

PUBLIC

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Forcible return/fear for safety

THAILAND/LAOS

Up to 8,000 Lao Hmong asylum-seekers

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The Thai authorities returned 837 Lao Hmong asylum-seekers to Laos on 22 June, claiming that the group were going voluntarily. No independent monitors were present, and it is likely that some of the group were coerced into returning. Some are at risk of torture.

The 837 had taken part in a 20 June attempt by up to 5,000 residents of the Huay Nam Khao refugee camp, in the northern province of Phetchabun, to walk 390 km to the capital, Bangkok, to protest their treatment. Soldiers and police stopped them about three km from the camp and they spent the night on the roadside. The governor of Phetchabun province came to see them the next day, and more than 3,000 of the protestors agreed to return to the Huay Nam Khao camp; according to the Thai authorities, hundreds of others agreed to return to Laos after receiving approximately US\$500 per family. Around 500 to 600 did not agree to either option and were taken to provincial jails, from where it is feared they may be forcibly returned.

The Thai authorities, who call Lao Hmong asylum-seekers "illegal immigrants," have never allowed the UN refugee agency (UNHCR) access to the camp, and the Lao Hmong are in constant fear that they will be returned. The Lao and Thai governments agreed in February 2008 to return them, ostensibly voluntarily, in Laos by the end of 2008. There have been several protests in the camp, most recently on 23 May when a fire destroyed around 850 of the camp's 1,300 shelters, making 3,600 people homeless, including many children.

#### **BACKGROUND INFORMATION**

Around 8,000 ethnic Hmong Lao people, including an unknown number of asylum-seekers, have been living in a camp in Phetchabun since 2004. Three groups have been repatriated since the February 2008 agreement: 11 people on 28 February, 67 on 10 April and 59 on 30 May. Some of the first group were forcibly returned, including a mother whose children were left behind at the camp. The second group appear to have been migrant workers who returned voluntarily.

The 8,000 were moved to the current camp in June 2007 from a previous camp, about 3km away, which was set up in 2004 when Lao Hmong started arriving in large numbers. The Lao Hmong claimed they had been persecuted in Laos because of their connection with Hmong groups living in the jungle, remnants or descendants of a decades-old armed resistance which appears no longer able to pose a military threat. They live in small groups struggling to survive, hiding from attacks by the Lao military.

Over 370 asylum-seekers are known to have been forcibly returned to Laos from Thailand since December 2005. Some have been arbitrarily detained and tortured. Others have been sent to Hmong resettlement sites after "re-education." The Lao authorities have arranged several visits to resettlement sites for diplomats and local journalists, but UN agencies and human rights NGOs have no access to them, and the whereabouts of most are not known.

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

**To the Thai authorities:**

- expressing concern that more than 800 Lao Hmong asylum-seekers were returned to Laos on 22 May under stressful conditions and lacking transparency, and that some may have been coerced into returning;
- urging the immediate halt of returns to Laos of the thousands of Lao Hmong asylum-seekers at Huay Nam Khao camp in Phetchabun province, and the hundreds detained at provincial detention centres;
- reminding them that under international law they are obliged not to return anyone to a country where they would be at risk of torture, ill-treatment or other serious human rights violations;
- urging that UNHCR be given immediate and unhindered access to Lao Hmong asylum-seekers in Huay Nam Khao camp and other detention centres in order to properly assess their cases and identify those in need of international protection.

**To the Lao authorities:**

- seeking information on the whereabouts of more than 800 Lao Hmong asylum-seekers returned to Laos from Thailand on 22 June;
- seeking assurances that none of those returned will be subjected to human rights violations including torture, ill-treatment and arbitrary detention, and that their safety and well-being will be protected;
- calling for immediate access to the returnees by UN and humanitarian agencies so that their needs and well-being can be assessed.

**APPEALS TO:**

Lt General Nipat Thonglek  
Director, Department of Border Affairs, Royal Thai Armed Forces Headquarters  
Chaeng Wattana Road, Laksi, Bangkok 10210, Thailand

**Fax:** +66 2 575 6297  
**Email:** thaiborder\_ca@hotmail.com  
**Salutation:** Dear General

Chalerm Yubumroong  
Minister of Interior, Ministry 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  
om@moi.go.th  
**Salutation:** Dear Minister

Douangchai Phichit  
Minister of National Defence, Ministry of National Defence  
Rue Phone Kheng, Ban Phone Kheng, Vientiane, Lao People's Democratic Republic

**Fax:** +856 21 911058  
**Salutation:** Dear Minister

Thoungloun Sisoulith  
Minister of Foreign Affairs, Ministry of Foreign Affairs  
That Luang 01004, Phonxay, Vientiane, Lao People's Democratic Republic

**Fax:** +856 21 414009  
**Email:** cabinet@mofa.gov.la  
ict@mofa.gov.la  
**Salutation:** Dear Minister

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 6 August 2008.