos would have not cooperated with Thailand to enforce disappearances or repression as there is no indication that it would bring gains to Laos and due to severe conflicts and mistrust. The border problem was only the tip of the iceberg. The ideological disputes were in play when Thailand cooperated with the U.S in the Vietnam War. Here, Laotians saw Thailand as the enemy because it tried to intervene in Vietnam, the closest ally of Laos. The U.S also used Thailand to assemble 8 air force bases in the country. "The US air force struck Laos for 106,872 times, and in 1971, the US air force struck Laos for 95,495 times. 47 percent of the air strikes over Laos originated from Thailand bases" (Jaiborisudhi et al. 2011, p. 40; Parker 1973). Through these differences in ideologies of nationalism, it affected the Laotian people to view Thailand as "abusive" and Thai people view Laos as "inferior" (Jaiborisudhi et al. 2011, p. 39). Thailand-Laos relationship was affected by Vietnam, the sole enemy of Thailand at the time, and led Laos to depend financially and security-wise on Vietnam,

only creating a bigger divide. Thailand helped Laos economically through projects and foreign aid, but the economic crisis in 1997 led Thailand to suffer economically, leading Laos closer to Vietnam (Jaiborisudhi et al. 2011). During the years of democratic control and several coups, Thailand has had its human rights issues and disappearances but the issues of descent from political protesters had not been as big as an issue since 2006 (Prasirtsuk 2015). Ranging from the issues, Laos would have not agreed nor played a role based on the vast differences and instability in Thailand before 2014. The same themes of border issues, ideological differences, and mistrust appear again several times throughout the years.

Of course, Thailand has gone through several coups, changing from democracy to communism and their relationships have increased through trade cooperation. However, it was after the 2014 coup that Thai political prisoners began to flee to Laos and have disappeared or ended up dead in that state. Thailand has been accused of enforced disappearances before 2014 with over 39 cases in 2002 and 22 cases in 2013 (Human Rights Watch 2013). Now in 2021, that number has grown, and disappearances of Thai activists have taken place in the other states of Laos, Cambodia, and Vietnam. It wasn't until recently that enforced disappearances were occurring abroad from Thailand. The regime in 2014 has asked these countries to help look and transfer the self-exiles into Thailand. The question for Laos is, are they cooperating? Under law, they should have not, but through my hypothesis, I will determine and argue what makes a state cooperate in enforced disappearances, in this case, Laos, and if Laos falls under those guidelines.

Testing Theories

State #1 cooperates with the repressive state on repression due to sharing several commonalities

Thailand and Laos fall under the same authoritarian regime creating a partnership of mutual understanding and closer ties. Before the 2014 coup, Thailand was a semi-democratic state. In

reality, since the 1900s, Thailand began to push for a close relationship with Laos but failed to do so. Laos was driving closer to Vietnam in which their shared authoritarian commonalities brought them closer. Thailand was never able to hold a strong relationship because of its democratic view and due to their cooperation with the U.S against communism. Laos saw Thailand as a threat, due to their effort of changing communist states, something Laotian people have never forgotten. However, the 2014 coup marked a change in their regime. Not only is Thailand under an authoritarian regime, same as Laos, but regimes, by definition, can be "sets of norms, principles, rules, or decision-making procedures around which actors' expectations converge" (Milner 1992, p. 475). By changing into a military junta, those norms and principles change from democratic peace to rule of law, no dissent, and regime security. The reputation and perception of Thailand changed when the state was able to maintain a "tight grip in power" without resistance from the public (Prasirtsuk 2015, p. 204). The new military junta brought peace to the people and their popularity remained high. As Laos and Thailand fall under the same regime, both countries went through several years without major resistance. Thus, with the activists who did descent, it was important to keep them in control to maintain power and approval. The goal is to keep the power and be secured and Laos understands that scenario that now under a regime, the ideology and perception of Thailand changed into a more favorable and equal one to Laos.

