

## CASE STUDY

# Thailand



For decades, Thailand has served as a haven for people escaping war and political repression in countries throughout Southeast Asia and the broader region. However, protection for individuals from foreign governments in Thailand is limited and ad hoc. Thailand's authorities lack awareness about the threat of transnational repression and cooperate with foreign governments to detain and expel dissidents. The country has no national system in place to screen for and protect refugees and its approach to extradition is influenced by informality and a high degree of executive discretion.

Thailand is an important destination for refugees from neighboring countries, but asylum seekers lack legal status. Photo credit: Peerapon Boonyakiat/SOPA Images via Shutterstock.

**Best practices in Thailand's response to transnational repression:**

- The government of **Thailand works with the UN High Commissioner for Refugees** (UNHCR) to manage refugees and asylum seekers. For states that have not yet acceded to international refugee conventions nor developed a robust internal refugee management system, involving UNHCR helps international norms and standards permeate the domestic sphere. Though UNHCR refugee designations do not have full legal power in Thailand and cannot always influence refoulement processes, they can still serve as a deterrent to unlawful deportation.
- Thailand's government is sometimes **responsive to pressure exerted by civil society** on behalf of individuals targeted by transnational repression.

# Introduction

In November 2021, Thai authorities deported four Cambodian dissidents, Mich Heang, Lahn Thavry, Veourn Veasna, and Voeung Samnang, who were registered refugees living in the country under the protection of the UNHCR. All four were immediately arrested upon being returned to Cambodia.

Thailand shares a border with many countries that have experienced significant political and social unrest. Tens of thousands of people from Cambodia, Myanmar, Laos, Vietnam, and China have crossed the border into Thailand seeking safety since the 1970s.<sup>1</sup> Although the Thai government provides forcibly displaced people with support and humanitarian aid, migrants and asylum seekers lack legal status and are vulnerable to detention, enforced disappearance, rendition, and unlawful deportation. Since 2014, over 150 individuals in Thailand have been victims of transnational repression. In 2015, the government deported at least 109 Uyghurs to China.<sup>2</sup> Multiple practitioners of Falun Gong have been detained by the Thai government, including Chiang Yung-Shin, a Taiwanese man

who helped to send uncensored radio broadcasts to China.<sup>3</sup> As the recent case of the Cambodian dissidents demonstrates, it is not unusual for individuals under officially recognized international protection to be expelled from the country at the request of a foreign government.

Thai authorities lack awareness about the threat of transnational repression and have cooperated with foreign governments in detaining and deporting dissidents and members of vulnerable diasporas. The country's foreign policy prioritizes building strong bilateral and multilateral relationships with countries in the region, which affects the protections available to those who may be targeted by transnational repression. Thailand lacks a legal framework for the protection of refugees and asylum seekers and views refugees primarily through a national security lens. Informality and discretion in extradition processes can also facilitate transnational repression.

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# Security

The National Intelligence Agency (NIA) under the Office of the Prime Minister has the primary responsibility for monitoring, detecting, and countering threats to Thailand's national security. The NIA works closely with the National Security Council (NSC), which formulates national security policy and strategic plans.<sup>4</sup> At the operational level, the Foreign Affairs Division of the Royal Thai Police is responsible for cooperating with international law enforcement agencies and other states.

## Lack of awareness

Thailand's national security aims target espionage, subversion, sabotage, and terrorism. The country does not have policies for assessing the threat posed by foreign governments specifically to exiles or members of diasporas living within its borders. Security agencies also lack awareness about the potential threat of transnational repression.<sup>5</sup> As a result, Thai authorities do not proactively conduct outreach to immigrant communities about security issues, nor do they take steps to vet information they receive from foreign governments.

