



Amnesty International Report 2014/15 - Thailand

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Kingdom of Thailand

Head of state: **King Bhumibol Adulyadej**

Head of government: **Prayuth Chan-ocha (replaced Niwattumrong Boonsongpaisan in May, who replaced Yingluck Shinawatra in May)**

Political tensions prevailed through the year and human rights protection weakened. Armed violence continued in the southern border provinces. Freedoms of expression, association and peaceful assembly were severely restricted, leading to the arbitrary arrest of many individuals, some of whom became prisoners of conscience.

Background

Political deadlock between the government and demonstrators dominated the first five months of the year. The military staged a coup in May. Martial law remained in place at the end of the year.

The People's Democratic Reform Committee (PDRC), headed by the former Democrat Deputy Prime Minister, led mass demonstrations calling for the government to be replaced by a people's council to implement political reforms. In March the Constitutional Court ruled the February snap elections invalid. The Electoral Commission postponed polls scheduled for July on the basis of ongoing political violence. The opposition Democrat Party had boycotted polls in February and PDRC protesters impeded thousands of voters from casting votes by blockading polling stations. In May the Constitutional Court ordered Prime Minister Yingluck Shinawatra to step down, and the National Anti-Corruption Commission voted for her impeachment the following day.

On 20 May, the Commander-in-Chief of the armed forces invoked martial law and seized control of the country in a military coup on 22 May, suspending all but a few provisions in the 2007 Constitution. The coup leaders formed the National Council for Peace and Order (NCPO) and announced a reform process and road map, with no clear date for elections. After the promulgation of an interim Constitution in July, the NCPO selected a legislature, which elected NCPO leader General Prayuth Chan-ocha as Prime Minister in August. ^[1]

Internal armed conflict

Armed violence continued in the three southern provinces of Pattani, Yala, Narathiwat and parts of Songkhla.

Security forces were implicated in unlawful killings, and torture and other ill-treatment. In November the authorities announced the provision of 2,700 semi-automatic assault rifles to civilian paramilitary rangers.

Attacks targeting civilians were believed to have been carried out by armed groups through the year, including the bombing of public places. Forty-two members of the civilian administration and nine government teachers were among 162 civilians killed. In a number of instances assailants mutilated the corpses by burning and beheading them. Notes left at the scene in a number of attacks presented the killings as acts of retaliation for killings and arrests by government or paramilitary forces. In November banners were put up in all three provinces, criticizing official policies and threatening further killings of Buddhist civilians, bureaucrats and teachers. In October six schools in Pattani province were destroyed in arson attacks.

Two state-sponsored paramilitary rangers admitted killing three ethnic Malay-Muslim boys aged six, nine and 11, and wounding their father and pregnant mother, in an attack on the family's home in Bacho, Narathiwat, in February. One of the rangers said he carried out the attack because of the lack of progress on investigations into the murder of his brother and sister-in-law in August 2013, in which the children's father, a suspected insurgent, was implicated.

Between January and May, sporadic clashes between supporters of the government and the PDRC, and targeted attacks on demonstrations with weapons and explosive devices, led to the deaths of 28 people and injuries to 825 others.^[2] Targeted attacks by unidentified individuals on prominent politicians and commentators from both sides were also carried out.

Suthin Tarathin, a prominent anti-government protester, was shot dead on 26 January while marching with anti-government protesters to prevent advance voting in the Bang Na district of the capital, Bangkok.

The house of Somsak Jeamteerasakul, a history professor and prominent commentator on Thailand's lese-majesty law, was attacked by unknown assailants who fired gunshots and threw homemade bombs at his home and car on 12 February.

Torture and other ill-treatment

Allegations of torture and other ill-treatment by police and armed forces continued throughout the year, including during incommunicado detention under martial law provisions and by PDRC guards at political demonstrations during the first half of the year.

A bill criminalizing torture and enforced disappearances remained in draft form at the end of the year.

The UN Committee against Torture expressed concern in May at the consistent and widespread allegations of torture and other ill-treatment in the country and inadequate provisions for redress.^[3]

On 24 February, security guard Yuem Nillar said he was detained at a protest site for five days, tied up, denied food and beaten by two PDRC guards before being thrown into a river.

In February the relatives of a soldier beaten to death while attending a military training camp in 2011 agreed a compensation settlement of approximately 7 million baht (some US\$215,000). Private Wichean Puaksom died as a result of torture after taking leave without authorization.

Enforced disappearances

In April, environmental activist Pholachi Rakchongcharoen was believed to have been subjected to enforced disappearance by officials in connection with his activities to seek redress for human rights violations in Kaengkrachan National Park, Petchaburi Province. He was last seen on 17 April after being detained and held in custody by the National Park Chief and three other park officials.

Freedoms of expression and assembly

Martial law orders imposed after the May coup remained in place at the end of the year. Freedoms of peaceful assembly and expression were heavily restricted, including a ban on "political" gatherings of more than five people. Following the coup, authorities blocked and shut down websites and community radio stations for weeks or months, and issued orders censoring media criticism of the NCPO.

Protesters were prosecuted in military courts for peaceful acts of protest in the weeks following the coup, including holding up a three-finger salute popularized in the *Hunger Games* films. Arrests of peaceful dissenters continued through the year. Officials continued to restrict and cancel private, public and academic meetings and seminars following the coup, including by arresting participants and requiring individuals and organizations to seek official approval in advance.

