

No. 52101/ 554



PERMANENT MISSION OF THAILAND
GENEVA

October B.E. 2560 (2017)

Dear Sirs and Madam,

With reference to your joint letter Ref. AL THA 5/2017 dated 7 September 2017 requesting the Royal Thai Government to provide information regarding the death of Mr. Paras Ijaz, a Christian-Pakistani national, and the Permanent Mission's letter No. 52101/524 dated 12 September 2017 informing that the said case had been forwarded to the relevant agencies, I have the honour to transmit herewith a response, as received from the Immigration Bureau under the Royal Thai Police and compiled by the Ministry of Foreign Affairs of Thailand. I hope that the clarification provided will help address your concern on this matter.

In reassuring you of Thailand's continued commitment to cooperating with all Special Procedures under the Human Rights Council to promote and protect the human rights of all people, I remain,

Yours sincerely,

(Sek Wannamethee)

Ambassador and Permanent Representative

Mr. Dainius Puras,

Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health;

Mr. Jose Guevara,

Chair-Rapporteur of the Working Group on Arbitrary Detention;

Ms. Agnes Callamard,

Special Rapporteur on extrajudicial, summary or arbitrary executions;

Mr. Felipe Gonzales Morales,

Special Rapporteur on the human rights of migrants;

Office of the United Nations High Commissioner for Human Rights,

GENEVA.

Clarification on the case of Mr. Paras Ijaz

Case of Mr. Paras Ijaz

- Charged and found guilty of illegal entry into Thailand, Mr. Paras Ijaz had been kept in custody of the Immigration Bureau of Thailand since 4 June 2016. The Immigration Bureau of Thailand was aware of his heart condition and he was regularly transferred to the Police General Hospital in Bangkok for medical treatment.
- On 27 May 2017, Mr. Paras Ijaz complained of chest pain and he was rushed to the hospital. Despite all the efforts to help him, he passed away en route to the hospital, due to respiratory and blood circulatory system failure.
- The Immigration Bureau reaffirms its commitment to adhere to the treatment of detainees based on international standard and humanitarian principles. In case of emergency, nurses and police officers are on standby to deal with such occurrence.

Thailand's Policy towards Urban Asylum Seekers/Refugees

- Thailand takes note of concerns regarding Pakistani Christian and Ahmaddiyah asylum seekers in Thailand. We have been approached by several individuals, groups, and organisations on this issue.
- As a major country of transit and destination, Thailand has long been affected by mass influx of illegal migrants. We have sheltered over a million refugees and displaced persons from various conflicts for the past 4 decades, with 100,000 displaced persons from Myanmar still remain under our care even today. We have also shouldered a large group of maritime irregular migrants from Rakhine and Bangladesh, as well as approximately 7,000 Persons of Concern to UNHCR in urban settings, including 4,473 from Pakistan.
- While Thailand is not party to the 1951 Refugee Convention, we have long been committed to our humanitarian tradition, as our track record shows.
- We do not wish to see our tradition of humanitarianism and goodwill being taken advantage of, and we are working hard to foster a right balance between enforcing the laws to curb negative impact of irregular movements and the humanitarian principle that Thailand has long adhered to.

Pakistani Urban Asylum Seekers/Refugees

Overall Situation

- In recent years, hundreds of both legal and illegal migrants have sought asylum with the Office of UNHCR in Bangkok, with more than half coming from Pakistan.

Humanitarian Assistance for Those in Custody

- Care:
 - Thailand Immigration Bureau and relevant agencies have strived to provide the best possible care to these migrants in custody, based on international humanitarian principle, despite challenges associated with resource constraints.

- They are provided with meals, appropriate sanitation, childcare, and healthcare. Medical doctors are stationed there daily to provide healthcare services, and in case of emergencies, patients are referred to hospitals for treatments immediately.