In addition to a general lack of awareness of transnational repression that may hinder effective protections, Thailand's own laws and policies may facilitate targeting. Because of the country's *lèse-majesté* laws, which criminalize criticism of the monarchy, authorities are unlikely to view criticism of the monarchy of a country such as Cambodia, Brunei, or Malaysia as a nonextraditable offense and are instead likely to treat it as an "ordinary crime."<sup>6</sup> Critics of foreign monarchies can therefore be particularly vulnerable to transnational repression in Thailand. Thailand itself also has a track record of pursuing critics abroad. Critics of the Thai monarchy facing *lèse-majesté* charges who have fled to neighboring states including Vietnam and Cambodia have been the subjects of extradition requests. Several disappeared from their homes in exile in 2017 and 2019.<sup>7</sup>

## Cooperation with foreign governments

A major risk factor for transnational repression is Thailand's formal and informal cooperation with other countries. Thailand's foreign policy specifically emphasizes the goal of fostering balanced and positive bilateral and multilateral relationships to ensure regional stability.<sup>8</sup> The Thai government has noted as an explicit national security priority the improvement of relationships with fellow members of

the Association of Southeast Asian Nations (ASEAN); that organization includes countries such as Vietnam, Laos, and Cambodia, all of which conduct transnational repression campaigns.<sup>9</sup>

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Cooperation with neighboring countries has endangered political exiles seeking refuge in Thailand in the past. For example, in 2019, Truong Duy Nhat, a Vietnamese journalist and government critic who had applied for refugee status through the UNHCR office in Bangkok disappeared from a shopping mall in the city. He reappeared in Vietnam two days later and was eventually sentenced to 10 years in prison for "defrauding the public."<sup>10</sup> Accounts of Nhat's disappearance suggest that he was initially detained by Thai police who handed him over to agents of the Vietnamese state who drove him across the border to Cambodia and on to Vietnam.<sup>11</sup> In pursuit of Nhat, Thai authorities interrogated other Vietnamese refugees in Thailand while accompanied by Vietnamese officials, according to media accounts.<sup>12</sup> In a similar case of cooperation, Sam Sokha, a Cambodian labor activist who threw a shoe at a photo of Cambodian prime minister Hun Sen, was deported to Cambodia from Thailand in 2018 despite having refugee status.<sup>13</sup> Her lawyers were told that the Thai authorities received a request for cooperation from Cambodia and deported the activist based on a violation of immigration law.<sup>14</sup> The fact that Thailand and Cambodia worked together to return the activist seemed to be later confirmed by Thailand's director-general of the Department of Information at the Ministry of Foreign Affairs, who said that the deportation was "an act of cooperation between the two countries."<sup>15</sup> Sam Sokha spent two years in prison for "incitement" against the government and another two years for posting Facebook comments critical of Cambodian authorities while she was in Thailand.

Thailand has strong economic interests in maintaining a positive relationship with China, one of the most notorious perpetrators of transnational repression.<sup>16</sup> In the past, Thai authorities have accepted guarantees of safety made by China when returning groups of individuals, including Uyghurs, who

have fled the country.<sup>17</sup> Concerningly, Thailand's 2019 National Security Plan calls for "developing and promoting collaborative network with immigrants' country of origin and relevant international organizations for the prevention and resolution of illegal immigrant problems."<sup>18</sup> This could mean that origin states of transnational repression could have disproportionate influence on the assessment of whether a person who has fled to Thailand is entitled to protection. At the same time, Thailand's government appears to be sensitive to international criticism in certain cases of transnational targeting.<sup>19</sup> In December 2021 and February 2022, respectively, Thai authorities chose not to deport Cambodian government critic Venerable Bor Bet and Lao activist Keomanivong Khoukham<sup>20</sup> after civil society organizations mounted campaigns urging that they be allowed to remain in Thailand.

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# Migration

Thailand's geographic proximity to politically unstable countries, its low cost of living, and its tourist visa flexibility have attracted refugees and asylum seekers of all kinds, especially since the 1970s. For many, Thailand serves as a transit country as they attempt to settle somewhere else more permanently. As of February 2022, Thailand hosted approximately 576,000 “persons of concern,”<sup>21</sup> with refugees on the border with Myanmar making up the largest group.<sup>22</sup> Thai officials, however, have continually viewed migration through the lens of “burden” and “pull factor” discourses. The government has consistently argued that assisting the forcibly displaced would require significant financial and human resources from the state—especially if the situation in the country of origin is prolonged—and may entice more migrants to come to Thailand.<sup>23</sup> Over the past four decades, Thailand has on multiple occasions violated the principle of nonrefoulement via mass deportations of Laotian, Burmese, Vietnamese, and Cambodian refugees and asylees.<sup>24</sup>

