

**EXTERNAL (for general distribution)**

**AI Index: ASA 39/02/95  
Distr: UA/SC**

This is a limited action. Please restrict appeals to 20 per section.

**UA 136/95**

**Health concern**

**14 June 1995**

**THAILAND**

**Maung Kyan, Mon refugee, early 30s**

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Amnesty International is gravely concerned that Maung Kyan, an ethnic Mon refugee from Myanmar currently held in the Immigration Detention Centre (IDC) in Bangkok, Thailand, may not be receiving the medical care that he urgently needs.

Maung Kyan lost both arms and both eyes in a land-mine explosion over 10 years ago. He, his wife and their two young children arrived in 1994 from a refugee camp on the Myanmar/Thailand border, and Maung Kyan was registered as a "person of concern" with the United Nations High Commissioner for Refugees (UNHCR) Thailand. In October 1994 he had a cornea transplant which has given him limited sight in one eye. Since then it has been necessary for him to be monitored for signs of the cornea being rejected and must be maintained on anti-rejection medication. Efforts were also about to be made to see if it would be possible for him to be fitted with artificial arms (prostheses).

However, on 19 April 1995 Maung Kyan, his wife and two children were among 12 people arrested by police as "illegal immigrants" at Wat Prok, a Mon temple in Bangkok. They were initially detained at Yannawa Police Precinct prison with ordinary criminal offenders in very hot conditions. Various organizations and individuals made repeated calls for his release or transfer to a more suitable location on humanitarian grounds and the case received much publicity.

Amnesty International, which had a delegation in Thailand at the time, and other concerned organizations, believed that the authorities would agree to Maung Kyan and his family being transferred to the Maneeloy Student Safe Area in Ratchaburi province where he could receive the treatment he needs. UNHCR reportedly requested permission from the Ministry of Interior for Maung Kyan to go to the Student Safe Area urgently on humanitarian grounds.

Amnesty International has now learned that, almost two months later, Maung Kyan and his family remain in detention at the IDC in Bangkok. He is separated from his wife in detention, as men and women are segregated in the IDC and are locked in 24 hours a day. Maung Kyan has not been officially charged with "illegal immigration".

#### **BACKGROUND INFORMATION**

There are currently around 70,000 Burmese refugees seeking sanctuary in Thailand, many of them members of ethnic minorities such as the Mon and Karen living in refugee camps in border areas. Thailand has not acceded to the 1951 Convention relating to the Status of Refugees, and has not established comprehensive procedures for determining refugee status. As a consequence, refugees found outside of established camps are regularly arrested and detained for "illegal immigration". Although the UNHCR in Thailand is able to register as "persons of concern" some of the people who apply to it for assistance, this does not provide adequate protection against detention for "illegal immigration".

International standards dealing with the protection of refugees and asylum-seekers state that the detention of refugees and asylum-seekers should normally be avoided.

**RECOMMENDED ACTION: Please send telegrams/faxes/express and airmail letters either in English or in your own language:**

- expressing grave concern that Maung Kyan, an ethnic Mon refugee registered as a "person of concern" by UNHCR, who lost both arms and sight in both eyes and who has recently undergone a cornea transplant, has been detained since 19 April in the Immigration Detention Centre (IDC) in Bangkok and may not be receiving the medical care and attention that he needs;
- urging that Maung Kyan and his family be transferred out of the IDC to the Maneeloy Student Safe Area in Ratchaburi province as a matter of urgency, so that he can be cared for by appropriate organizations in suitable conditions;
- urging the Thai authorities to take all possible steps to assist Maung Kyan as quickly as possible on humanitarian grounds.

**APPEALS TO**

1) Sanan Kachornprasart

Minister of Interior

Ministry of Interior

Asdang Road

Bangkok 10200, Thailand

**Telegrams: Minister of Interior, Bangkok, Thailand**

**Faxes: +66 2 224 6191/+66 2 226 1066/+66 2 226 4371**

**Salutation: Dear Minister**

2) Chuan Leekphai, Prime Minister

Office of the Prime Minister

Government House

Nakhorn Pathom Road

Bangkok 10300

Thailand

**Telegrams: Prime Minister Chuan Leekphai, Bangkok, Thailand**

**Faxes: + 66 2 280 1443**

**Salutation: Dear Prime Minister**

**COPIES OF YOUR APPEALS TO:**

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 27 July 1995.