Besides falling under the same regime, both states have a royal connection of admiring the Thai monarchy. However, the monarchy in Thailand also represents nationalism; thus, by admiring the royal face of Thailand, you are admiring an important pillar of state government intertwined with power. The ideology in Thailand places the king at "the top of a hierarchical social order as the soul of the nation" (Sombatpoonsiri 2020, p. 68). By 1991 royal nationalism became dangerous for Thailand's democracy with the lèse-majesté law and "by constraining the elected government's

control over the passage, implementation, and enforcement of its own policies" (Sombatpoonsiri 2020, p. 68). For decades, the military and royalty have been intertwined that if one insults the king, the military is driven to intervene to balance the status quo. As a result, after five years of military rule between 2014 and 2019, the red shirt movement, which criticized the monarchy and was pro-democracy, has "virtually vanished" due to the involvement of the military (Sombatpoonsiri 2020, p. 69). The military and monarchy work hand in hand and have made solid partnerships. "Defending the monarchy is equivalent to defending the nation, an undeniable obligation of the military, which in turn has guaranteed its role in politics" (Chachavalpongpun 2020, p. 163) Laos does not have a monarchy after their coup in 1975. However, the people in Laos have "adopted the King of Thailand as a substitute for their missing monarchy. Pictures of the Thai king and his immensely popular daughter Princess Sirindhorn can be seen in many Lao homes." (Lintner 2003, p. 142). On January 5, 2003, Laos marked the day as a holiday as the birth of King Fa Ngum as a way to establish the legitimacy of communism and a study showed that the Thai king was considered "Laos' best friends, according to 85 percent of the respondents polled" (Lintner 2003, p. 142). The monarchy is shared and adored by both states, and it is important to note that some of the activists that disappeared were accused of breaking lèse-majesté laws. Both Thailand and Laos have motives to enforced disappearances due to the monarchy's roles in politics, their influence, and respect by majority of both states. Adoration is one thing, but for the monarchy to contain power even as a head of state, allows the Thai military to conceal more power and motivation based on the rule of law. The head of Thailand's National Security Council said, "the people being sought used social media to attack the monarchy and undermine the authority of the Military Government" (Chiang Rai Times 2017). Lèse-majesté laws are a serious and important recognition of the Thai monarchy that by extraditing these individuals based on lèse-

majesté, the pillar of royalty is emphasized, and the rule of law is enforced. Laos's acceptance of the King in royal visits and military officers is enough to ask for the disappeared as a way to show respect and approval of Thailand's royal pillar. This also explains why shortly before and after important events, such as the King's trip to Laos, some of those activists disappeared.

Furthermore, both countries share the same threat of pro-democracy groups and use the method of enforced disappearances, dependently, as a way to control the state. Thailand's coup led to a military junta regime, similar to the communist state of Laos. Since 2014, the ongoing revolts and practices of pro-democracy groups have been threatened and perceived as dangerous to the junta. Literature states that after a coup, states want to legitimize their control and stabilize their power, in which enforced disappearances are useful to consider (Aguilar & Kovras 2018). Pro-democracy groups, in this case, the red shirt movement in Thailand, a pro-democracy group, have been abused and "virtually vanished" (Sombatpoonsiri 2020, p. 69). Laos has also struggled with pro-democracy groups and human rights activists by labeling them as "national security threats" to "anyone peacefully expressing dissenting views, criticizing the government, or simply calling for respect for human rights and democratic rule" (Human Rights Watch 2019c). Houayheuang Xayabouly was jailed for five years in Laos "for defaming the country in complaints about the government response to floods in a Facebook Live video" (Hutt 2019). Both countries have to deal with democratic groups that question the status quo and level of power. This shared threat of democratic activists and those seeking human rights threatened the stability of the states. It is likely that by sharing these types of threats, Laos was able to understand Thailand and their threats that partnership was favorable to save their power. Then, enforced disappearances could have been easily done by Laotian and Thai officials. Both states would have gained a steady level of control by helping the threat in each state to not spill over and be eliminated. Both states also

share the same method of enforced disappearances. Although Laos also uses other methods of control, enforced disappearances have been used to prevent gatherings or timely use before a rally. Since 2009, nine Laotian activists have disappeared after being detained for their intent to be part of a protest. Sombath Somphone is the most famous "forced disappearance" in Laos (Hutt 2019). He went missing in December 2012 after being "stopped at a police checkpoint in the capital" (Hutt 2019). Then there's Thailand who has used enforced disappearances for decades. Both states shared the same threats and same techniques independently. By being in this partnership, their solution and reasoning would have been simple as both states are knowledgeable and have experiences in dealing with threats mutually. What Laos would have gained in this scenario is to protect their state from a democratic wave and influence in other states and help an ally with a worrisome problem with an "easy" solution. A problem they also perceived and a solution they both share.

