

**PUBLIC**

**AI Index: ASA 39/014/2003**

**28 November 2003**

**Further Information on UA 309/02 (ASA 39/007/2002, 17 October 2002) and follow-ups (ASA 39/008/2002, 29 November 2002, and ASA 39/012/2003, 17 November 2003) - Fear of imminent forcible return/Prisoner of conscience/Health concern**

**THAILAND**                      **Sok Yoeun (m), aged over 50**

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Amnesty International fears that Sok Yoeun, a refugee recognized by the UN High Commissioner for Refugees (UNHCR) and prisoner of conscience, is at grave risk of imminent forcible return to Cambodia from Thailand.

On 28 November, the Thai appeal court rejected Sok Yoeun's appeal against the decision to extradite him. He may now be extradited in days, possibly within 24 hours, to Cambodia where he faces unfair trial and possible torture and ill-treatment.

Sok Yoeun's lawyer was not formally informed that the appeal would be heard by a Thai court on 28 November. Two Thai television stations were tipped off about the appeal via a fax. Sok Yoeun has been awaiting the result of his appeal against a decision taken by a Thai court in November 2002, to return him to Cambodia, following protracted extradition hearings. The presiding judge who took the decision in 2002 rejected the claim that the request for his extradition by the Cambodian authorities was on politically-motivated grounds. Amnesty International, however, believes that Sok Yoeun's case is politically motivated, and that it should not fall within the existing extradition treaty between Thailand and Cambodia, which does not allow for the extradition of persons accused of political offences.

Sok Yoeun's health has seriously deteriorated during his detention in a Thai prison since December 1999. He suffers from eye and knee problems, has difficulty in walking and is said to be severely depressed.

#### **BACKGROUND INFORMATION**

The Cambodian authorities have accused Sok Yoeun, who is a member of a Cambodian opposition party, of being responsible for a 1999 rocket attack, which Prime Minister Hun Sen claimed was aimed at him. This allegation is widely believed to be unfounded. Two other opposition activists were arrested in Cambodia in connection with the attack, and were held incommunicado in the Military Detention Facility in the capital, Phnom Penh, for six months. They were released in March 2000, after the investigating judge failed to find any evidence against them. They have since fled Cambodia and were resettled by the UNHCR in another country.

Sok Yoeun himself fled Cambodia in September 1999 and sought asylum with his family in Thailand. He was granted refugee status by the United Nations High Commissioner for Refugees (UNHCR) in November 1999. He was arrested on 24 December 1999 after a Thai politician complained that Thailand was harbouring a Cambodian "terrorist". Cambodian Prime Minister, Hun Sen, issued a public demand at the time for Sok Yoeun's return to Cambodia. He was initially sentenced to six months' imprisonment for entering the country illegally. Since this sentence expired on 26 June 2000, he has remained in detention pending the outcome of a request for his extradition to Cambodia. This request was made under legislation that does not allow for the extradition of persons accused of political offences.

**RECOMMENDED ACTION:** Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing grave concern at the decision on 28 November by a Thai court that Sok Yoeun, a refugee recognized by the United Nations High Commissioner for Refugees (UNHCR) and prisoner of conscience, may be extradited to Cambodia;
- urging the Thai authorities not to return Sok Yoeun to Cambodia, where he faces unfair trial, possible incommunicado detention and torture and ill-treatment;
- expressing concern at his prolonged detention, despite the fact that he has been recognized as a refugee by UNHCR;
- reminding the Thai authorities that no state may return an individual to a country where he or she will face serious human rights concerns;
- calling for his immediate and unconditional release, and allowing him to join his family who have been resettled by UNHCR in a third country.

**APPEALS TO: (*Faxes may be switched off outside office hours, 7 hours ahead of GMT*)**

Prime Minister

Thaksin Shinawatra  
Office of the Prime Minister  
Government House  
Pisanulok Road, Dusit  
Bangkok 10300  
Thailand

**Telegrams:** Prime Minister, Bangkok, Thailand

**Faxes:** + 66 2 282 8631

**Salutation:** Dear Prime Minister

Minister of Interior

Wan Muhamad Noor Matha  
Asdang Road  
Bangkok 10200  
Thailand

**Telegrams:** Interior Minister, Bangkok, Thailand

**Fax:** + 66 2 226 4371

**Salutation:** Dear Minister

Minister of Foreign Affairs

Surakiart Sathirathai  
Ministry of Foreign Affairs  
Saranromya Palace  
Sri Ayudhya Road  
Bangkok 10400  
Thailand

**Telegrams:** Foreign Minister, Bangkok, Thailand

**Faxes:** + 66 2 643 5180

**Salutation:** Dear Foreign Minister

**COPIES TO:** Diplomatic representatives of Thailand accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 10 January 2004.