

For immediate release

Lack of political courage once again threatens the safety of UNHCR Recognised Refugees in Thailand

Bangkok, 25 January 2018, 14:00: The Asia Pacific Refugee Rights Network calls upon the Royal Thai Government to halt any potential return proceedings against two UNHCR recognised refugees that are currently detained at Bangkok's Suan Phlu Immigration Detention facility. Current reports indicate that both individuals are at imminent risk of return due to pressure from their respective governments. Any deportation or return proceedings facilitated by the Thai Government would be a clear breach of customary international law and would violate the globally recognised principle of non-refoulement.

On 6 January 2018, Sam Sokha from Cambodia and A Ga from Vietnam, were arrested by Thai authorities for overstaying their visas. A Ga's wife and young son were also arrested. All individuals were subsequently charged with visa offences and received a fine and suspended prison sentences. Since sentencing they have been held in immigration detention as a result of their irregular visa status. During their time in detention they have been visited by government officials from their respective countries, pressuring them to return.

In recent years Cambodia has seen a distressing and persistent increase in intimidation, persecution and arrests of opposition party supporters, including of Sam Sokha, a vocal critique of the Cambodia's People's Party (CPP). In April 2017 prior to Commune Council Elections, Sokha fled Cambodia to Thailand, during which severe crackdowns by the CPP swept through the country's political opposition, civil society and independent media. An arrest warrant for Sokha was subsequently issued and charges brought against her for "insult of a public official" and "incitement to discriminate".

A Ga, a Christian pastor and member of one of the long-persecuted ethnic minorities, collectively referred to as Montagnards, together with his wife and 10-year old son fled from Vietnam to Thailand in June 2013. Like many other Montagnards, A Ga has been repeatedly subject to threats, interrogations and torture by the Vietnamese state.

Despite not being a signatory to the 1951 Refugee Convention or its 1967 Protocol, Thailand is obligated to adhere to the principle of non-refoulement. This means that the government is expressly prohibited from the expulsion, deportation, return or extradition of anyone to their country of origin where their life or freedom may be at risk. APRRN Chair Yiombi Thona, formerly a refugee from the Democratic Republic of the Congo, states that "the Thai Government must not buckle to pressure exerted by Cambodia or Vietnam. As UNHCR cardholders, both Sam Sokha and A Ga have been determined to have serious protection concerns in their home country and therefore must not be returned."

The past few years has seen positive progress by the Thai Government towards laying the foundations for a robust domestic refugee protection system. This includes developing a draft national law and working towards building a screening mechanism for refugees and other vulnerable migrants. The commitment of the Thai government to improve conditions for refugees and asylum seekers was reiterated by Thai government in their own press release on 17 October 2016 titled '*Thailand reaffirms its commitments in addressing the global refugee crisis at the annual UNHCR ExCom meeting 3 – 7 October 2016, Palais de Nations, Geneva, Switzerland*'.

As such, any forcible repatriation at this time would not only open them to criticism, but would fly in the face of all the positive achievements to date. Thailand must not let its extradition agreements with Vietnam and Cambodia, nor any bilateral pressure exerted by these governments, to override its obligations to provide safety and protection to Sam Sokha and A Ga.

About APRRN:

The Asia Pacific Refugee Rights Network is a vibrant network of over 320 civil society organisations and individuals from 28 countries in the Asia Pacific region committed to advancing the rights of refugees, through joint advocacy, capacity-strengthening, resource sharing and outreach.

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