



## Thailand

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### Thailand: No Justice in Sight One Year After Bloody Crackdown

**Paris-Bangkok, May 16, 2011. Accountability for human rights abuses perpetrated during the March-May 2010 street protests remains seriously lacking one year following government operations that violently ended the Red-Shirt protests, all the while as the authorities continue to curtail freedom of expression with draconian legislations, said the International Federation for Human Rights (FIDH) and its member organization, the Union for Civil Liberty (UCL).**

Violent confrontations between State security forces and the United Front for Democracy against Dictatorship (UDD) protesters (known as the 'Red Shirts') between March and May 2010 in Bangkok and in several north-eastern and central provinces left at least 92 dead and 1,885 injured. No member of the government and State security forces has been brought to justice for the excessive and disproportionate use of lethal force during clashes with protesters. At the same time, the Thai government has swiftly brought criminal charges against several Red-Shirt leaders and many of their followers, some of whom have been charged with the crime of 'terrorism'.

With sweeping powers granted under emergency laws, the Center for the Resolution of the Emergency Situation (CRES), a nominally civilian but military-dominated body, detained without charge hundreds of suspects in the aftermath of the crackdown for up to 30 days, many in unofficial detention facilities. Information regarding the whereabouts of many of the detainees was withheld from their family and the public for many months.

*"It is shameful that as the country that holds the presidency of the UN Human Rights Council, Thailand continues to drag its feet in delivering justice and determining responsibility for the events in 2010,"* said Souhayr Belhassen, FIDH President. *"Thailand risks further social division and instability if it continues to ignore the urgent need for accountability and this failure will come under heavy scrutiny when Thailand goes before the Human Rights Council in October for its first Universal Periodic Review,"* she further emphasized.

In an open letter dated May 28th, 2010 to Mr. Abhisit Vejjajiva, Prime Minister of Thailand, FIDH and UCL called on the Thai authorities to conduct "an impartial and independent fact-finding mission in Thailand to establish the facts and command responsibility surrounding human rights abuses allegedly perpetrated by all sides since the beginning of the protest, including the on-going use of emergency power to interrogate, detain and arrest protesters and other dissidents." [\[1\]](#)

In July 2010, the government established the Truth for Reconciliation Commission of Thailand (TRCT) to investigate and determine the truth about the political violence in 2010. While FIDH and UCL welcome its establishment, the organizations deeply regret that the Commission has not been granted the necessary subpoena power to obtain evidence and question witnesses, including soldiers and police. According to one Commissioner, requests for information sent to soldiers present in the field during the crackdown remain unanswered. The government's forensic department has also failed to release comprehensive autopsy reports. In its first interim report released in April 2011, the Commission identified the lack of subpoena power as one of the main obstacles to carry out its fact-finding mandate. [\[2\]](#)

The Commission has also stated in its report that the lack of protection for individuals and agencies that may provide valuable information and the fear for retaliation has undermined the truth-seeking process. The Commission also recommends in its report that the authorities should be "wary in applying lese majeste laws during these times of tense political controversy" and should instead "give priority to protecting the basic rights of all parties". [3] Restrictions on freedom of expression and the press are clearly counter-productive to the goal of national reconciliation and are contributing to a climate of fear that is preventing independent investigations from obtaining the whole truth, said FIDH and UCL.

The application of lese majeste laws against peaceful expression of opinions has only intensified since the crackdown, especially in recent months. Notably, the Royal Thai Army filed a lese majeste charge in May 2011 against Dr. Somsak Jeamteerasakul, a historian at Thammasat University in Bangkok, for comments made at a December 2010 public forum that are critical of the monarchy. In March 2011, a Thai court sentenced Thanthawut Taweewarodomkul, webmaster of a Red-Shirt-affiliated website, 13 years in prison for posting messages deemed insulting to the royal family. Many other ordinary citizens have also faced the threat of being charged for the peaceful exercise of their freedom of expression.

*"Not only is there a need to ensure the full cooperation by all government agencies with all requests for information made by the TRCT and any other independent investigations, the authorities must also cease using draconian laws to silence critical voices and stifle public debate regarding the events of 2010 and the underlying root cause and grievances of the various parties,"* stressed Dr. Danthong Breen, Chairman of the Union for Civil Liberty.

***FIDH and UCL have recently issued a joint submission to the UN Human Rights Council for the Universal Periodic Review of Thailand in October 2011. The submission is attached below.***

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[1] See FIDH/UCL, "Impartial and independent investigation a crucial step for national reconciliation and justice," 28 May 2010. Available at: <http://www.fidh.org/Impartial-and-i...>

[2] Interim Report of the Truth for Reconciliation Commission of Thailand (17 July 2010 - 16 January 2011), April 2011, pg. 22.

[3] Ibid, pgs 24 and 26.

<http://www.fidh.org/Thailand-No-Justice-in-Sight-One-Year-After>