

PUBLIC

AI Index: ASA 39/012/2006

06 September 2006

Further Information on UA 159/06 (ASA 39/007/2006, 7 June 2006) and follow-up (ASA 39/008/2006, 23 June 2006; ASA 39/011/2006, 18 August 2006) - Fear of forcible return/health concern

THAILAND

At least 231 ethnic Hmong Laotian refugees

Around 80 members of a group of at least 231 ethnic Hmong Laotian refugees are reported to be held in extremely harsh and unsanitary conditions at two detention facilities in Thailand's Phetchabun province. There are serious concerns for their health.

According to eyewitness accounts, 29 people, mostly women and children, have been detained since June 2006 in the detention facility of Phetchabun police station in an overcrowded, hot, dark cell which they are not allowed to leave. They are provided with insufficient food and no clean drinking water. Most are reportedly suffering from health problems as a result, including rashes, skin complaints and stomach problems. Fifty-one other members of the group are reportedly held at Lom Sak police station jail. The women and children are held in one cell, and the men are held separately. The women are not allowed to leave their cell, but the men are reportedly sometimes allowed to go outside to carry out labour. They are provided with insufficient food.

Other members of the group of 231 refugees are reportedly held in less harsh conditions at several other detention facilities, including Khao Kho district jail and Doung Mouang police station, although many of them are also thought to be held in overcrowded conditions with a shortage of food.

The fate of the refugees remains uncertain, with all of them at risk of forcible return to Laos, where they could face serious human rights violations. One group of 31 was reportedly taken to the Thai/Lao border in Chiang Rai province in mid-August, and left there in unclear circumstances, with instructions to return to Laos. It is not known how many others were transported to the border.

The group of at least 231 ethnic Hmong Laotian refugees were arrested by the Thai authorities in early June 2006 near Huay Nam Khao refugee camp in Phetchabun province, where they hoped to join around 6,000 other ethnic Hmong Laotian refugees. They were initially held at Khao Kho district jail in overcrowded conditions before being dispersed to other detention facilities in Phetchabun province.

During a visit to Thailand in August 2006, the UN High Commissioner for Refugees (UNHCR), António Guterres, called on the Thai authorities not to forcibly return the ethnic Hmong Laotian refugees to Laos. He also requested that UNHCR be granted access to those in Phetchabun province in order to verify their refugee status, and for the group to be given "effective protection and assistance".

BACKGROUND INFORMATION

Approximately 6,000 ethnic Hmong Laotian refugees are living in the makeshift refugee camp at Huay Nam Khao. They started arriving there in large numbers in 2004, seeking refugee status. The majority of them claim they have been persecuted because of their connection with ethnic Hmong rebel groups, who fought with the US during the Viet Nam war and its spill-over fighting in Laos. Up to a third of the Hmong minority in Laos, estimated to be 300,000 in 1970, are believed to have fled abroad around that time, the vast majority resettling as refugees in the USA. An unknown number of Hmong and other minorities have remained in the jungle to this day, hiding from the Lao military. Some groups have continued armed resistance to the Lao government, but most are not believed to be involved in fighting.

The Thai authorities define the refugees as “illegal” immigrants, while the Lao government has expressed doubt that they are Lao nationals and has made no efforts to seek a long-term humanitarian solution addressing the ongoing conflict between the armed forces and Hmong groups hiding in the jungle.

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

- expressing concern for the safety and health of 29 ethnic Hmong Laotian refugees detained at Phetchabun police station jail, and 51 ethnic Hmong Laotian refugees at Lomsak police station jail, who are held in overcrowded conditions with insufficient food;
- expressing concern that the group of 29, mostly women and children, have no clean drinking water, and are suffering from health problems as a result of the harsh unsanitary conditions of their detention;
- calling on the Thai authorities to provide information on the fate and whereabouts of all of the group of at least 231 ethnic Hmong Laotian refugees arrested by the Thai authorities in early June 2006 near Huay Nam Khao refugee camp in Phetchabun province;
- reminding the authorities of their obligation under Article 11.1 of the International Convention on Economic, Social and Cultural Rights (ICESCR) to ensure “...the right of everyone to an adequate standard of living for himself and his family, including adequate food, clothing and housing, and to the continuous improvement of living conditions” and their obligation under Article 10(1) of the International Covenant on Civil and Political Rights (ICCPR) to ensure that “All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person.”;
- urging the Thai authorities not to forcibly return the group to Laos, where they would be at risk of serious human rights violations, including torture and ill-treatment;
- reminding the Thai authorities that under international law they are obliged not to return anyone to a country where he or she would be at risk of serious human rights violations.

APPEALS TO:

Thaksin Shinawatra
Prime Minister
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Fax: + 66 2 282 8631
Salutation: Dear Prime Minister

Kongsak Wantana
Minister of Interior
Ministry of Interior
Atsadang Road
Bangkok 10200, Thailand
Fax: + 66 2 226 4371
Salutation: Dear Minister

Torphonng Ampan
Governor
Phetchabun Province, Thailand
Fax/ Tel: + 66 5 671 3173 (Please try during office hours: GMT + 7)
Salutation: Dear Governor

Major-General Cherdchai Pavaro-pas
Provincial Police Chief
Phetchabun Province, Thailand
Salutation: Dear Major-General

COPIES 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 18 October 2006.