

HUMAN RIGHTS IN THAILAND REPORT

March - April 1979

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Bangkok 8

1. The Human Rights Situation

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The CGRS has been active in the promotion of labour relations... of the ILO which... the tripartite labour relations... from the employers and... (1-4-7); three of the employees... from the... (2) and... and... the employers... the government... and the employees... the workers founded... '5-5-5 formula'... labour unions... department... information... elections.

**CGRS moved
New contact address
59 soi srisawat
Pradipat Rd.
Bangkok 8**

I. The Human Rights Situation

Election, an expensive entertainment offered by the government to the Thai people, has passed, without giving serious meaning or a glimpse of hope to the people. The undemocratic constitution with the provisions that give much too much prerogatives to the appointed Senate that finally turns out to have 87 percent of its member from the military, dirty tricks widely used amongst the candidates such as bribe, harass, attack or even murder of other candidate or canvassers, the existence of Martial Law and other oppressive laws and decrees even after election, etc., do not allow even the most optimistic person to hope for a real change in the country or for an improvement in the human rights situation in Thailand.

However, during the time of the election when the government was very susceptible with its image, many groups of people have taken up this opportunity to fight for their justified rights and freedom. Workers in many factories and private enterprises held long and continuous protests and even strikes (despite the existence of Martial Law) against their employers and the government. The pleasing point is not only the victory (though only at the first step) of two long protests and strikes, but also that the workers have taken up the issues which will effect the overall workers and the country, and not for their own benefit alone.

One of the most striking protest was that against the formation of the Labour Relations Committee, an arbitrary body to settle labour disputes. The workers were not satisfied with the new formation of the LRC which was recently worked out by the Labour Department: the tripartite Labour Relations Committee comprising of four representatives each from the employers and employees and seven from the government (4-4-7); three of the employee representatives being picked out from the three labour federations (2 of which are backed by the government and the employers!) and the remaining one from the non-aligned labour unions. The LRC being formed in this way will certainly serve only the government and the employers, and consequently it led to the workers protest. The workers demanded that the formation of the committee be changed to "5-5-5 formula" and that there was a nation-wide election among all labour unions to elect their representatives to the committee. The long protest, lasting for over one month, finally ended with the Labour Department having to cancel the election of the committees and the formation of the LRC to be reconsidered after the April 22 general elections.

Another long protest was that of Workers of Thai Tobacco Monopoly (TTM). The workers carried out a long protest and demonstration against the government's decision to allow the War Veterans Organization (WVO) to import foreign cigarettes. The import would not only affect local cigarette production and tobacco planters, but also on the economy of the country. P.M. Kriengsak Chamanan, Chairman of the WVO, insisted however that the WVO had to earn some money. On 4/4/79

some 6,000 TTM workers staged a demonstration at the Head office building, and later on 9/4/79 some 7,000 workers walked off the job in protest. The P.M. finally solved the problem by appointing a working committee to consider the problem. On 13/4/79 the committee announced that the WVO rights to import foreign cigarets would severely affect national revenue. However, the matter has to be reconsidered by the Cabinet for final decision.

There has been a long preparation and controversy for the celebration of May Day. The government, loosing its face last year because there were so few workers joining the May Day celebration held by the government as the worker unions prefer to perform their own celebration, this year tries every way to hold a "united" May Day celebration at Sanam Luang. A united and grand National Labour Day celebration will help buildingup a good image for the government.

Although it appears on the surface that more freedom are now granted to the people, in fact everybody still has to be very careful with their words and actions. The existence of the Martial Law and the newly revised Anti Communist Activities Act do not allow even the people in the capital to enjoy their freedom and rights. In the countryside, strong communist suppression campaigns that only result in the death and suffering of the innocent victims still continue. It was announced by the government in March that during the first four months of the 1979 fiscal year, over 12,000 million Baht was spent for defence, mostly to improve the efficiency of the armed forces. In April the Border Patrol Police announced that it planned to strengthen its combat force by 4,000 men to fight against the communist insurgents.

Newspaper and newspapermen still face with increasing problems during the past two months. In this short period, three local journalists were shot. On 1/3/79 Wanpen Paisanvisawakit was gunned down to death in Khon Kan by a gunman with M. 16, and later on 13/4/79 a Chantaburi local newspaper and vice president of the Provincial Press Association of Thailand, Sataporn Sirikatipote, was shot dead in front of his house. Before that, an editor of another local newspaper in the same province, Niyom Tantawiat, was shot and severely injured.

The problem of the assassination of journalists was raised in the general assembly of the Provincial Journalist Association of Thailand. It was summarized that the reasons for the assassination are harass were mainly because these journalists have disclosed corruption, opposed the malpractice of influential people or involved in political issue.

Apart from the assassination, newspapermen also face with other problems. On 13/3/79 the police revoked the licence of editor of Matichon newspaper for its report concerning the trip of

ousted Kampuchean Deputy Prime Minister Ieng Sary back to his country through Thailand. Later, the court sentenced a columnist of Daily News newspaper to 4 year imprisonment for Lese Majeste.

