



**Statement of the National Human Rights Commission of Thailand (NHRCT)
on the Arrest of a Vietnamese Individual belonging to the Montagnards Ethnic Group**

On 6 June 2024, the NHRCT received a request from a civil society organization for assistance in case of the imminent arrest of Mr. Y Quynh BDAP, a Vietnamese activist belonging to the Montagnards ethnic group.

Upon preliminary inquiry, the NHRCT found that the said individual is in the process of seeking asylum in a third country and is under the protection of the United Nations High Commissioner for Refugees (UNHCR). Thus, there is a reason to believe that returning the said individual to his country of origin could result in harm. The NHRCT then dispatched officials to monitor the situation and coordinate the protection of human rights. A letter was also sent to the Commissioner of the Immigration Bureau, emphasizing the principle of non-refoulement, which prohibits the return of a person to another state where he would be in danger, as provided for in Section 13 of the Prevention and Suppression of Torture and Enforced Disappearance Act B.E. 2565 (2022). The principle is also enshrined in the International Covenant on Civil and Political Rights (ICCPR) and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT), to which Thailand is party and has an obligation to comply.

Subsequently, there have been news reports that Mr. Y Quynh BDAP was arrested on 11 June 2024. Deeply concerned that Thai authorities may deport Mr. Y Quynh BDAP to Vietnam, where he may be at risk of danger, the NHRCT requests the government to proceed with the aforementioned case in a manner consistent with Thailand's international human rights obligations. The Regulation of the Office of the Prime Minister on the Screening of Aliens who Enter into the Kingdom and are Unable to Return to the Home Country of Origin B.E. 2562 (2019) should be implemented to protect individuals from being returned to danger in accordance with the non-refoulement principle. The NHRCT will continue to closely monitor the situation and coordinate with concerned agencies on the case.

The National Human Rights Commission of Thailand

13 June 2024