- We have also given permission and facilitated relevant foreign embassies, international organisations, including the UNHCR and the IOM, as well as several NGOs to access the detention centres to provide further humanitarian assistance to these groups of people as much as possible.¹

- Bail: Thailand is aware of difficulties faced by some of these migrants, especially those who are believed to have fled their countries for fear of persecution and therefore should not be detained. Today, the majority of Pakistani migrants with UNHCR's status have been granted bail.

- In view of recent security events, both domestic and international, the Thai government had to take a rigid approach on the issue of bail. We will still consider granting bail to those in need of special medical care that cannot be provided inside the IDC.

- Expansion of Detention Centres:

- Thailand has recognised overcrowding situation in the Immigration detention centres. We have allocated more budget to expand detention centres and improve the living conditions of these individuals.

- At present, we are in process of constructing a new building in Pathumthani Province to replace the Bangkok Detention Centre. The budget of 488 million baht has been allocated for this project.

Solutions

- Screening System of Asylum Seekers/Refugees:

- In a bigger picture, the Thai authorities are working closely with the UNHCR and studying screening and alternatives to detention models that might be appropriate and applicable to Thailand.

- On 10 January this year, Thailand's Cabinet recently approved in principle, a proposal to finalise and implement a screening system for undocumented immigrants and refugees and tasked the Royal Thai Police the task of discussing with relevant line agencies on the details of the Screening system.

- The Royal Thai Police and the Immigration Bureau are currently discussing the details of this system. Meanwhile, we hope that in the long run, the system will set a sustainable solution for this issue, so that protection and assistance will be provided to those with genuine protection need.

- Resettlement:

- Thailand has been working closely with UNHCR to arrange and accelerate resettlement for those found to be genuine refugees by the UNHCR.

- With the world's focus shifted to emergency situations elsewhere in the world and limited resources to draw from, resettlement can take a long period of time. Despite the

¹ In detail, once detainees are admitted to the Immigration Centre, they are screened by gender, age, nationality, and conduct, and are placed separately as deemed appropriate. Detention facilities and surroundings are cleaned every day, and sterilised every month. Appropriate sanitary apparatus, for example the sewage system, are installed to ensure proper sanitation for those housed in the detention centres.

- Meals are provided for all, every day, 3 times a day, and food provided is checked for quality and nutritional values. NGOs are also engaged in providing suitable food supplements to these people too.

- Daily exercises and cultural activities, such as Family Day, Songkran Day, and religious activities, are organised for detainees as a way to relieve possible stress. Representatives from respective embassies and diplomatic missions, as well as NGOs are allowed to visit and give assistance during the scheduled time slots.

challenges, Thailand is still working hard to cooperate with the UNHCR and resettlement countries to expedite resettlement processes.

- Repatriation:

- We have had very successful cooperation with the Bangladesh Embassy in Bangkok in repatriating more than 1,500 illegal migrants who have been proven to be Bangladeshi nationals back to Bangladesh.

- For those who had to endure lengthy and time consuming processes for refugee status determination and resettlement, and the diminishing prospects for a future outside Thailand, some, including Pakistanis, might reconsider and seek to return to their country of origin on a voluntary basis. We stand ready to liaise with concerned authorities to expedite this process.

- Spreading Correct Information on the Pakistani Urban Cases in Thailand

- According to the UNHCR, many Pakistanis who seek asylum in Thailand received false information from human smuggling networks that those transiting in Thailand will be guaranteed refugee status from the UNHCR and resettled in a third country.

- In reality, the UNHCR does not and cannot guarantee the refugee status or the resettlement eligibility. On the contrary, they will have to be detained at the IDC while the application is being processed.

- Thailand has already requested the UNHCR to find measures to disseminate correct information to potential asylum seekers leaving Pakistan to Thailand for this purpose.

- Entering Thailand With a Legal Visa:

- Pakistani nationals, regardless of their religious beliefs, are welcomed to enter and work in Thailand provided that they have a legal and appropriate visa.

- The Royal Thai Embassy in Islamabad is ready to provide assistance in this regard. We are working closely with the Government of Pakistan in promoting this channel of safe and legal migration.
