

INSECURE LEGAL STATUS OF REFUGEE: RIGHT TO FREEDOM FROM ARBITRARY DETENTION AND FREEDOM OF MOVEMENT - A CASE STUDY OF PAKISTANI AHMADI REFUGEES IN THAILAND

AMIT KUMAR SINGH      5337379 HPHR/M

M.A. (HUMAN RIGHTS)

THESIS ADVISORY COMMITTEE: YANUAR SUMARLAN, Ph.D., MICHAEL GEORGE HAYES, Ph.D.

ABSTRACT

The tussle between International human rights regime and State's sovereignty is apparent in the way governments arbitrarily arrest and restrict freedom of movement of refugees ignoring their International human rights obligations and International refugee protection standards. Against this backdrop, this research seeks to examine insecure lives of Pakistani Ahmadi Muslim refugees in relation to the freedom of movement and freedom from arbitrary arrest in Thailand.

This thesis has argued that harsh treatment of Pakistani Ahmadi refugees' is contrary to Thailand's human rights obligations. Extending this argument at a conceptual level the author suggests that state could provide more humane treatment to refugees if bail-out process is a regular part of Thai refugee's management practice.

This research applies qualitative methods specifically in-depth interviews, desk research and participatory observation to focus on inhuman treatments in detention, structural constraints, discrimination and deprivation of refugees' rights. In order to examine how insecurity of legal status affects lives of Ahmadi and reshapes their life experiences, a narrative analysis is conducted in the light of International human rights standards, refugee law, court verdict and experts group interview.

Findings of this research revealed that there is a cause-effect relation between legal status and refugee protection, and Thailand's feeble effort is not enough to provide legal security to Ahmadi refugees in Thailand.

KEY WORDS: INSECURITY/ REFUGE/ AHMADI/ DETENTION/ RIGHTS

111 pages