## Lack of legal framework for refugees and asylees

Thailand is not a party to the 1951 Convention Relating to the Status of Refugees or its 1967 Protocol. The Thai government has consequently invited the UNHCR and other organizations to assist forcibly displaced people inside the country. Using the Refugee Status Determination (RSD) process, UNHCR determines whether individuals are “persons of concern,” who are then provided identity documents to indicate their official status. Refugees are divided into two groups—camp-based and urban—with the former classification given only to people who left Myanmar. The UNHCR is responsible only for determining the statuses of urban refugees. Camp-based refugees are processed through a Thai government–led procedure and cannot move outside designated areas. No national legal framework exists for the protection of urban refugees and UNHCR status designations are not formally recognized by the Thai government. Urban refugees are considered “illegal,” receive no guaranteed legal protection,<sup>25</sup> and are constantly at risk of being detained on immigration grounds.<sup>26</sup> UNHCR-recognized refugees in Thailand remain in the country at executive discretion<sup>27</sup> and must be resettled in a third country.

The process of being resettled in a third country, however, can take months or even years.<sup>28</sup> The prolonged period of legal precarity provides opportunities for targeting via transnational

repression. Obtaining protection from the host country is difficult as refugees and asylees often avoid interactions with authorities that could lead to detention or even deportation.<sup>29</sup>

Although there have been notable exceptions, nongovernmental organizations that work with migrants in Thailand report that Thai authorities generally do not knowingly deport people who have official UNHCR recognition.<sup>30</sup> Those most at risk of transnational repression are therefore asylum seekers, as they have not yet obtained official refugee status, a process that can take months or years.<sup>31</sup> Some asylum seekers are afraid of applying for official status determination in the first place, fearing that the host state will surveil them<sup>32</sup> or use information that they offer against them.<sup>33</sup>

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## Refugees as a threat to national security

Security is the dominant lens through which Thai officials view refugees and other displaced people.<sup>34</sup> Thailand's National Security Plan describes refugees and asylees as potential threats to national security, social welfare, and the stability of Thailand's international relations.<sup>35</sup> Analysis of the drafting history of the 2019 immigrant-screening regulation indicate that the Thai government deems “people fleeing fighting from Myanmar, Rohingya, Uyghur, and North Koreans” as populations having “special security issues” that may seriously impact Thailand's “international relationships.”<sup>36</sup>

Thailand's security agencies have a central role in refugee management. While the Ministry of Interior is primarily in charge of administering the Immigration Act, the National Security Council has an influential role in shaping immigration policy.<sup>37</sup> Together with the Ministry of Interior, the NSC forms a conservative block against efforts by the Department of

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International Organizations—part of the Ministry of Foreign Affairs—to make the migration system more sensitive to human rights concerns.<sup>38</sup> A stark example of the outsized role of security forces in Thailand’s immigration system is how members from the National Intelligence Agency, the NSC, and the Royal Thai Police make up part of the committee that decided the criteria for a new, not-yet-implemented screening mechanism for refugees.<sup>39</sup> In 2020, it was announced that the Royal Thai Police, which oversees the country’s immigration bureau, would chair the Committee. This is concerning, as the agency’s involvement makes it more likely that security considerations will take precedence over human rights and legal ones in the design of the mechanism, creating opportunities for authoritarian targeting of displaced people in Thailand.

Given the strong emphasis on migrants as posing a potential security threat, no policies exist that treat exiles as potential victims of foreign targeting. Most criminal cases involving marginalized groups are neither reported to the police nor transferred to the public prosecutor. A senior criminal court judge interviewed for this report noted that “while the laws provide a channel for criminalizing acts that may fall under the category of transnational repression, it is rather the issue of the status of victims that hampers their inability to access justice.”<sup>40</sup>

### No mechanism to distinguish refugees from economic migrants

Currently, any foreigner in Thailand is subject to arrest, detention, and deportation for failure to comply with the provisions of the 1979 Immigration Act. Individuals arrested for immigration violations may face prolonged or indefinite detention in squalid conditions in Immigration Detention Centers (IDCs).<sup>41</sup> Even in the absence of a robust national legal framework for refugees, separating the management of refugees from other migrants may provide some protections.

