

EMBARGOED UNTIL 00.01 THAILAND TIME ON TUESDAY 11 DECEMBER 2018

Thailand: Halt imminent plans to deport Bahraini refugee Hakeem Al-Araibi

Bangkok, 11 December 2018: Thailand must immediately halt plans to deport a Bahraini refugee back to his home country where he is at severe risk of arbitrary detention, torture or other ill-treatment, the Asia-Pacific Refugee Rights Network (APRRN) and ASEAN Parliamentarians for Human Rights (APHR) said ahead of his extradition hearing today.

Hakeem al-Araibi, who is a recognized refugee in Australia, was arrested on 27 November after arriving at Bangkok airport together with his wife for a holiday. He has been kept in detention since, and his deportation to Bahrain appears imminent after a Bangkok court approved his warrant for arrest on 7 December, while his extradition hearing is scheduled to start today.

“The Thai authorities must immediately put an end to the callous plans to send Hakeem al-Araibi back to Bahrain. This is someone who fled his home country after being tortured, and there is every risk he will face the same treatment again if he is forced back,” said Evan Jones, Programme Coordinator at APRRN.

“Returning Hakeem al-Araibi to Bahrain would not only be cruel and inhumane, it would also violate international human rights law. Thai immigration authorities should immediately release him from detention and ensure that he is allowed to return to Australia without any harm coming to him.”

Hakeem al-Araibi was arrested and tortured in Bahrain in 2012, apparently because of his brother’s outspoken criticism of the Bahraini regime during the Arab Spring uprising. In 2014, he managed to flee to Australia where he was recognized as a refugee and granted permanent residency. Most recently he has been earning a living as a professional football player for the Pascoe Vale Football Club.

Thai authorities initially claimed they arrested Hakeem al-Araibi in response to a “Red Notice” issued by Interpol at the request of Bahrain. Bahraini authorities charged and sentenced al-Araibi in absentia to 10 years in prison in 2014 for vandalizing a police station, a charge he vehemently denies. “Red Notices” are notoriously abused by authoritarian governments to target dissidents.

Although Thailand is not a state party to the 1951 United Nations Convention Relating to the Status of Refugees – the international treaty defining who is a refugee and spelling out their rights – the authorities are still bound to respect the principle of *non-refoulement*. This is an absolute ban in international law on returning people to territories where they are at risk of persecution or other serious human rights violations.

In 2016, Thailand committed to improving its treatment of refugees within its border, including by ending child refugee detention and setting up a national screening mechanism to determine a person’s refugee status.

Despite this, Thai authorities have a chequered record on protecting refugee rights. In recent years, Thailand has violated the *non-refoulement* principle by sending refugees back to countries where they are at serious risk of grave rights violations, including China, Turkey and Pakistan. Over the past months, immigration police in Bangkok have also launched a series of raids targeting urban refugees, arresting hundreds including many children.

“Thailand must stop seeing refugees as a national security issue and instead look at the humanitarian dimension. People who flee persecution in their homelands deserve protection and aid, not to be treated as criminal and locked up in detention,” said Charles Santiago, Chair of APHR and a Member of the Malaysian Parliament.

“As the next Chair of ASEAN, Thailand should set an example on refugee rights for the rest of the region, not lead a race to the bottom. We urge the Thai authorities to do the humane thing and not send Hakeem al-Araibi back to Bahrain.”

The Asia Pacific Refugee Rights Network (APRRN) is an open and growing network consisting of 350 civil society organisations and individuals from 28 countries committed to advancing the rights of refugees in the Asia Pacific region. APRRN aims to advance the rights of refugees and other people in need of protection through joint advocacy, capacity strengthening, resource sharing and outreach.

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ASEAN Parliamentarians for Human Rights (APHR) is a network of current and former parliamentarians, who use their unique positions and innovative means to prevent discrimination, uphold political freedom, and promote democracy and human rights throughout the region. APHR supports the work of civil society and human rights defenders and encourages sustainable solutions that increase pressure on governments and multilateral bodies to ensure accountability and uphold and enforce international human rights laws.

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