

# URGENT ACTION

## REFUGEES FORCIBLY RETURNED TO LAOS

**The Thai authorities forcibly returned around 4,500 Lao Hmong, including 158 recognized refugees, to Laos at the end of 2009. The Lao government is refusing to permit UN and other monitors access to them.**

On 28 and 29 December, the Thai military forcibly returned to Laos around 4,500 Lao Hmong, in breach of international law, mostly from a camp in Phetchabun province. Some 158 recognized refugees arbitrarily detained in Nong Khai Immigration Detention Centre, near the Lao border, were also forcibly returned, despite offers from four other countries to accept them for resettlement. The Thai and Lao governments had given assurances that the 158 would be resettled in third countries once they had transited through Laos. However on 10 January, a Lao government spokesperson told journalists that "all of the Hmong decided to live in their homeland forever," and no longer wanted to resettle abroad. At the same time the government is refusing all requests to give UN monitors unfettered access to the refugees, to assess their wellbeing and ensure that their wishes to resettle in third countries are considered.

The UN Refugee Agency UNHCR had verified that the 158 have a well-founded fear of persecution in Laos, and granted them refugee status. As the Thai government refused UNHCR access to the Phetchabun camp, it is not known how many people there had fled persecution and should therefore have been recognized as refugees.

Since 2005, forcible returns of Lao Hmong from Thailand have led to enforced disappearances, torture and arbitrary detention. The Lao government have consistently denied this, but have not provided any comprehensive information to support their claims or allowed independent monitors to investigate these reports.

Around 20 of the 158 refugees have been seen at a designated resettlement village, Phalak, around 70km north of the capital, Vientiane. The whereabouts of the others is not known. However, hundreds of returnees have been seen in what has been described as an army camp north of Paksan town, around 20km east of Vientiane. The returnees, mostly women and children, were not free to come and go from the facility, which was fenced in with razor wire.

### **PLEASE WRITE IMMEDIATELY, in English, Lao, French or your own language:**

- Calling on the authorities to allow UN monitors unfettered access to the returnees from Thailand immediately, whether or not they have refugee status;
- Calling on the government to honour their agreement to allow any refugees to settle in third countries;
- Urging them to expedite and help with any preparations required for third country resettlement;
- Calling on them to allow those who choose to remain in Laos, rather than be resettled, to participate in decisions about their place of residence and livelihood;
- Calling on them to ensure that none of the around 4,500 returnees are arbitrarily detained, tortured or subjected to enforced disappearance.

### **PLEASE SEND APPEALS BEFORE 24 FEBRUARY 2010 TO:**

Minister of Foreign Affairs  
Thongloun Sisoulit  
Ministry of Foreign Affairs  
That Luang Road, Vientiane, Laos  
**Fax: +856 21 414009**  
**Email: cabinet@mofa.gov.la**  
**Salutation: Dear Minister**

Minister of Justice  
Dr Chaleuan Yapaoit  
Ministry of Justice  
Lane Xang Avenue, Vientiane, Laos  
**Fax: +856 21 414009 (c/o Ministry of Foreign Affairs)**  
**Salutation: Dear Minister**

Also send copies to diplomatic representatives accredited to your country. Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Around 5,000 Lao Hmong people, including an unknown number of asylum-seekers, had been living in a camp in Phetchabun, Thailand, since 2004. The vast majority did not have the opportunity to seek asylum. The Thai military returned them under an agreement between the Thai and Lao governments. Many of those who had been returned before this last group were sent to villages designated for people returned from abroad after going through "re-education". The Lao authorities have arranged several visits to Phalak resettlement site for diplomats and local journalists, but have refused to allow anyone to approach the returnees unaccompanied.

The group of 158 refugees forcibly returned to Laos, more than half of them children, had been arbitrarily detained at Nong Khai Immigration Detention Center for more than three years. The governments of Australia, Canada, the Netherlands and the USA had offered to accept them for resettlement, but the Lao authorities intervened with the Thai authorities to prevent this happening.

Most Hmong refugees and asylum-seekers in Thailand claim to have some connection to groups living in isolated pockets in the Lao jungles since the Viet Nam war ended in 1975.

Laos ratified the International Covenant on Civil and Political Rights (ICCPR) on 25 September 2009. This means they are obliged to guarantee all people in Laos the right to be free from torture, to liberty of movement and freedom to choose their residence, and the rights to freedom of expression and assembly. They must also provide safeguards for the treatment of detainees.

The Lao Hmong asylum-seekers were previously the subject of UA 324/06 (ASA 39/017/2006), 29 November 2006, and follow-ups.

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