

TO: The Chair of the ASEAN Intergovernmental Commission on Human Rights (AICHR)
CC: Thailand's Representative to the ASEAN Intergovernmental Commission on Human Rights (AICHR)

Bangkok, 20 March 2025

Your Excellency,

We hope this message finds you well. We wish to express our deep concern regarding the recent deportation of 40 Uyghur individuals by the government of Thailand to the People's Republic of China, an action that poses a serious threat to their lives and well-being and undermines international protection and the rule of law. We would like to call on you to use your diplomatic influence as well as initiate and support an investigation into this concerning case of refoulement.

We understand that these individuals had all applied for international protection as refugees with the United Nations, and as such, they should have been afforded special protection as asylum seekers. Regrettably, their forced deportation appears to violate Thai national law,¹ international law² and Thailand's obligations under the ASEAN Human Rights Declaration.

In light of these developments, and drawing on the mandate of the ASEAN Intergovernmental Commission on Human Rights—as specified in Paragraph 4.10, which mandates the Commission to obtain information from ASEAN Member States on the promotion and protection of human Rights—we **respectfully urge AICHR to take appropriate measures to review Thailand's actions**. While we recognize that the ASEAN Human Rights Declaration is non-legally binding, we believe that Thailand's actions merit a thorough review to ensure that they align with the region's collective commitment to human rights protection. Specifically, we request a thorough examination of the following Articles:

- **Article 11:** Every person has an inherent right to life, which shall be protected by law, and no person shall be deprived of life except in accordance with the law.
- **Article 12:** Every person has the right to personal liberty and security, and no person shall be subject to arbitrary arrest, search, detention, abduction, or any other form of deprivation of liberty.

¹ [Article 13 of Thailand's Prevention and Suppression of Torture and Enforced Disappearance Act](#), which came into force on 22 February 2023, codifies the principle of non-refoulement by prohibiting state officials from expelling, deporting, or extraditing individuals to countries where there are substantial grounds for believing that they would be at risk of torture, cruel, inhuman or degrading treatment, or enforced disappearance.

² [The principle of non-refoulement is complete prohibition in cases where there is a real risk of torture, ill-treatment, or other irreparable harm upon their return](#), contained in Article 3 of the Convention against Torture. It is also referred to in Article 7 of the International Covenant on Civil and Political Rights and Article 14 of the Universal Declaration of Human Rights.

- **Article 14:** No person shall be subjected to torture or cruel, inhuman, or degrading treatment or punishment.
- **Article 16:** Every person has the right to seek and receive asylum in another state, in accordance with the laws of such a state, and applicable international agreements.

We strongly urge AICHR to engage with the Thai government in a concerted effort to protect the rights of these individuals and prevent further harm. It is crucial that immediate steps be taken to ensure their protection, in accordance with international human rights standards and Thailand’s obligations under both domestic and international law.

The deportation, which occurred on 27 February 2025, raised alarm across ASEAN. The 40 Uyghur individuals were transported in sealed trucks under the cover of night, following Thai government denials that they would be deported³. Despite widespread concerns raised prior to this by other governments⁴, UN experts⁵ and human rights organisations⁶, regarding their safety and the risks they face upon return to China. Thailand’s action is particularly troubling as it marks the second such instance, following the deportation of 109 Uyghur individuals to China in 2015, whose fate remains unknown⁷, and which sparked an international outcry.

In addition to the international condemnation, the UN Office of the High Commissioner for Human Rights (OHCHR) and numerous human rights organisations have repeatedly raised concerns about the systematic violations faced by the Uyghur population in China, including mass detention, forced labor, and genocide. In 2022⁸, the OHCHR concluded that China’s actions “may constitute crimes against humanity.” Thailand’s actions, in this context further compound concerns of complicity.

The urgency of the situation was made clear by several letters⁹ from the Uyghur group¹⁰ sent over the last few months, who personally appealed to the Prime Minister of Thailand, urging her not to

³ <https://www.nationthailand.com/blogs/news/general/40045283>

⁴ <https://www.voanews.com/a/rubio-vows-to-oppose-thai-uyghur-deportations-as-us-secretary-of-state/7942121.html>

⁵ <https://www.ohchr.org/en/press-releases/2025/01/thailand-must-immediately-halt-deportation-48-uyghurs-china-un-experts>

⁶ <https://www.hrw.org/news/2025/01/17/thailand-dont-send-uyghurs-china>

⁷ https://www.youtube.com/watch?v=EeCW_wwGVhA The only known information is that several of the 109 were filmed in Chinese media footage detained in a facility in Urumqi 16 days after return, denouncing Uyghurs who left China. No further information is available as to the group’s whereabouts.

