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Choummaly Sayasone
President
Lao People's Democratic Republic
Presidential Palace
Thanon Setthathirat
Ban Xiengyeun Tha, Muang Chanthaburi
Vientiane, Lao People's Democratic Republic

30 January 2010

RE: JOINT OPEN LETTER ON TREATMENT OF REPATRIATED LAO HMONG

Dear President Sayasone

We write to express our serious concerns for the safety and protection of the 4689 Lao Hmong who were forcibly returned by the Thai government from Ban Huay Nam Khao and Nong Khai to Laos on December 28, 2009.

As you know, the United Nations High Commissioner for Refugees (UNHCR) has requested that your government grant it immediate access to all the Hmong returnees. Given the difficulties faced by some prior Hmong returnees, we urge you to immediately allow unhindered and continuous access by UNHCR and other humanitarian organizations to all returnees to ensure that the treatment of the returnees is in accordance with international standards. We believe the presence of credible observers will help allay significant ongoing concerns in the international community about your government's handling of this situation.

We are concerned that while your government has assured outsiders that it is providing humane treatment to all returnees, no media or outside observers have been allowed to monitor the treatment or location of the Hmong. Recent international media accounts found a group of returned Hmong held in a camp near Paksan, surrounded by razor wire and armed guards, and unable to leave the area. When reporters approached the camp, Lao security officials detained and interrogated them, searched their car, and forced them to depart the area.

We note that the Ministry of Foreign Affairs issued a statement on January 4, 2010, which reiterates the returnees are Lao citizens and "enjoy equal rights and obligations like other Lao citizens." The Lao government must live up to its commitments under the International Covenant on Civil and Political Rights (ICCPR), to which Laos is a party, which requires your government to ensure the right to liberty and security of all persons, which includes freedom from arbitrary detention, freedom of movement, and freedom to choose a place of residence.

The Lao government also has an obligation to ensure that no one is subjected to torture or cruel, inhuman or degrading treatment or punishment. Accordingly, the Lao government should take all necessary action to prevent the ill-treatment of returnees. Again, we believe that permitting international observers to have access to these Hmong returnees is in the interest of the Lao government, since such action would likely help assure the international community and the United Nations about your government's stated intentions to respect their rights.

Lastly, we believe it is imperative that the Lao government allow immediate resettlement to third countries of those returned Hmong with a well-founded fear of persecution. This includes the 158 Hmong forcibly returned from Nong Khai despite being designated as official "persons of

concern” by the UNHCR. A number of third countries have offered to resettle these 158 individuals, as well as any other Hmong in the group of returnees who are determined to need international protection. We urge you to grant immediate access to this group for diplomatic representatives of the countries that have accepted them so that the appropriate resettlement processing can be started. We sincerely hope that you will agree to this reasonable request on humanitarian grounds.

Thank you for your consideration of our views.

Sincerely,

Brad Adams, Director, Asia Division, Human Rights Watch

Gideon Aronoff, President and CEO, The Hebrew Immigrant Aid Society

Fr. Bernard Hyacinth Arputhasamy, S.J., Regional Director, Jesuit Refugee Service - Asia Pacific

Ann Buwalda, Executive Director, Jubilee Campaign USA

Joel R. Charny, Acting President, Refugees International

Frank Donaghue, CEO, Physicians for Human Rights

Fr. Kenneth Gavin, S.J., National Director, Jesuit Refugee Service/USA

Douglas Johnson, Executive Director, The Center for Victims of Torture

Lavinia Limon, President, US Committee for Refugees and Immigrants

Carolyn Makinson, Executive Director, Women’s Refugee Commission

Veronika Martin, Executive Director, Karen American Communities Foundation

George Rupp, President and CEO, International Rescue Committee

Deborah Stein, Director, Episcopal Migration Ministries

Doua Thor, Executive Director, Southeast Asia Resource Action Center

Anne P. Wilson, Acting President, Lutheran Immigration and Refugee Service

Jennifer Windsor, Executive Director, Freedom House

Johnny Young, Executive Director, Migration and Refugee Services

US Conference of Catholic Bishops

Sam Zarifi, Director, Asia-Pacific Program, International Secretariat, Amnesty International