Arbitrary arrests and detentions

Hundreds were subjected to arbitrary arrest and detention under martial law powers, including politicians, academics, journalists and activists. The majority were held for up to seven days without charge or trial after being publicly ordered to report to military authorities. Many were convicted of criminal offences for failing to report. The majority of those summoned were required to sign undertakings not to engage in political activities as a condition of release. At the end of the year officials continued to require individuals, including students, lawyers and civil society activists, to report to them privately and to sign such undertakings.

Arrests, prosecutions and imprisonment for acts of peaceful expression criminalized under Article 112 of the Penal Code – Thailand's abusive lese-majesty law – dramatically increased after the May coup; there were at least 28 new arrests and eight convictions. Lese-majesty detainees were consistently denied bail in pre-trial detention and during appeals after conviction.^[4]

Pornthip Mankong and Patiwat Saraiyam were detained in August and charged with lese-majesty for organizing and acting in a play at Thammasat University in October 2013.

Unfair trials

The NCPO expanded the jurisdiction of military courts to allow civilians to be prosecuted for disobeying the orders of the NCPO, offences against the monarchy, and internal security. No right of appeal was allowed.

Impunity

No significant progress was made in addressing widespread official impunity for human rights violations.^[5] The Interim Constitution proclaimed in July provided immunity to the NCPO and its agents from criminal responsibility for human rights violations.

On 28 August, the Criminal Court dismissed murder charges against former Prime Minister Abhisit Vejjajiva and his deputy, Suthep Thaugsuban, for the deaths of protesters during 2010. The Court ruled it had no jurisdiction over the case.

Human rights defenders

Sweeping restrictions on freedom of expression and other human rights under martial law severely limited the work of human rights defenders. Many faced human rights violations as a result of their legitimate activities, including enforced disappearance, killings, attacks,^[6] arbitrary arrests and prosecution.

In May the Royal Thai Army lodged a criminal complaint against Pornpen Khongkachonkiet and her organization Cross Cultural Foundation for "damaging the reputation" of Taharn Pran Paramilitary Unit 41, in Yala province, by requesting an investigation into an allegation of physical assault.

Trafficking in human beings

In June, Thailand was downgraded in the US Department of State's annual report on Trafficking in Persons for failing to adequately address persistent and widespread trafficking of individuals for forced labour and the sex trade.

Throughout the year hundreds of people, including Rohingya from Myanmar, were rescued from camps where they had been held by smugglers in poor conditions for up to six months and subjected to severe violence.

Refugees and asylum-seekers

In the absence of legal protection of the right to asylum, refugees and asylum-seekers remained at risk of arrest, arbitrary and indefinite detention, deportation as illegal immigrants and possible *refoulement*.

Immigration detainees, including refugees recognized by UNHCR, the UN refugee agency, continued to be held in poor conditions in facilities not built for long-term accommodation.

Fears of a crackdown on illegal labour led to some 220,000 migrant workers, mostly Cambodians, leaving the country in June; many later returned.

Death penalty

Death sentences were handed down during the year. There were no reported executions. A pilot project begun in 2013 to remove shackles from death row inmates in Bang Kwang high security prison in Bangkok was ongoing. The project had not been extended to other prisons by the end of the year.

¹. Thailand: Attitude adjustment – 100 days under martial law (ASA 39/011/2014) www.amnesty.org/en/library/asset/ASA39/011/2014/en/aa43e6c9-f42e-4f45-8789-41cee8f2ff51/asa390112014en.html

[2. Thailand: Investigate grenade attack on anti-government protesters \(News story\)](#)
www.amnesty.org/en/news/thailand-investigate-grenade-attack-anti-government-protesters-2014-05-15

[3. Thailand: Submission to the UN Committee against Torture \(ASA 39/003/2014\)](#)
www.amnesty.org/en/library/info/ASA39/003/2014/en

[4. Thailand: Free speech crackdown creating 'spiral into silence' \(Press release\)](#)
www.amnesty.org/en/for-media/press-releases/thailand-free-speech-crackdown-creating-spiral-silence-2014-12-09 Thailand: Release activist imprisoned for allegedly insulting the monarchy (Press release) www.amnesty.org/en/for-media/press-releases/thailand-release-activist-imprisoned-allegedly-insulting-monarchy-2014-09-1; Thailand: Anniversary of activist's arrest a reminder of precarious state of freedom of expression (ASA 39/005/2014)
www.amnesty.org/en/library/info/ASA39/005/2014/en

[5. Thailand: Alleged torture victim denied redress \(Press release\)](#) www.amnesty.org/en/for-media/press-releases/thailand-alleged-torture-victim-denied-redress-2014-10-13 Thailand: 10 years on, find truth and justice for family of Somchai Neelapaijit (ASA 39/001/2014)
www.amnesty.org/en/library/info/ASA39/001/2014/en

[6. Arbitrary detentions continue in Thailand \(ASA 39/008/2014\)](#)
www.amnesty.org/en/library/info/ASA39/008/2014/en Thailand Threats to the lives of village leaders (ASA 39/009/2014) www.amnesty.org/en/library/info/ASA39/009/2014/en

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