On December 24, 2019, three years after Prime Minister Prayuth Chano-o-cha pledged at two major international

summits to improve Thailand’s refugee protection, the Thai Cabinet endorsed the establishment of a national screening mechanism (NSM) for distinguishing between economic migrants and those in need of international protection.<sup>42</sup> Individuals determined to require protection under the NSM would be considered “protected persons” and be permitted to remain temporarily in Thailand with access to social services.<sup>43</sup> How the determination of “protected person” status would be made remains unclear as the process has not yet been implemented, but the proposed mechanism seems vulnerable to the influence of foreign governments.

Based on available information,<sup>44</sup> a lack of awareness about the threat of transnational repression among Thai authorities and an emphasis on coordinating with foreign governments in considering the cases of individuals seeking protection may be two issues of concern with the NSM.<sup>45</sup> The proposed mechanism has already come under criticism from human rights groups for failing to meet international standards. There are concerns that the government regulation that established the mechanism deliberately avoids commitments to international refugee law,<sup>46</sup> and that the mechanism does not require officials to provide an explanation for rejecting an application.<sup>47</sup> Questions also remain about who may be excluded from “protected persons” status and how exceptions relating to “national security” will be interpreted.<sup>48</sup>

### Lack of vetting at the border

According to Article 12 of Thailand’s 1979 Immigration Act, Thai authorities can use Interpol Red Notices as grounds to deny entry to the country.<sup>49</sup> Thailand does not independently vet the information contained in notices to make sure it is not political in nature. While Interpol has implemented some internal measures to verify that Red Notices conform to the organization’s constitution, member states are still able to file and distribute notices that can lead to the detention of people being targeted by transnational repression.

People entering Thailand can be detained on Interpol notices and held while the origin state’s embassy is informed about their detention. Red Notices therefore provide an easier way for reaching dissidents across borders than conventional extradition. In November 2018, Thai authorities, acting on a Red Notice, detained and almost extradited to Bahrain professional footballer Hakeem al-Araibi, who had fled Bahrain and been granted refugee status and residency in Australia.

## Opaque, informal, and discretionary migration practices

Thailand has explicitly acknowledged that it is bound by the principle of non-refoulement,<sup>50</sup> and in 2018, it affirmed the Global Compact on Refugees.<sup>51</sup> In practice, however, Thailand operates a dual track to respond to asylum seekers and refugees.<sup>52</sup> The first is the routine immigration track per the Immigration Act and UNHCR, and the second is the national security track, sometimes known as the “special lane.”<sup>53</sup> The national security track is highly politicized and mainly applied to politically sensitive groups.<sup>54</sup> Groups singled out as politically sensitive in the past included the Rohingya, Uyghurs, North Koreans, and people fleeing fighting in Myanmar.<sup>55</sup> Following a meeting between Prime Minister Prayuth Chan-ocha and Myanmar’s military chief, Senior General Min Aung Hlaing, in 2017 special policies crafted to stop the influx of refugees into the country were announced. These policies include preventing the UNHCR from screening Rohingya who have fled to Thailand for refugee eligibility.<sup>56</sup> In 2021, after Min Aung Hlaing took control of Myanmar in a coup, the close relationship between the two leaders resulted in Thai police being ordered to arrest any members of Myanmar’s government in exile seeking refuge

in Thailand.<sup>57</sup> It is not uncommon for decisions pertinent to the fate of people on the national security track to be made at a high level, usually with the involvement of the prime minister or the deputy prime minister for security affairs. These are opaque and not subject to oversight.

When it comes to deportation and extradition, a similar discrepancy between formal and informal processes applies. First, there is the formal channel for Interpol notices and requests according to extradition treaties. Officially, “political crimes” are non-extraditable, though what constitutes a political crime remains underdefined. There also exists a more ambiguous channel by which special requests can be made from the origin state through personal connections with high-ranking officials in Thailand. Such channels operate on the principle of reciprocity.<sup>58</sup> In several cases, Thailand has decided to violate the principle of non-refoulement at the request of a foreign country; the repatriation of Uyghurs in 2015 and the 2017 detention of three family members of a Chinese dissident are clear examples of this. When a person is deported at the specific request of a foreign government, they generally do not have the opportunity to challenge their situation; there is no legal or judicial review of their case prior to deportation.<sup>59</sup>

