

UA 117/01

Fear of forcible repatriation

10 May 2001

KINGDOM OF CAMBODIA/  
VIET NAMDien Y Lien  
Maria Nam Linh (f)  
Their five children (four girls, one boy)**More than 150 Vietnamese ethnic minority men, women  
and children**

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A Vietnamese ethnic minority family who fled to Cambodia to escape an official crackdown have reportedly been arrested, and are feared to have been forcibly repatriated to Viet Nam, where they would be at risk of persecution.

Dien Y Lien, his wife Maria Nam Linh and their five children were reportedly detained by Cambodian police in Mondulakiri province on 8 May, and have not been seen since. There are unconfirmed reports that the family may already have been forcibly repatriated.

Dien Y Lien and his family fled from Dac Lac province in Viet Nam in March, to escape an official crackdown on ethnic unrest in the central highlands in February. Around the end of April the United Nations High Commission for Refugees (UNHCR) had reportedly provided them with documents showing they were under UNHCR protection, pending evaluation of their status as asylum-seekers.

Vietnamese asylum-seekers who have been previously forcibly returned from Cambodia to Viet Nam have been ill-treated and sentenced to long prison terms.

**BACKGROUND INFORMATION**

In February there were major demonstrations in the central highlands of Viet Nam in protest over land issues and religious freedom. According to official reports 20 people were arrested. However, unofficial sources report that hundreds of people have been arrested and beaten, and that the security crackdown is continuing.

More than 150 Vietnamese ethnic minority men, women and children have reportedly fled to Cambodia and are in hiding in Mondulakiri province. A group of at least 23 families is said to have arrived in late April 2001. The authorities and the UNHCR are reported to be trying to locate all the possible asylum-seekers. However, according to reports in the Cambodian press, Vietnamese officials are in Mondulakiri offering money for the return of ethnic minority refugees to Viet Nam.

The Vietnamese authorities have made repeated requests for Vietnamese ethnic minority people who have fled the crackdown in the central highlands to be returned to Viet Nam. In March 2001 a group of at least 24 Vietnamese ethnic minority people were arrested in Mondulakiri province. Following international pressure, the Cambodian authorities agreed to abide by the Convention Relating to the Status of Refugees, and allowed the group to apply for refugee status with the UNHCR. They were subsequently resettled in the United States. Cambodian officials have reportedly made commitments not to forcibly repatriate any asylum-seekers.

The ethnic Vietnamese minority and Vietnamese asylum seekers are among the most vulnerable groups in Cambodia. They face widespread discrimination, which is reflected in government policies, and in recent years they have been attacked, forcibly exiled and denied equal protection under the law.

**RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express/airmail letters in English, French or your own language:**

**To the Cambodian authorities:**

- expressing fears for the safety of asylum-seekers Dien Y Lien, Maria Nam Linh and their five children, who were detained on 8 May, and urging the authorities to immediately find out where they are and ensure that they are not forcibly returned to Viet Nam;
- stressing Cambodia's obligation not to forcibly return people to countries where they would be at risk of serious human rights violations, as outlined in Article 33 of the 1951 Convention relating to the Status of Refugees, to which Cambodia is a party;
- urging the authorities to immediately ensure that all provincial authorities are instructed to ensure that more than 150 Vietnamese ethnic minority people who have fled to Cambodia are allowed to seek asylum, and the protection of the United Nations High Commission for Refugees, and that no asylum-seekers or refugees are forcibly returned from Cambodia to any country where they may face serious human rights violations.

**To the Prime Minister of Viet Nam:**

- expressing concern for the safety of Dien Y Lien, Maria Nam Linh and their five children, who may have been forcibly returned to Viet Nam;
- urging him to make public any information about their whereabouts and to guarantee their safety;
- expressing concern that the Vietnamese authorities may be acting contrary to the Convention relating to the Status of Refugees by encouraging the forcible repatriation of asylum-seekers through financial reward.

**APPEALS TO:**

Prime Minister Hun Sen  
Office of the Prime Minister  
Phnom Penh  
Kingdom of Cambodia  
**Faxes: + 855 23 360666 (if voice, ask for fax)**  
**Salutation: Dear Prime Minister**

Sar Kheng  
Co-Minister of Interior  
Ministry of Interior and National Security  
275 Blvd Norodom  
Phnom Penh  
Cambodia  
**Fax: + 855 23 212708 (if voice, ask for fax)**  
**Salutation: Dear Minister**

Prime Minister Phan Van Khai  
Office of the Prime Minister  
Hoang Hoa Tham  
Ha Noi  
Socialist Republic of Viet Nam

**Fax:** + 844 825 9205 (c/o Ministry of Foreign Affairs)  
+ 844 826 0774 (c/o Ministry of Interior)

**COPIES TO:** diplomatic representatives of the Kingdom of Cambodia and Viet Nam accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 18 June 2001.