State #1 cooperates with the repressive state on repression based on dependence

Laos is a landlocked country with no access to international water to trade beyond the Indochina region. It heavily relied on exports to other countries like Thailand to make growth. Thailand is Laos's largest trading partner, with China coming in second, for the past decade (C. Y. K, 2015). Thailand's imports are of those from Laos worth $40.7 million at one point (Ngaosyvathn 1990). Laos economic advancement started when Thailand decided to turn "battlefields into marketplace" in the 1990s (Busbarat 2012). With the initiatives started by Thailand, Laos has been part of major infrastructure initiatives such as Quadrangle Economic Co-operation (QEC), the Emerald Triangle Development Cooperation (ETDC), and most importantly, part of the Association of Southeast Asian Nations (ASEAN) in 1997 (Busbarat, 2012). Laos has

suffered from natural disasters to broken deals, but it has been heavily reported that despite the growth of Laos, the growth comes from foreign deals, foreign projects, and foreign aid (Busbarat 2012; Ku 2015; Ngaosyvathn, 1990; Lintner 2003; Thayer 2003). Thus, Laos's economic growth and future depend on foreign state actors until it's able to make economic growth and development on its own. Thailand, at the time it wanted to be an economic leader in the region, offered to connect Laos's roads, had persuaded banks to finance loans, and offered US$1.5million assistance to Laos, and had appointed an engineering company for infrastructure (Busbarat 2012). Overall, it has provided Laos the assistance for infrastructure growth. In terms of trade, "Thai goods accounted for an estimated 45 percent of total imports, 37 percent of total exports and 42 percent of the US$5.7 billion in total committed investment in 1988-97" (Lintner 2003, p.139). Almost two- thirds of foreign investment in the Laotian economy derives from Thai business (Klinkum 1996). Both states have also worked together in developing growth in the Mekong River. However, Thailand has been the leader in building dams, bringing tourism, and gains to the region they both share. Laos is the main source of electrical power for Thailand and that is about the only thing Laos has over them (Pongsudhirak 2014). The dependency on Thailand, but also on foreign investment takes away the power of Laos and is open to repercussions.

This is a case of power asymmetry in that the power is held by Thailand and thus, threats to end the relationship differentially influence the side gaining more. International relations theory states that if a state no longer cooperates, then they will lose everything they are dependent on. That is a basic assumption of power. There are two assumptions of Laos cooperating with Thailand. As conveyed, Thailand enforces the disappearances in Laos, and Laos turns a blind eye to what is happening to the Thai activists in their country, or Laotian authorities are enforcing the disappearances themselves. Laos is aware of what is happening and has accepted cooperation or

else there would have been conflict between the states or a turning point in their relationship. Economic interdependence theory by Tanious (2018) defines dependence on "countries are considered interdependent if it would be costly for them to rupture or forego their relationship" (40). Although there are various theories for interdependence, the power of foreshadow and expectations are important to understand if the threat of cut-off was given. Laos and Thailand have strengthened their relationship since 2015 and there is no evidence that signifies their relationship was negatively impacted by an issue from 2015 to 2020, the same time the enforced disappearance took place. If Laos would have not accepted to cooperate on enforced disappearance, then they would have expected for Thailand to retaliate based on interdependence theory and Thailand being more powerful and stronger than Laos. The fact that Thailand became a new regime with a new authoritative military junta and the activists are a danger for their power, Thailand would have considered this a priority based on their frequent demands. "Liberals argue that the more dependent state is less likely to initiate conflict, since it has more to lose from breaking economic ties; realists maintain that this state is more likely to initiate conflict, to escape its vulnerability" (Copeland 1996 p. 12). In this case, Laos would have not initiated conflict because of their weak level of power in comparison to China, Thailand, and Vietnam and the overall "expected value of trade and therefore the value of continued peace into the foreseeable future" (Copeland 1996, p. 19). In fact, Laos would have lost gains if it decided not to cooperate. Laos's expected trade and value with Thailand is positive if they cooperate based on the similarities of the regimes that started their growing friendship and the economic partnerships it has had. If it didn't, then Laos would have depended more on China and Vietnam for economic growth and would have lost a substantial amount of support and growth in the Mekong region and local interactions between Thais and Laotians. That would have been visible today or during the time the disappearances took place.

