

23 January 2019

Prime Minister Prayut Chan-Ocha
Office of the Permanent Secretary, Prime Minister Office
Government House, 1 Pissanulok Road
Dusit, Bangkok 10300, [Thailand](#)

cc *Minister of Foreign Affairs*
Minister of Justice
UNHCR Regional Office
UNHCR Thailand

Civil Society Amplifies Need for Immediate Release of Recognised Refugee Hakeem al-Araibi

Your Excellency,

We the undersigned organisations write to you to express our deepest concerns regarding the continued detention of Bahraini footballer Hakeem al-Araibi. This letter builds upon previous correspondence from numerous organisations, human rights institutions, personalities and concerned citizens from around the world. As you know, Hakeem was initially detained in Thailand as the result of an INTERPOL Red Notice, which has since been lifted. Despite this, a Thai court has decided to extend Hakeem's detention in order to process an extradition request from Bahrain. We urge you in your capacity as the Prime Minister of Thailand to press for Hakeem's immediate release from custody and for his safe return to Australia, where he currently resides and holds refugee status.

Hakeem al-Araibi has been [detained](#) in Thailand since he arrived in Bangkok on 27 November 2018. He has now been detained for a total of 59 days. While he was initially detained on the basis of a Red Notice issued by INTERPOL at the request of Bahrain, INTERPOL lifted the Red Notice on 4 December, as it was in contradiction of its [own regulations](#) stating that Red Notices will not be issued "*if the status of refugee or asylum-seeking has been confirmed.*" Despite the notice being lifted, on 12 December 2018 a Thai court made the decision to [extend](#) Hakeem's detention for 60 days, pending a court verdict on whether to extradite him to Bahrain. Bahrain's extradition request is on the basis of an outstanding prison sentence against Hakeem for vandalizing a police station – spurious charges which he strongly denies and which he [could not have committed](#).

If sent back to Bahrain, Hakeem will almost certainly face torture and imprisonment. He has already [described](#) being tortured in Bahrain before his arrival in Australia. After his arrest in November 2012, he stated security forces "*blinded me. They held me really tight, and one started to beat my legs really hard, saying 'You will not play soccer again. We will destroy your future.'*" His testimony, along with those of others, has brought significant negative attention on the Bahraini government for its human rights abuses, casting a shadow on Sheikh Salman bin Ebrahim Al Khalifa, a member of the Bahraini royal family, the president of the Asian Football Confederation, and a vice president of the Fédération Internationale de Football Association (FIFA).

Hakeem's public comments, in addition to concerns raised in May 2017 by the United Nations [Committee Against Torture](#) (CAT) in its report on Bahrain's fidelity to its treaty obligations addressing the issue of widespread torture in Bahrain, lends credibility to Hakeem's fear of being subjected to torture once again upon his return. In its report, the Committee states it was "*concerned that there continue to be numerous and consistent allegations of widespread torture and ill-treatment of persons who are deprived of their liberty in all places of detention.*"

Given Hakeem's fears, we welcome the recent comments made by Maj-Gen Surachate Hakparn, Thailand's Chief of Immigration Police, when he [stated](#) that he would not return anyone to a country where their life is in danger and that Thailand "*will adhere to human rights under the rule of law*". In line with this comment, we welcome the assistance Thai officials provided Rahaf al-Qununi, who was fleeing Saudi Arabia, including with temporary refuge and by [facilitating](#) her refugee status with the United Nations High Commissioner for Refugees (UNHCR). We urge you to instruct your government to respect Hakeem's refugee status and to take steps to facilitate his immediate and unhindered return to Australia, where he has legal status as a refugee.

Since Hakeem al-Araibi's initial detention in Thailand, the international community has taken a stand in support of Hakeem. Australia's Minister of Foreign Affairs, [Marise Payne](#), has met with Thai government officials to raise Hakeem's case, and international sporting organisations, such as [FIFA](#), have also called for his release. FIFA's call has been echoed by the [Football Federation of Australia](#), former Australian national team captain and Australian football analyst [Craig Foster](#), and the CEO of the Professional Footballers Association in Australia, [John Didulica](#).

We believe that Thailand's refusal to allow Hakeem to leave for Australia may ultimately reflect poorly on Thailand, as it demonstrates a lack of respect for the rights of refugees and for international laws and standards that prohibit *refoulement* when the subject is at risk of torture and abuse. We therefore call on you to call for Hakeem's release from custody and allow for his return to Australia.

Signed by:

- Advocates for Public Interest Law, Republic of Korea
- AMERA International, United Kingdom
- Amnesty International, Australia
- ARA Trust, India
- Association for Protection of Refugee Women and Children (HAMI), Iran
- Asylum Access, USA
- Australian National Committee on Refugee Women (ANCORW), Australia
- Bahrain Institute for Rights and Democracy, United Kingdom
- Bangladesh Institute of Human Rights (BIHR), Bangladesh
- Chin Human Rights Organization (CHRO), Myanmar
- Christian Action, Hong Kong
- Coalition for the Rights of Refugees and Stateless Persons (CRSP), Thailand
- European Center for Democracy and Human Rights, Belgium
- Fortify Rights, Thailand
- Gonggam Human Rights Law Foundation, Republic of Korea
- Human Rights Alliance (HRA), Pakistan
- INHURED International, Nepal
- Justice Centre Hong Kong, Hong Kong
- Minority Rights Organization, Cambodia
- Naiker Associates, Australia
- Open Universities for Refugees (OUR), Singapore
- People's Empowerment Foundation, Thailand
- Programme for Helpless And Lagged Societies, Bangladesh

- Refugee Solidarity Network (RSN),
- Refugees as Survivors New Zealand, New Zealand
- Refugee Council of Australia (RCOA), Australia
- Society for Human Rights and Prisoners' Aid (SHARP), Pakistan
- South Asian Network for Refugees, IDPs & Migrants (SANRIM), Sri Lanka
- Taiwan Association for Human Rights, Taiwan
- TABISH Organisation, Afghanistan

Individual signatories:

- Philomene Franssen, M.A Candidate Refugee Protection and Forced Migration Studies, Refugee Law Initiative, University of London.
- Dr Savitri Taylor, Associate Professor, Law School, La Trobe University, Victoria, Australia
- Sayed Mohebullah Haqiq, Kabul, Afghanistan
- Abdullah Khoso, Doctoral Student in Gender Studies, University of Malaya, Malaysia
- Ratu Durotun Nafisah, Junior Legal Advocacy Staff, Institute for Policy Research and Advocacy (ELSAM)

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