

# United States Senate

WASHINGTON, DC 20510

March 21, 2022

The Honorable Don Pramudwinai  
Deputy Prime Minister and Minister of Foreign Affairs of the Kingdom of Thailand

Dear Deputy Prime Minister,

We are deeply concerned about the worsening humanitarian situation in Burma, and recognize that the ongoing violence poses very real threats to both regional security and Thailand's interests. We appreciate greatly the support that Thailand has already provided and continues to provide to refugees from Burma fleeing violence. We applaud Thailand's enduring generosity, including by providing safe haven for Burmese refugees through successive internal conflicts over many decades. However, the Royal Thai Government can and should do more to help resolve this crisis. That includes working closely with the United States, United Nations (UN) agencies, and non-governmental organizations (NGOs) to facilitate cross-border aid and provide refuge to those fleeing the violence.

Since violently seizing power on February 1, 2021, the Burmese military has killed over 1,600 of its own citizens and detained nearly 10,000 more for protesting the coup, speaking out, or simply supporting the civilian government. International non-governmental organizations estimate that more than 450,000 have been displaced internally and nearly 40,000 have fled across the Burmese border into Thailand and India.

We appreciate the Royal Thai Government's efforts to support many of these vulnerable individuals. However, we have also heard concerning reports of refugees in Thailand being unable to access assistance from UN and NGO humanitarian actors or being pushed back from Thailand into Burma. We urge you to allow unimpeded humanitarian access for civil society organizations and the UN to provide critical assistance, permit refugees to register with the United Nations High Commissioner of Refugees (UNHCR) and to remain in Thailand until a safe, voluntary return is possible, and to follow the international community's norms of non-refoulement for refugees seeking protection. We ask that Thailand allow refugees from Burma to be considered in the new National Screening Mechanism, which could grant temporary legal status to those in need of protection. We also expect that your government will not coordinate on returns with the Burmese junta officials whose violence has driven these refugees across the border. This especially applies to those who would undoubtedly be persecuted or imprisoned upon their return.

The conflict in Burma has resulted in 14.4 million people in need of humanitarian assistance within Burma, many of whom are close to the border with Thailand in Kayah, Karen, and Shan States and whose access to such assistance is limited due to the ongoing violence and the military's politicization of aid. Cross-border assistance provides a critical lifeline for these vulnerable populations and we urge your government to work with the international community

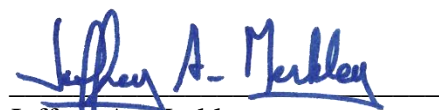
to allow for its increased flow from Thailand into Burma, including in areas not controlled by the regime's military. The international community must work together to support those in need and prevent a mass catastrophe that impacts the stability of the entire region. Providing cross-border assistance will hopefully prevent future refugee flows and mitigate risks to both those fleeing violence and the communities that host them.


Given the critical role civil society organizations play in providing such humanitarian assistance, among other activities that are crucial for a democratic society, we are also very concerned about the proposed Operation of Not-for-Profit Organizations Act. The law as written would enshrine extremely broad prohibitions against non-profit and non-governmental activities. Should this bill become law, humanitarian assistance providers and community-based organizations would be running the risk of legal violations simply for fulfilling their missions, often done in partnership with the Royal Thai Government and the broader international community. Other NGOs doing important work in areas such as Trafficking in Persons and supply-chain verification for U.S. businesses would be similarly imperiled. The non-profit community in Thailand has thrived for many years, providing essential support for Thailand's economic and social development. This law would imperil Thailand's leadership in this sector and threaten both Thai and international NGOs based in Thailand. We urge the Royal Thai Government to eliminate these harmful provisions and keep the law focused on the promotion, rather than the restriction, of NGO activities.

Finally, we urge you to use your voice as a leader and founding member of the Association of Southeast Asian Nations (ASEAN) to continue to press for a resolution to the crisis in Burma. We welcome the steps ASEAN has taken, including its five-point consensus. We also would urge you and your colleagues in ASEAN to have your special envoy for the Burma crisis – now Cambodia's Deputy Prime Minister and Foreign Minister Prak Sokhonn – work closely with the UN Secretary General's special envoy, Noeleen Heyzer. Nearly a year since the consensus was announced, it is clear ASEAN members must do more to push the Burmese regime to implement it, particularly with respect to a cessation of violence and the unhindered provision of humanitarian assistance. ASEAN members must continue to raise the cost for non-cooperation by the Burmese military.

We reiterate our thanks for the support the Royal Thai Government has provided to the people of Burma, including lifesaving humanitarian assistance during this time of crisis. We appreciate the work you have done for decades to support U.S.-Thailand relations and look forward to another 200 years of strong friendship.

Sincerely,

  
Jeffrey A. Merkley  
United States Senator

  
Edward J. Markey  
United States Senator



Richard Blumenthal  
United States Senator



Benjamin L. Cardin  
United States Senator



Richard Durbin  
United States Senator



Ron Wyden  
United States Senator