State #1 cooperates with the repressive state on repression to gain or secure economic and security utility

We have read that Laos is a dependent country on foreign aid, foreign projects, and foreign deals to be able to gain economically. If Laos cooperated with Thailand, it would have gained economic or security utility in exchange. This would've been done through side payments, issue linkages, or other bargaining tactics. First, "in making the final decision between peace and war, however, a rational state will have to compare the expected value of trade to the expected value of going to war with the other state. The expected value of war, as a realist would emphasize, cannot be ascertained without considering the relative power balance" (Copeland 1996, p. 20). The power balance would have shifted to Thailand; thus, the expected value of war for Laos is significantly low. It is very unlikely for these two states to really go to war, but in this case, we exchange "war" for "conflict." One explanation is that by cooperating, Laos was able to gain economic and security utility just by being in Thailand's good side. If not, both the economy and security of Laos would have been affected or threatened. To be able to secure it would have been enough if chosen to.

The Thai activists that disappeared in Laos were aiming for a democratic change through the years and had major influence and support back in Thailand through online methods such as YouTube videos and radio shows. Although in hiding, their democratic will would have been dangerous for the state of Laos if it had a spillover effect. Laos has secured their power by effectively cracking down on rallies and dissent that it became almost rare for Laotians to protest or revolt (Hutt 2019; Human Rights Watch 2019c). To have Thai dissenting in their country who actively dissented against the Thai government in Laos would have threatened Laos security as the programs were reaching Laotians within their walls too. To not have cooperated and enforced

Thailand to not take these issues in their territory would have created a spillover effect. It would not have been wise; thus, it would have secured both states than just Thailand. Eliminating these activists would have been one security gain for Laos.

General Thawip Netniyom has requested the extradition of Thai Nationals who have taken refuge in Laos and in exchange for Thailand to extradite Laotian criminals who "violated the law in Laos and are hiding in Thailand" (Bangkok Post 2018). This is an example of issue linkage. There have not been reports that these individuals have been extradited by Laos rather they just disappeared or were killed, such as the three bodies that were found. Extradition would have also been prohibited based on Laos extradition law with Thailand signed in 2012 that they would not extradite if the individual were wanted for political reasons, which all six activists were (Phommahaxay 2021). This makes the enforced disappearance valuable to them because officially, they are not allowed to do anything. What could have happened under closed doors to agree on silent cooperation, were various side payments or gains to Laos to cooperate. Thus, Laos cooperated and gained something. What that something is officially, we don't know. However, based on their relationship and needs, Laos would have gained more economic gains through Thai funding or security utility from Thailand as the Laos military is not as superior as Thailand's. In fact, in 2018, both states signed a reaffirmation agreement that both countries will stand firm on the policy to "not allow any person or group of people plan for disorder or anti-government activities in another country on their land." Both countries stand ready to cooperate in examining, opposing, and stopping any attempt by a person or group of people that would threaten Thai-Lao relations." (Bangkok Post 2018). By how they will oppose and stop any attempts, we don't know. Their secure agreement makes it more likely that they enforced these disappearances. Even before the agreement, it is likely through their relationship and identity that they cooperated in getting rid

of these activists because they were a danger. By cooperating, Laos gained economic gain and this agreement with Thailand will help them as well if one threatens their relationship.

State #1 cooperates with the repressive state on repression based on issue linkages

Issue linkages is a bargaining tactic that states can use to make the partner state likely to cooperate by introducing something state #1 wants in exchange for states #2's gain. General Thawip Netniyom and other military heads clearly stated that they were going to use issue linkages to convince Laos to cooperate in finding and extraditing these activists for them (Bangkok Post 2018; Prachatai English 2017). This gives Laos the incentive to cooperate. Laos can gain their own exile activists or criminals hiding in Thailand, or it can demand another gain they find more pressing, like economic gain. This scenario allows Laos to gain something, whether its activist or economic gain, and it will not be afraid of losing or cheating as Thailand is capable of following their commitment to this agreement. Obtaining the activists is a priority for Thailand because it keeps them in power and does not want to create incentives to its population that they are free from the junta or the rule of law even when they leave the state. We could analyze the seriousness of this tactic by Thailand's reciprocity, iteration, and perception by Laos.

