

PUBLIC **AI Index: ASA 39/007/2002**

UA 309/02 **Fear of forcible return/** **17 October 2002**

Prisoner of Conscience/

Health Concern

THAILAND **Sok Yoeun [m], aged over 50**

Refugee and prisoner of conscience Sok Yoeun is at risk of being forcibly returned to Cambodia where he faces an unfair trial and years of imprisonment. A Thai court is due to make a decision on his extradition within the next few weeks. Should the decision go against him, Sok Yoeun could be extradited within a few days.

Throughout his extradition hearings, Sok Yoeun, who is over 50 years old, has been detained in a Bangkok prison where conditions are harsh. He has suffered from ill-health for several years which has sharply deteriorated during his imprisonment.

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 videotaped confession, after he was detained and threatened by a Thai national. He was initially sentenced to six months’ imprisonment for entering the country illegally. Since this sentence expired on 26 June 2000, he has been detained 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.

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. Two other SRP 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 in another country.

Sok Yoeun has been recognised as a refugee by the United Nations High Commissioner for Refugees (UNHCR) in Thailand, and has been offered resettlement in a third country.

BACKGROUND INFORMATION

Thailand is host to tens of thousands of refugees. Individuals seeking asylum in Thailand have no legal rights, as the country is not a state party to the United Nations 1951 Convention relating to the Status of Refugees, or its 1967 protocol. With the permission of the Royal Thai Government, the UNHCR nevertheless operates in Thailand, where it carries out refugee status determination and provides support to refugees. Refugees and asylum-seekers, whom

the Thai authorities label “illegal immigrants”, have been detained in poor conditions. In some cases they have been forcibly returned to countries where they face persecution.

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

- expressing concern for the health of Sok Yoeun and urging the prison authorities to provide proper medical care and food;
- 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);
- calling for his immediate and unconditional release from prison;
- urging that he will not be returned to Cambodia, where he faces unfair trial and years of imprisonment on charges for which there is no evidence;
- urging the authorities to allow him to leave Thailand for resettlement in a third country, where he will be free from persecution.

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 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

Jutajak

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 28 November 2002