## Recommendations for the Thai government:

- **Document transnational repression** as a distinct problem by collecting data on human rights violations conducted by foreign states within Thailand.
- **Train law enforcement and immigration officials to recognize and respond to potential transnational repression**, including respecting UNHCR refugee designations.
- **Ensure that the National Screening Mechanism (NSM) incorporates a definition of “protected persons”** that reflects international refugee law standards and best practices for refugee management.
- Review existing information-sharing channels established to combat organized crime and terrorism and vet Interpol notices to **ensure that foreign states do not have undue influence on how asylees are screened or how security designations are applied.**
- Streamline refugee resettlement programs and **consider instituting a permanent residency path for refugees**, as having large numbers of asylum seekers wait for years for resettlement to a safe third country enables targeting by authoritarian states.
- **Accede to the 1951 Refugee Convention and its 1967 Protocol** to set in play domestic mechanisms that adhere more closely to international standards.
- **Use regular channels of bilateral legal cooperation to seek the return of people accused of criminal acts from abroad** instead of relying on opaque extrajudicial tactics to repatriate political opponents.
- Adopt a clearer definition of what constitutes a political crime that **protects the exercise of freedom of speech.**
- **Decrease the role of Thai security agencies in the migration process** in order to focus migration reform on prioritizing protection for vulnerable people.

## About the Project

**D**efending Democracy in Exile: Policy Responses to Transnational Repression examines what is being done to protect exiles and diaspora members who are being intimidated and threatened by the governments from which they fled. This report assesses the responses put forward by the governments of countries where exiles and diasporas reside, by international organizations, and by technology companies.

It represents the culmination of the second phase of our research into transnational repression. It combines an analysis of the policies of nine host countries, interviews with members of diasporas targeted by transnational repression who reside in the United States, interviews with staff at technology companies, and data on 735 physical, direct transnational repression incidents that occurred between 2014 and 2021. With this report, we aim to advance the ongoing conversation among members of the general public, civil society, media, and policymakers on countering this practice.

Over a 16-month period, we developed an original methodology for evaluating policy responses to transnational repression, trained and collaborated with 16 in-country analysts to gather data, and held two roundtables to review and refine our findings and recommendations. Collaboration with academics and civil society researchers around the world was integral to the success of this project.

Yana Gorokhovskaia and Isabel Linzer led the project and cowrote the final report and eight of the nine country reports. Research Associate Bochen Han provided research support and wrote one country report. Intern Paulina Song helped to catalog and vet incidents for the transnational repression database. The project was made possible through the generous support of the National Endowment for Democracy.

Our data collection and coding methods can be viewed at <https://freedomhouse.org/report/transnational-repression/about-acknowledgements>. Data is available on request through the [research@freedomhouse.org](mailto:research@freedomhouse.org) email account. Please use the subject line “Transnational Repression Data Request.”

This report builds on the findings of *Out of Sight, Not Out of Reach: The Global Scale and Scope of Transnational Repression*—the first global study of this dangerous practice—which Freedom House released in February 2021. The first phase of our research sprang from our engagement with academic researchers dedicated to examining transnational repression.

Finally, none of this would have been possible without exiles from Syria, Iran, Saudi Arabia, India, Egypt, Rwanda, Russia, China, Turkey, Vietnam, Equatorial Guinea, and Ethiopia who agreed to speak with us about their experiences of transnational repression. Their courage and resilience are an inspiration.

# Endnotes

<sup>1</sup> Countries that have committed acts of transnational repression in Germany in Amnesty International, “Thailand: Between a rock and a hard place,” Document reference ASA 39/7031/2017, September 28, 2017, <https://www.amnesty.org/en/documents/asa39/7031/2017/en/>.

<sup>2</sup> Edward Wong and Poypiti Amatatham, “Ignoring Protests, Thailand Deports About 100 Uighurs back to China,” *New York Times*, July 9, 2015, <https://www.nytimes.com/2015/07/10/world/asia/thailand-deports-uighur-migrants-to-china.html>.

<sup>3</sup> Reporters Without Borders, “Prosecution in Thailand over Shortwave Broadcasts to China,” January 31, 2019, <https://rsf.org/en/news/prosecution-thailand-over-shortwave-broadcasts-china>.

<sup>4</sup> Office of the National Security Council, The Prime Minister’s Office, “National Security Council Act, B.E. 2559,” (2016).

<sup>5</sup> Interviews done with Thai authorities by an in-country analyst for Freedom House, January 2022.