"People are more likely to reciprocate cooperation in experimental games when they can detect a meaningful pattern in the other player's moves" (Larson 1988, p. 284). Thailand has a pattern of being a leader in economic partnerships and its motives for these self-exiles, imprisonment or worse, are clear to Laos. After all, Thailand has had experience in enforcing disappearances in their country for years. First, the repetition of being a leader and integrating Laos into partnerships leads Laos to assimilate in a comforting relationship between both states and the ASEAN community after the 2014 coup that has kept them much closer. Thailand is likely

to not have a second motive to cheat Laos. In this scenario, cheating would be to make Laos take the blame for enforced disappearance or to not follow their agreement of giving back Laos the Laotian exiles in Thailand. Thailand sees how important it is to cooperate with Laos and it is unlikely they break that deal after their meetings with heads of states and the new brotherhood-type relationship. The perception of Laos in expecting continuing partnerships after cooperating would increase by the reciprocity of past and future partnerships in the Mekong River they shared and traded. The new formal perception by Laos of Thailand being a new and similar regime, like them, allows Laos to understand why the exiles are wanted and how it endangers their power especially shortly after the coup. Thailand's king now has control of two army units for security (Reuters 2019b) and this makes their intentions more believable that the military, its king, and leader will use the advantage of their power and resources to control its people and dissenters. The availability of bringing back home Laotians from Thailand would have been considered and agreed in a more secretive level. After all, Thailand became a reliable partner and friend with the same attitude as Laos.

Although this argument is plausible, proving issue linkages occurred is difficult by not knowing the direct trade agreement Laos had with Thailand. Thus, the rest of the hypotheses are stronger than this theory. We can confirm that Thailand asked for an agreement and trade, but it is possible that Laos, as another explanation, did not accept despite the gains. If rejected, then it would have signified that Laos would have not allowed, nor do, the enforced disappearances. We would have seen public outcry by the state of Laos against Thailand, but we have not.

State #1 cooperates with the repressive state on enforced disappearances because loss is minimal based on international repercussions

Thailand has been accused of disappearing at least 82 people since 1980 even in the years of democratic regimes (Human Rights Watch 2019d; Asian Resource Legal Centre 2019). Now, if Laos participated in these disappearances from 2015- 2020, or went against its own extradition law, would they not worry about accountability? The answer is no. First enforced disappearances are hard to prove, which is why it is chosen. Second, their closest partners, Thailand, China, Vietnam, Cambodia, and Myanmar, would have not objected. Third, there would have been no significant loss in the international sphere.

Enforced disappearances are done to get rid of the enemy and install fear while avoiding criminal charges (Aguilar & Kovras 2018). Most individuals are taken by force and kidnaped and are never heard from again or seen. If the bodies do turn up, as it did with the two activists in Laos, authoritarian states fail to start an investigation or start one that leads intentionally nowhere. There is always the opportunity to deny without evidence which makes enforced disappearance compelling and has been a popular use in Chile and Argentina in the 1970s (Aguilar & Kovras 2018). In order to install fear and legitimize its role, Thailand's institutional violence needed to be visible and have "clear" ownership, which it successfully did through the military and its royal family with the lèse-majesté laws (Aguilar & Kovras 2018). In fact, compared to genocide, enforced disappearance requires less work, less cost, and "do not have to happen in the mass scale of a genocide to inspire fear" (Sarkin & Baranowska 2019, p. 36). With this in mind, Laos has also disappeared individuals, independent from Thailand. With its communistic experience, Laos cooperated with Thailand knowing that evidence would be limited and could minimize an investigation. In the front, Laos could have not cooperated based on its extradition law and should

have not but with enforced disappearance, no one will know if they or didn't and without legitimate evidence.

Why would Laos risk be shame or risk losing their gains from other countries like foreign aid? Laos depends on its neighbors for ASEAN, projects, and the majority of funding. If you look at the neighbors, Thailand, Vietnam, Cambodia, Myanmar, and China, you will see that these states also have similar regimes, traditions, and human rights abuses. These same characteristics and views on people who dissent are traditionally unacceptable in their form of power. There is no unanimous consensus that what Laos and Thailand are doing is wrong when they have their own, similar problems they face as well. Thus, these neighboring countries, like China, have also conducted enforced disappearances and further understand the issues of taking control of power and dissent. Others may argue that these countries have a habit of not intervening in each other's problems. Thus, it isn't they don't believe it's wrong, they simply will not get involved in the other's affairs. Although that is true, that is still a form of cooperation and by not getting involved, it allows the relationships between countries to stay neutral, not negatively affecting their gains. In terms of aid or economic loss, there is a possibility for Laos to lose economic gain, but from the U.S or other European power if believed that Laos has been responsible for these abuses. However, like many other countries in Latin America, the U.S can continue financing Laos despite their abuses unless it shows a clear, direct link or evidence that Laos has been involved, which none have happened. The U.S has a longstanding experience funding countries despite their human rights abuses. This also explains why enforced disappearances are useful when it comes to the lack of evidence to prevent a state from being criminally charged.

