

URGENT ACTION

REFUGEES AND MIGRANTS STRANDED AT SEA

Thousands of refugees and migrants are at risk of death in seas around Thailand, Malaysia and Indonesia after authorities have pushed back boats or refused to let them land.

Up to 8,000 people remain stranded at sea while Thai, Indonesian and Malaysian authorities defy international human rights law. More than 2,000 people have already arrived in Indonesia and Malaysia this week, with some being detained on arrival. Many have been at sea for more than two months and are in urgent need of food, water and medical care. Refusing to rescue or pushing back the boats may be tantamount to a death sentence. Media reports suggest that at least ten people have died on boats already.

Earlier this week, Malaysian authorities said that they would use punitive measures, including pushing back boats and deporting migrants and refugees, to prevent further arrivals. On 12 May, Indonesian authorities turned away a boat carrying around 400 people, claiming that they were provided with food, water and directions to Malaysia. Thai authorities also stated earlier this week that they would not allow boats to land. The thousands of people who have fled Myanmar and Bangladesh include migrants, refugees such as the Muslim Rohingya fleeing discrimination and violence, as well as victims of human trafficking. Many are desperate enough to put their lives at risk by braving dangerous journeys at sea in order to escape unbearable conditions at home.

Regardless of their legal status, their means of arrival or where they come from, the rights of these people must be protected. People should not be detained, prosecuted or otherwise punished solely because of their method of arrival. Amnesty International is calling on countries in the region to immediately step up and co-ordinate efforts for search and rescue in the region and to protect the rights of people stranded at sea.

Please write immediately in English, Bahasa, Malay, Thai or your language calling on these countries to:

- Co-ordinate search and rescue operations to locate and assist boats in distress;
- Allow all boats carrying refugees and migrants to land safely in the nearest country and not push them back, threaten or otherwise intimidate them;
- Provide for the immediate humanitarian needs of refugees and migrants including food, water, shelter and health care;
- Ensure that people claiming asylum are able to access refugee status determination procedures;
- Respect the principle of non-refoulement, by ensuring that people are not transferred to any place, including their country of origin, where their lives or freedoms are at risk;
- Ensure that individuals are not criminalized, detained or otherwise punished solely for their method of arrival in the country.

PLEASE SEND APPEALS BEFORE 26 JUNE 2015 TO:

Prime Minister
Datuk Seri Najib Tun Razak
Prime Minister's Office of Malaysia
Main Block, Perdana Putra Building
Federal Government Administrative
Centre, 62502 Putrajaya, Malaysia
Fax: +603 8888 3444
Email: ppm@pmo.gov.my
Salutation: Your Excellency

Deputy Prime Minister and Minister for
Foreign Affairs
Thanasak Patimapragorn
Ministry of Foreign Affairs
Sri Ayudhya Road
Bangkok, 10400, Thailand
Fax: +66 2643 5320, +66 2643 5314
Email: minister@mfa.go.th
Salutation: Your Excellency

Minister of Foreign Affairs
Retno Marsudi
Jl. Pejambon No.6
Jakarta Pusat, 10110
Indonesia
Fax: +62 21 385 7316
Email: kontak-kami@kemlu.go.id
Salutation: Your Excellency

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

The International Organization for Migration believes that 8,000 people may still be on boats close to Thailand. Indonesian, Malaysian and Thai authorities have stated that it is their policy to block boats from entering their territory unless they are not seaworthy. Authorities in Malaysia, Thailand and Indonesia have also escorted vessels back to sea, after reportedly providing them with food and fuel supplies.

During the last week more than 2,000 people from Myanmar and Bangladesh have arrived by boat in Malaysia and Indonesia, a number of whom are in poor health and suffering from dehydration or malnutrition. Some have been detained and face risk of deportation.

In Indonesia, over the last week, at least 1,300 people landed in the provinces of Aceh and North Sumatra. Many were suffering from starvation and dehydration, and required urgent medical care. On 10 May around 600 people were rescued from two wooden boats stranded off the coast in North Aceh district, Aceh province. On the morning of 15 May, around 700 people were found and rescued by Indonesian fishermen in the middle of the sea near Langsa, East Aceh. On the same day 96 people, including 8 women, were found by Indonesian fishermen offshore near Langkat, North Sumatra province.

In Malaysia, on 11 May more than 1,000 people including Rohingya Muslims and Bangladeshis landed on Langkawi Island. They have been held at a temporary detention centre and are being transferred to Belantik Immigration Detention Depot, in Kedah state, to be repatriated from there to their home country. Another vessel carrying 500 people on a boat found by the Malaysian navy on 13 May, off the northern Penang state, were given fuel and provisions and sent back into the open water. A third carrying about 300 people was reportedly turned away by the authorities near Langkawi Island on 14 May.

According to UNHCR – the UN Refugee Agency – some 25,000 Rohingya from Myanmar and Bangladeshis left the Bay of Bengal on boats between January and March this year – almost double the number over the same period in the two previous years. Their preferred destination is usually Malaysia, with many crossing the border irregularly after being held in poor conditions in smugglers' or traffickers' camps after landing in Thailand. Some hundreds of Rohingya who originally travelled by sea from the Bay of Bengal and reached Malaysia have in recent years undertaken further irregular maritime journeys to Indonesia across the Strait of Malacca.

Although Indonesia, Malaysia and Thailand are not signatories to the 1951 Refugee Convention, and Thailand and Malaysia lack formal legislative and administrative frameworks to address refugee matters, all these countries must abide by principles enshrined in customary international law. This includes the principle of non-refoulement, which prohibits the transfer of anyone to a place where his or her life or freedom would be at risk, as well as the ban on torture and other cruel, degrading and inhuman treatment. Other binding principles of international law include provisions set out in the 1982 UN Convention on the Laws of the Sea (of which Indonesia, Malaysia and Thailand are states parties), such as the duty to establish search and rescue operations. In addition, under Article 1 (7) of the ASEAN Charter, ASEAN countries have a responsibility to promote and protect human rights and fundamental freedoms.

Name: unknown
Gender m/f: both

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