<sup>6</sup> Office of the National Security Council, Office of the Prime Minister, “The National Security Policy and Plan (2019-2022),” Accessed May 18, 2022, <https://www.nsc.go.th/wp-content/uploads/2020/05/The-National-Security-Policy-and-Plan2019-%E2%80%93-2022.pdf>.

<sup>7</sup> Amnesty International, “Thailand: Confirm safety and whereabouts of three Thai citizens,” May 10, 2019, <https://www.amnesty.org/en/latest/news/2019/05/thailand-confirm-safety-and-whereabouts-of-three-thai-citizens/>; Human Rights Watch (HRW), “Laos/Thailand: Investigate Abduction of Exiled Red Shirt Activist,” August 1, 2017, <https://www.hrw.org/news/2017/08/01/laos/thailand-investigate-abduction-exiled-red-shirt-activist>.

<sup>8</sup> Office of the National Security Council, Office of the Prime Minister, “The National Security Policy and Plan (2019-2022),” Accessed May 18, 2022, <https://www.nsc.go.th/wp-content/uploads/2020/05/The-National-Security-Policy-and-Plan2019-%E2%80%93-2022.pdf>.

<sup>9</sup> Office of the National Security Council, Office of the Prime Minister, “The National Security Policy and Plan (2019-2022),” Accessed May 18, 2022, <https://www.nsc.go.th/wp-content/uploads/2020/05/The-National-Security-Policy-and-Plan2019-%E2%80%93-2022.pdf>.

<sup>10</sup> An Hai, “Hanoi Court Hands Vietnamese Blogger 10-Year Prison Sentence,” Voice of America, March 10, 2020, <https://www.voanews.com/a/press-freedom-hanoi-court-hands-vietnamese-blogger-10-year-prison-sentence/6185578.html>.

<sup>11</sup> Human Rights Council, “Opinion adopted by the Working Group on Arbitrary Detention at its eighty-eighth session, 24-28 August 2020,” Opinion No. 42/2020 concerning Truong Duy Nhat (Thailand and Viet Nam). September 18, 2020.

<sup>12</sup> Kay Johnson and Panu Wongcha-um, “Unholy alliance? SE Asian authorities accused of trading exiled activists,” Reuters, June 21, 2019, <https://www.reuters.com/article/us-asean-summit-rights-idUSKCN1TM1EI>.

<sup>13</sup> HRW, “Cambodia: Free Forcibly Returned Critic of Hun Sen,” February 9, 2018, <https://www.hrw.org/news/2018/02/09/cambodia-free-forcibly-returned-critic-hun-sen>.

<sup>14</sup> An Hai, “Hanoi Court Hands Vietnamese Blogger 10-Year Prison Sentence,” Voice of America, March 10, 2020, <https://www.voanews.com/a/press-freedom-hanoi-court-hands-vietnamese-blogger-10-year-prison-sentence/6185578.html>.

<sup>15</sup> Yimut Sutthichaya and Thaweeporn Kumentha, “Bangkok-Phnom Penh deal? Deportation of Sam Sokha and uncertain future of Thai exiles,” Prachatai, February 23, 2018, <https://prachatai.com/english/node/7645>.

<sup>16</sup> “China: Transnational Repression Case Study,” in Nate Schenkkan and Isabel Linzer, *Out of Sight, Not Out of Reach: The Global Scale and Scope of Transnational Repression*, (Washington, DC: Freedom House, 2021), <https://freedomhouse.org/report/transnational-repression/china>.

<sup>17</sup> Edward Wong and Poypiti Amatatham, “Ignoring Protests, Thailand Deports About 100 Uighurs Back to China,” *New York Times*, July 9, 2015, <https://www.nytimes.com/2015/07/10/world/asia/thailand-deports-uighur-migrants-to-china.html>.

<sup>18</sup> Office of the National Security Council, Office of the Prime Minister, “The National Security Policy and Plan (2019-2022),” Accessed May 18, 2022, <https://www.nsc.go.th/wp-content/uploads/2020/05/The-National-Security-Policy-and-Plan2019-%E2%80%93-2022.pdf>.

<sup>19</sup> Interviews conducted by in-country analysts for Freedom House, October 2021.

<sup>20</sup> “Lao rights activist held in Thailand for deportation released on bail,” Radio Free Asia, February 1, 2022, <https://www.rfa.org/english/news/laos/thailand-activist-02012022142636.html>; “Cambodian refugee monk arrives in Switzerland following brief arrest in Thailand,” Radio Free Asia, December 12, 2021, <https://www.rfa.org/english/news/cambodia/monk-12132021213210.html>.