⁸ <https://www.ohchr.org/en/documents/country-reports/ohchr-assessment-human-rights-concerns-xinjiang-uyghur-autonomous-region>

⁹ <https://apnews.com/article/uyghur-china-deportation-thailand-xinjiang-human-rights-d6f813654cf40ce464bc19203a226de0>

¹⁰ <https://world.thaipbs.or.th/detail/mp-refutes-claim-uyghurs-returned-to-china-of-their-own-free-will/56684>

deport them to China due to the grave risks they face. The men were also on hunger-strike for 19 days in January asking that they not be deported and requesting access to UNHCR¹¹.

Key questions to investigate include:

1. Does Thailand's refoulement of Uyghur individuals constitute a breach of its commitments made in the ASEAN Declaration on Human Rights, section 11, 12, 14 and 16?
2. What steps were taken to ensure respect for the obligation of non-refoulement binding on Thailand as a Party to the ICCPR, CAT, and as a matter of Customary International Law – forbidding states to send people back to a country where their life is at risk and where they face torture and cruel, inhumane, and degrading treatment or punishment?
3. Was the prolonged detention of these 40 Uyghurs arbitrary in violation of the ASEAN Declaration on Human Rights under Section 12, and under international human rights law and international custom?
4. Did Thailand permit access to UNHCR who is mandated to provide protection to refugees wherever they are whether Party to the Refugee Convention or not?
5. Evaluating the current well-being of the Uyghurs who were deported now, and assessing and documenting violations that have taken place and whether and how Thailand will continue to monitor and safeguard all 40 individuals safety who it has forcefully deported.
6. Issue guidance in line with ADHR to inform Thailand's treatment and safeguarding of the five known remaining Uyghur refugees detained in Thailand. This is of concern particularly when the Ministry of Justice has indicated they intend to deport them upon completion of their sentences for offences related to an escape attempt.¹²

We respectfully call for AICHR intervention by initialing an investigation lead by AICHR Thailand, to prevent further deportations and to ensure that Thailand upholds its commitments to human rights, including the principle of non-refoulement, as stipulated by international law.

Should you require further information or clarification on this matter, please do not hesitate to contact me directly. We strongly urge ASEAN to take immediate action to prevent future refoulement and to encourage member states to make good on their commitment to protecting the rights of individuals at risk.

We thank you for your attention to this urgent and important issue and look forward to your response regarding this matter at the earliest opportunity.

Sincerely,

1. Act for Peace
2. Altsean-Burma
3. ASEAN Parliamentarians for Human Rights (APHR)

¹¹ <https://www.nytimes.com/2025/01/19/world/asia/uyghurs-thailand-hunger-strike.html>

¹² <https://www.amarintv.com/news/politic/507683>

4. Asia Human Rights and Labour Advocates (AHRLA)
5. Asia Pacific Network of Refugees (APNOR)
6. Asian Forum for Human Rights and Development (FORUM-ASIA)
7. Asylum Access Thailand (AAT)
8. Coalition for the Rights of Refugees and Stateless Persons (CRSP)
9. Cross Cultural Foundation (CrCF)
10. Equal Asia Foundation (EFA)
11. Fortify Rights
12. Friends Against Dictatorship (FAD)
13. HOST International Thailand
14. HOPE Worldwide-Pakistan
15. Human Rights and Development Foundation (HRDF)
16. INHURED International
17. International Detention Coalition (IDC)
18. Labor Network for People's Rights
19. Manushya Foundation
20. Migrant Working Group (MWG)
21. Milk Tea Alliance Thailand
22. Overseas Services to Survivors of Torture and Trauma
23. Peace Rights Foundation (PRF)
24. People's Empowerment Foundation (PEF)
25. People Serving People Foundation (PSP)
26. Prorights Foundation
27. Rangsit and Nearby Area Labor Union Group
28. Refugee Council of Australia (RCOA)
29. Rohingya Maiyafuinnor Collaborative Network (RMCN)
30. Rohingya Youth Initiative (RYI)
31. Settlement Services International Limited (SSI)
32. SUAKA
33. Thailand Migration Reform Consortium (TMR)
34. Thai Suzuki Labor Union
35. The Student and Worker Union of Salaya