

Immediate Action Needed in Response to Killing of Karenni Refugee

On December 15, 2007, 17-year-old Karenni refugee Aie Oo died from a gunshot to the face after a confrontation between Thai Interior Ministry officials and Ban Nai Soi refugee camp residents turned violent. A Mae Hong Song-based Karenni media organization reported that Aie Oo was shot by an Interior Ministry security volunteer. Wachira Chotiroserani, the camp commander and district chief, conceded that tensions had grown between camp residents and the Interior Ministry's security volunteers. An editor of a Mae Hong Song-based Karenni newspaper reported that several previous disputes had occurred and the problems of harassment, torture and abuse of power by security volunteers had never been solved.

The Burma Lawyers' Council expresses its deep sympathies to the family of Aie Oo and urges all concerned parties to take immediate action to ensure that justice is served and the situations in Ban Nai Soi camp and all other refugee camps are rectified. Specifically, the BLC recommends:

- 1) Legal action should be taken against the individual who shot Aie Oo. Although an investigation, autopsy and fact-finding report are reportedly underway, these are merely the first steps to a proper resolution of this case. Any time lethal force is used by an enforcement official against an unarmed victim, a neutral judicial body should hear the case.
- 2) The Thai government must provide sufficient compensation to Aie Oo's family for their tragic and unjustified loss.
- 3) The Thai government must establish an effective criminal justice mechanism for refugees that will help prevent the repeat of similar incidents in the future. Such a mechanism will allow refugees to seek justice against security force abuses before the tensions rise to the point of outright violence. This mechanism should address:
 - The language difficulties of refugees in Thai courts. There should be adequate interpreters provided at no cost to the refugees.
 - Transportation obstacles. Refugees often have to travel long distances to reach courts, make numerous trips, and face harassment by officials at checkpoints.
 - No effective complaint procedure. Currently, there is no clear complaint procedure, which leads to confusion and ineffectiveness. Moreover, refugees' complaints are usually not taken seriously and rarely acted upon.
- 4) Refugees should obey current Thai laws and avoid resorting to violence to resolve disputes. Every Thai province has a government office of "Justice for All", which provides financial compensation for victims, assistance for victims recovering from mental distress, and other judicial support. Refugees should use this office to ensure their rights are enforced.

- 5) The Thai government must educate all of its security personnel on refugee rights and that refugees must be treated with dignity and respect. There must be clear guidelines about use of force so that no other similarly tragic events occur.
- 6) The Office of the UN High Commissioner for Refugees, Thai NGOs and concerned international organizations should use their resources and experience to help improve the security and justice systems in the refugee camps.

The BLC has published an extensive analysis on the rule of law in the refugee camps, which is available at no charge upon request.

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