In the international sphere, nonprofits like Amnesty International and Human Rights Watch have significantly reported the cases of the six individuals. Although the testimonies of family

members and law enforcement that these disappearances did occur, there has never been a lead. Thus, the reporting stops with time. Laos cannot be charged for breaking international law of illegally extraditing these political activists if it was never witnessed or with sufficient evidence that they did not commit a political offense. However, unlike the rest of the theories and arguments, this outcome or theory can change anytime as the international body has the powers to solve problems in other ways even without proof. It is possible, as another explanation, that Laos would have seen the danger of abusing human rights and would have not cooperated even with the method of enforced disappearances and no evidence in their favor.

However, it is important to note that Thailand has received the majority of the reporting and blame from individuals with Laos, Cambodia, and Vietnam as potential partners. Although it is clear there is no direct evidence that Laos cooperated in these disappearances, that itself makes it likely they would cooperate because not only would have they gained economic or security utility, but it is also likely that they would be outcasted or investigated by the international movement with or without the lack of evidence, secrecy and bureaucracy. So even if Laos would have not cooperated, their ties to Thailand and Laos' reputation before the enforced disappearances would have still cause Laos to be portrayed and shame as an abuser of human rights. The gains of cooperating would have outweighed the gains of not cooperating. Furthermore, Laos would have received reciprocity from Thailand knowing that they would work together based on Thailand's experience on enforced disappearances, new regime change, and Thailand's motivation to have a closer relationship with Laos. It is also important to know that the third party, in this case, military and law enforcement, from both countries are unlikely to break their code of silence and dissent, revealing to the international realm about the disappearances. The military, primarily, is the strong forces of power, next to the royal family, and nationalism of the states.

Results

All theories and arguments presented are plausible. After analyzing the positive gains of cooperation and the negative gains of cooperation of each theory, the positive outweighs the negative. However, theory number one is the strongest reality of why and how these disappearances occurred. It is *highly* possible for Laos to have cooperated with Thailand and it is for these same reasons, among others, of why states would cooperate on repression. Not only has the motivation been present, but the timing of the disappearances has allowed us to understand that when a Thai head of state would visit Laos, the disappearance would occur under particular timings. Thus, the timing allows us to believe that the commands and abuse come from the top of the ladder in each state. It would have required intelligence on the locations of the self-exiles, manpower, and secluded areas and facilities to imprison or murder these individuals without witnesses.

Other explanations are possible, of course. It is possible that majority of these individuals are out there alive, and this paper and analysis have been misinterpreted. But for what reason would these individuals just vanished or fake their disappearances? Is it to mislead their repressive states and families? Unlikely. Their disappearances have brought more attention to them now than when they were not missing. It is also possible for Laos to not have been involved, some would argue. It could have been Thailand's military operating under secrecy without Laos' approval. If that is true, then that tells us substantial information about Laos intelligence capabilities and seeks the question of why they would not retaliate.

5. Conclusion

The contemporary politics between Thailand and Laos and theories of international relations have helped argue why a state is willing to cooperate in repression and/or enforced

disappearances. The nature of enforced disappearances allows for states to act on this act of repression without leaving evidence that will implicate them in the intentional realm. Although the disappearances are noted in Laos, international justice cannot be foreseen due to no extradition law being broken and not having evidence to point to the state's responsibility. However, based on Laos and Thailand's relationship and repression theory, we can suggest that Laos has cooperated to disappear these six activists. Their social and political power has been found threatening to Thailand's new ruling regime and royal family. Laos has the motivation of securing gains and security to help Thailand. With economic gain, security gain, dependence, and its perception as a similar country to them, Laos does not have majority to lose; thus, these disappearances are seen just like any other by them. However, Laos' similarities with Thailand, theory number one, has been the leading theory identified that motivated cooperation. Thailand's support and growing friendship with Laos and its neighbors, especially after the coup, has made it possible to act its power on these states by sharing their commonalities as they all seek to keep their power in place in an authoritarian southeast Asia.

This paper can help research on southeast Asia and how the sharedness of their commonalities can influence cooperation. Enforced disappearances or repression by two states are an important, but an undeveloped concept in human rights and in the international relations field. It is my hope that this paper can contribute to the research and can give some form of explanation of those who disappeared.

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