

PUBLIC

AI Index: ASA 39/008/2002

29 November 2002

Further information on UA 309/02 (ASA 39/007/2002, 17 October 2002) - Fear of forcible return/Prisoner of Conscience/Health Concern

THAILAND

Sok Yoeun [m], aged over 50

Fears for the safety of refugee and prisoner of conscience Sok Yoeun have increased following a Thai court decision that he should be extradited to Cambodia. Sok Yoeun now has 15 days to appeal against the decision.

At the final court hearing on 28 November, the presiding judge rejected that the request for his extradition by the Cambodian authorities was based on politically-motivated grounds. Amnesty International however, believes that Sok Yoeun's case is politically-motivated, and should not fall within the extradition agreement between Thailand and Cambodia, which does not allow for the extradition of persons accused of political offenses.

Should Sok Yoeun be returned to Cambodia, he faces a prolonged period of detention, unfair trial, and the possibility of incommunicado detention and ill-treatment. Under international law, no state should return anyone to a country where they will face serious human rights violations.

The judge also disregarded the fact that Sok Yoeun has been recognized as a refugee by the United Nations High Commissioner for Refugees (UNHCR). Sok Yoeun has been accepted for resettlement in a third country, where his wife and children have already been resettled as refugees.

Sok Yoeun was arrested on 24 December 1999 after a Thai politician complained that Thailand was harbouring a Cambodian "terrorist". Two months earlier he had been forced into making a videotape confession, after he was detained and threatened by a Thai national. The Cambodian authorities have accused Sok Yoeun, who is a member of a prominent Cambodian opposition party, the Sam Rainsy Party (SRP), of being responsible for a 1998 rocket attack, which Prime Minister Hun Sen claimed was aimed at him. This allegation is widely believed to be unfounded.

FURTHER RECOMMENDED ACTION: Please send appeals in English or in your own language:

- expressing grave concern at the decision by a Thai court to extradite refugee and prisoner of conscience Sok Yoeun to Cambodia;
- urging that he will not be returned to Cambodia, where he faces unfair trial, possible incommunicado detention and ill-treatment on politically-motivated charges for which there is no evidence;
- expressing concern for the health of Sok Yoeun, and calling for his immediate and unconditional release from prison;
- expressing concern at his continued detention, despite the fact that he has been recognized as a refugee by the United Nations High Commissioner for Refugees (UNHCR);
- urging the authorities to allow him to join his family who have already been resettled by the United Nations as refugees in a third country.

APPEALS TO (Please note that fax machines may be switched off outside office hours - seven hours ahead of GMT):

Prime Minister

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

Telegrams: Prime Minister, Bangkok, Thailand

Faxes: + 66 2 280 1443

Salutation: Dear Prime Minister

Minister of Interior

Wan Muhamad Noor Matha
Ministry of Interior
Asdang Road
Bangkok 10200
Thailand

Telegrams: Interior Minister, Bangkok, Thailand

Faxes: + 66 2 226 4371

Salutation: Dear Minister

Minister of Foreign Affairs

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

Telegrams: Foreign Minister, Bangkok, Thailand

Faxes: + 66 2 643 5180

Salutation: Dear Foreign Minister

COPIES TO:Chief Justice of the Criminal Court

The Criminal Court
Ratchadapisak Road
Jutujak
Bangkok 10900
Thailand

Faxes: + 66 2 541 2273

Salutation: Dear Chief Justice

and 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 2003.