



# LIFE AT A DEAD END

LAO HMONG REFUGEES  
DETAINED IN THAILAND

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INTERNATIONAL



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Ninety-two children are among a group of Lao Hmong refugees held in harsh conditions in a detention centre in Thailand. After two years at the centre, many are in poor health and live in fear of being forcibly returned to Laos, where they risk serious human rights violations.

A group of 158 Lao Hmong refugees, at least 92 of whom are children, have been held for two years at the Immigration Detention Center (IDC) in Nong Khai in the north of Thailand. The conditions at the centre are harsh and the health of many of the refugees has been badly affected. The detainees, who fled persecution in Laos, were arrested in November 2006. For 22 hours a day, they are locked inside the building where they live in overcrowded, windowless cells. In the past, after several individuals had escaped from the centre, the group was locked inside their cells for stretches of 22 hours at a time. Some of the refugees have gone on hunger strike or threatened to commit suicide in protest against their detention and the conditions in which they are being held.

**THE DETAINEES ARE LOCKED FOR 22 HOURS A DAY INSIDE THE BUILDING, WHERE THEY LIVE IN OVERCROWDED, WINDOWLESS CELLS .**

## CHILD REFUGEES

The children, including 11 infants who were born into detention, are particularly badly affected by the difficult living conditions. Many of the children are in poor health; medical workers have only recently been allowed access to the IDC.

Under Article 37 of the UN Convention on the Rights of the Child, the Thai authorities are obliged to ensure that the 92 child refugees are not “deprived of [their] liberty unlawfully or arbitrarily”. The Convention provides that the detention of a child “shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time”. The government must also ensure that these children are “treated with humanity”, take into account the particular needs of persons of their age, and allow them to exercise “the right to prompt access to legal and other appropriate assistance”. In this particular case, the Thai government has ignored these and many other obligations under the Convention.

## FORCIBLE RETURNS

The Hmong group was arrested in Bangkok, the capital, and Phetchabun in northern Thailand despite having been recognized as refugees by the UN refugee agency (UNHCR). There is absolutely no justification for their detention.

The Thai authorities already tried to forcibly return these refugees to Laos once, in January 2007. They forced women and screaming children onto buses and drove them to the Lao border as the men barricaded themselves into their cells. The authorities finally abandoned their plans to forcibly return the refugees following an international outcry from other governments, UNHCR and non-governmental organizations (NGOs), including Amnesty International. On 10 April 2008, a high-ranking representative of the Thai army visited the centre and told the group that they would be sent to Laos. Threats such as this have added to the group’s desperation and fear.



*Above: Tong Her, who is detained at the Immigration Detention Center in Nong Khai, is holding his UNHCR documents, May 2007. He sustained his injury in the Lao jungle.*

The governments of Australia, Canada, the Netherlands and the USA have pledged to consider allowing the group to resettle in their territories. However, the Thai authorities have shown no sign of permitting the group to leave. They have not allowed UNHCR representatives to gain access to the group since August 2007. This means that UNHCR is unable to take the necessary measures to facilitate their resettlement to a safe third country.

## THE LAO HMONG PEOPLE

The Hmong are one of many ethnic groups in Laos. Although most Hmong are integrated into society, there are still communities that have been living in isolated pockets in the jungle since the Viet Nam war ended in 1975. Faced with violent attacks by the Lao army, which still regards them as members of a decades-old armed resistance force, they live in hiding from the authorities. Most Hmong refugees and asylum-seekers in Thailand claim to have some connection to these isolated groups.

There are thousands of ethnic Hmong Lao people in Thailand. An estimated 6,500 people, including asylum-seekers, have been living in a camp in Phetchabun since 2004. In 2007, the Thai government agreed with the Lao authorities to send them back to Laos by the end of 2008 – including those whose asylum claims have not been assessed in fair and satisfactory procedures. Subsequently, over 1,500 people were “repatriated” to Laos between February and September 2008. Some were apparently forcibly returned, including a mother whose children were left behind at the camp. Since December 2005, nearly 2,000 Lao Hmong, including an unknown number of asylum-seekers, have been sent back to Laos where some were arbitrarily detained and tortured.

Amnesty International believes that many of the Lao Hmong in Thailand are at risk of serious human rights violations if they are forcibly returned to Laos. Many of those already returned were sent to designated Hmong villages after “re-education”. The Lao authorities have arranged several visits

to these reintegration villages for diplomats and journalists, but UN agencies and human rights NGOs have limited access to the sites and the whereabouts of most returnees are not known.

## DETENTION OF REFUGEES MUST STOP!

Many states in the world detain people who come to their countries in search of protection from human rights violations. Amnesty International opposes the detention of refugees for migration control purposes. Asylum-seekers should not be subject to detention other than in exceptional circumstances, and as a last resort.

# AMNESTY INTERNATIONAL BELIEVES THAT MANY OF THE LAO HMONG IN THAILAND ARE AT RISK OF SERIOUS HUMAN RIGHTS VIOLATIONS IF THEY ARE FORCIBLY RETURNED TO LAOS.

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*Left: Distressed women and children from the Immigration Detention Center in the northern Thai town of Nong Khai facing forcible return to Laos, 8 January 2007.*

*Cover: Lao Hmong families at the Immigration Detention Center.*

## TAKE ACTION NOW

### WRITE TO THE THAI AUTHORITIES CALLING ON THEM TO:

- release immediately and unconditionally the 158 Lao Hmong refugees from the Nong Khai Immigration Detention Center, allowing them to stay in an open facility while they await visas for resettlement;
- allow UNHCR immediate and unhindered access to the 158 refugees;
- honour international obligations under the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Covenant on Civil and Political Rights not to return these refugees to Laos where they may face torture or other ill-treatment;
- take all necessary measures to ensure that the best interests of the child are a primary consideration in the treatment of this group of refugees in accordance with Thailand's obligations under the UN Convention on the Rights of Child; and
- ensure that the refugees have access to any medical care they may require.

### SEND APPEALS TO:

Kowit Watana  
Minister of Interior  
Office of the Secretary to the Minister  
Assadang Road, Pra Nakorn  
Bangkok 10200  
Thailand

Fax: +66 2 222 8866  
+66 2 226 4371

Email: [ommoi@moi.go.th](mailto:ommoi@moi.go.th)  
[om@moi.go.th](mailto:om@moi.go.th)

Salutation: Dear Minister

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**Amnesty International** is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for everyone to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.

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