<sup>21</sup> “People of concern” as defined by UNHCR include those who have been forcibly displaced (refugees, asylum seekers, internally displaced people); those who have returned home within the previous year; those who are stateless; and other groups of concern to whom UNHCR has extended its protection or provided assistance on a humanitarian basis. UNHCR, “Refugee Data Finder,” Accessed May 18, 2022, <https://www.unhcr.org/refugee-statistics/insights/explainers/forcibly-displaced-pocs.html>.

<sup>22</sup> UNHCR, “UNHCR in Thailand,” Accessed May 18, 2022, [https://reporting.unhcr.org/document/541](https://www.unhcr.org/th/en/unhcr-in-thailand#:~:text=At%20present%2C%20Thailand%20continues%20to,480%2C000%20persons%20registered%20by%20the;UNHCR, “Thailand Fact Sheet,” June 30, 2021, <a href=).

<sup>23</sup> Amnesty International, “Thailand: Between a rock and a hard place,” Document reference ASA 39/7031/2017, September 28, 2017, <https://www.amnesty.org/en/documents/asa39/7031/2017/en/>.

- <sup>24</sup> Amnesty International, “Thailand: Between a rock and a hard place,” Document reference ASA 39/7031/2017, September 28, 2017, <https://www.amnesty.org/en/documents/asa39/7031/2017/en/>.
- <sup>25</sup> Refugees and asylees can pursue migrant worker registration through a nationality verification process as a way of obtaining basic rights in Thailand. Additionally, while UNHCR status does not necessarily offer protection, refugees are sometimes able to avoid arrest by presenting identification cards issued by UNHCR to the arresting officers. Amnesty International, “Thailand: Between a rock and a hard place,” Document reference ASA 39/7031/2017, September 28, 2017, <https://www.amnesty.org/en/documents/asa39/7031/2017/en/>.
- <sup>26</sup> UNHCR, “Thailand Fact Sheet,” June 30, 2021, <https://reporting.unhcr.org/document/541>.
- <sup>27</sup> Section 17 of the Immigration Act gives the Minister of Interior the power, with the approval of the Cabinet, to allow aliens or groups of aliens to remain in Thailand or to be exempted from application of the law.
- <sup>28</sup> Amnesty International, “Thailand: Between a rock and a hard place,” Document reference ASA 39/7031/2017, September 28, 2017, <https://www.amnesty.org/en/documents/asa39/7031/2017/en/>.
- <sup>29</sup> Emily Fishbein and Nu Nu Lusan, “Fear and uncertainty for Myanmar dissidents in Thailand,” Aljazeera, September 13, 2021, <https://www.aljazeera.com/news/2021/9/13/myanmar-dissidents-face-fear-and-uncertainty-in-thailand>.
- <sup>30</sup> Amnesty International, “Thailand: Between a rock and a hard place,” Document reference ASA 39/7031/2017, September 28, 2017, <https://www.amnesty.org/en/documents/asa39/7031/2017/en/>. According to research conducted by the in-country analyst for Freedom House, local officials often do not know the difference between migrants and persons of concern.
- <sup>31</sup> Amnesty International, “Thailand: Between a rock and a hard place,” Document reference ASA 39/7031/2017, September 28, 2017, <https://www.amnesty.org/en/documents/asa39/7031/2017/en/>.
- <sup>32</sup> Bhanubhatra Jittiang, *Balancing Security and Humanitarianism: The Thai Government’s Response to Urban Forcibly Displaced Persons*, (University of Wisconsin-Madison: Doctor of Philosophy Dissertation, 2019).
- <sup>33</sup> Themba Lewis and Daniel Davies, “A new era for refugee protection in Thailand?” *Bangkok Post*, March 19, 2020, <https://www.bangkokpost.com/opinion/opinion/1881970/a-new-era-for-refugee-protection-in-thailand->.
- <sup>34</sup> Bhanubhatra Jittiang, *Balancing Security and Humanitarianism: The Thai Government’s Response to Urban Forcibly Displaced Persons*, (University of Wisconsin-Madison: Doctor of Philosophy Dissertation, 2019).
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