

May 22, 2020

Ambassador Michael G. DeSombre
Embassy of the United States of America
120-122 Wireless Road,
Bangkok, 10330 Thailand

Call for the Release of Refugees and Asylum Seekers in the Immigration Detention Centers in
Thailand for protection against COVID-19

Dear Ambassador DeSombre,

We are a diverse group of individuals and organizations who share a common goal to promote and protect religious freedom around the world within the framework of international human rights and refugee law including state obligations under international human rights treaties. A number of us work with refugees and asylum seekers in Thailand.

We are aware of the good cooperation between the United States and Thailand, and particularly of the significant role the US has played in supporting Thailand in the fight against the coronavirus pandemic. In particular, we note the generous donation of over \$18 million toward emergency health and humanitarian assistance to Association of Southeast Asian Nations countries.

However, these financial efforts are unlikely to prove effective unless all groups in society are protected. As you know, the detained population in the Immigration Detention Centers in Thailand includes many refugees and asylum seekers. A number of them are survivors of religious persecution, including Hmong and Montagnard Christians from Vietnam, Christians and Ahmadi Muslims from Pakistan, and members of other religious groups that are severely persecuted in their home countries.

Currently there are no official statistics on the numbers of refugees and asylum seekers being held in the cramped and squalid conditions of Thailand's Immigration Detention Centers. These conditions make social distancing impossible and the spread of the virus far more likely. There are typically no beds, and detainees share the floor. The government has recently acknowledged that 65 of the 115 detainees in the Songkhla Immigration Detention Center have tested positive with the virus – the diagnoses came about two weeks after a visit to the center by an immigration officer who later tested positive – and that the remaining detainees are also at risk.

As you know, under international law immigration detention may only be applied as an exceptional measure of last resort, for the shortest period, and only if justified by a legitimate purpose. Detention that is not pursued for a legitimate purpose is considered arbitrary.¹

In order to mitigate the spread of COVID-19, and because of the excellent relationship between the United States and Thailand, we ask that you urge the Royal Thai Government to immediately release, following proper safeguards, the refugees and asylum seekers held in Immigration Detention Centers in Thailand. We also ask that you inquire into how the Thai authorities are working to limit the spread of the disease among the refugee and asylum seeker population in Thailand, especially those being held in the Immigration Detention Centers. We hope you will recommend that the Royal Thai Government, after deciding to release refugees and asylum seekers, should provide testing, information about the pandemic, and other appropriate safeguards for those released from immigration detention.

Releasing all refugees and asylum seekers in the Immigration Detention Centers is not only a humanitarian gesture that mitigates the serious risks to the health and safety of immigration detainees, but will also promote the health and well-being of the people of Thailand by curbing the spread of the pandemic.

We are deeply grateful for any and all efforts you and the United States Embassy can undertake for this important humanitarian initiative.

Sincerely,

Human Rights Watch

Fortify Rights

Christian Solidarity Worldwide

Boat People SOS – USA

Jubilee Campaign

People Serving People Foundation

People's Empowerment Foundation

Stefanus Alliance International – Norway

¹ See United Nations High Commissioner for Refugees, Detention Guidelines, Guideline 4, <https://www.unhcr.org/publications/legal/505b10ee9/unhcr-detention-guidelines.html>.

ALTSEAN-Burma

Campaign to Abolish Torture in Vietnam

Christian Freedom International

Institute on Religion and Democracy – USA

Coordination des Associations et des Particuliers pour la Liberté de Conscience – France

Church of Scientology National Affairs Office (USA)

Diocese of the Eastern US, Independent Old Catholic Church, Office of Ecumenical, Interfaith, and Global Engagement

Friends of Falun Gong

Minaret Foundation – USA

Unrepresented Nations and Peoples Organization – Belgium

Vietnam Veterans for Factual History

Montagnards Stand For Justice

Human Rights and Justice for Indigenous People of Vietnam

Minh Van Foundation – USA

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