Political trials continue to proceed very slowly and CGRS. has been informed of more political and unjust cases that need help. The case of Thongchan Srinual, Sao Saokaew and Boonrurng Sridom has turned to the better. The death sentences earlier put to them by the Supreme Court were commuted to life imprisonment. Three CGRS. workers, Chaiwat Yao-wapongsiri, Sukhon Tantakeyoon and Boontham Chindawong were also set free though there was a delay in the refund of the 300,000 Baht bail money because the judge had used all the money for his personal benefit. (See Part VII of the report)

Eventhough the media are occupied with election game, news about innocent people being tormented, arrested and murdered at will either in big towns or remote areas reaches the eyes and ears of the people everyday. Very few policemen, soldiers and other government officials who misuse their power were arrested - only to be acquitted and set free soon afterwards when the interest and anger of the people die down.

It seems now to a large number of people that neither the election nor the change in the central government will bring any change to their miserable lives. Low voters in the previous election are somehow an indication for such feelings.

II. Election 1979 (Democracy Thai Style)

Despite some rumours of the coups, the election finally took place in Thailand on 22/4/79, attracting only 43.54 percent of eligible voters throughout the country and only 19.45 percent in Bangkok, the lowest percentage for the capital since the first general election in 1933.

The outcome of the election has caused a big surprise, disappointment and wide criticism. However, when P.M. Kriengsak Chomanan made a remark a few days after the election that he had decided to form a new government (in spite of the fact that he had not stood for the election), very few people were surprised with his announcement. The undemocratic constitution that does not demand the P.M. or the Cabinet to be elected representatives and allows the appointed Senators (appointed by P.M.) to control the assembly proceedings and have as equal right as the elected MPs, etc., has not made such an announcement from the P.M. an unpredictable one.

The biggest surprise and upset is the victory of the new Prachakorn Thai Party led by ex-Interior Minister Samak Sundaravej (in ex-P.M. Thanin Kraivixien regime), capturing up to 29 from 32 seats in Bangkok. The party consisting of only new and unknown members stunningly beats the oldest and biggest Democrat Party. The ex-P.M. Kukrit Pramoj's Social Action Party captures the largest number of seats in the countryside and all over the country, whilst the Democrat comes third, following Chart Thai Party. Since none of the Social Democratic Party wins there are no socialist representatives in the House.

Although the SAP wins the largest number of seats in the House of Representatives, it cannot form a government, since its 83 captured seats are still far away from the 225 seats of the Senators (3/4 of the elected representatives) appointed by the Prime Minister. Consequently, it was not a surprise at all when P.M. Kriengsak announced that he would form a new government. So far many winning parties (Sereetham, Chart Thai, New Force, Social Agrarian, Democratic Action) and independent MPs have agreed to support Kriengsak. With this and the support from the 225 appointed Senate, Kriengsak will have enough support for his new government.

It is almost impossible to understand Thai politics after the election without understanding the role and prerogatives of the Senate. The most crucial prerogatives of the Senate under the new parliamentary structure is perhaps the fact that the Speaker of the Senate will be the President of the Parliament and will direct the procedures for the selection of the next Prime Minister of Thailand. The Senate will hold joint session

with the Lower House in considering the Annual Expenditure Budget, in deliberating all bills which are considered to be vital to the national security, the Monarchy and the nations economy, and all emergency decrees promulgated by the government. A no-confidence vote against the Cabinet proposed by the elected MPs would be effective only if more than half of the joint session of the Lower House and the Senate is in favour of the motion.

The 225 Senators appointed by PM. Kriengsak on 22/4/79 are 87% from the military, with only 31 civilians (mostly bussinessmen). There is not a single journalist nor representatives from the labourers amongst the Senators. It is expected that Adm. Sa-ngad Chalawoo, Chairman of the National Policy Council (NPC) will be nominated as Speaker of the Upper House, and that other members of the NPC who have not been appointed Senators will be offered important Cabinet posts in the new post-election government.

Considering the prerogatives of the Senate, its member and its unity in comparison with the elected MPs that come from many various political parties, the 225 Senators will wield considerable influence upon Thai politics in the near future. The elected Lower House could hardly make any major decision without the approval of the Upper House.

Democracy Thai Style starts off again, with powerful military Senators controlling over the elected members of the House, and with (military?) Prime Minister and Cabinet that need not be elected by the people.

III. Misuse of Government Power

1. Policemen Shoots Dead Blacksheep Fellow Policeman and Wife

A policeman and his wife were gunned down in their house in Ranong Province on 15/3/79 in what believed by investigators as an act of revenge by his fellow policemen.

The two victims, Pol. Sgt. Suthat Choopradith (27) and his wife, were sitting in the living room with another policeman when two assailants charged into the house. One of the assailants opened fire at Suthat with an FN rifle, killing him instantly and then turned the gun at his wife who also died on the spot.

After the deaths, all policemen were summoned to have their service pistols and guns examined. It was then discovered that an FN. rifle belonging to Pol.Sgt. Vuthi Cholikor was missing.

Other informed sources said that Pol. Sgt. Suthat had earlier informed the police superintendent about malpractices by four fellow policemen who were subsequently penalised. The four policemen reportedly vowed to take revenge against Suthat.

2. Army Major's Anger Ends in Three Deaths

On 14/4/79 while Pvt. Tongchai Talehuan was doing his duty at the car checking point in front of a military camp in Nakornrajsrima province, Major Wanit Boonsiri 's car came to the spot. Pvt. Tongchai stopped the car for a check. Suddenly the drunken major, who was wearing civilian clothes, fired his pistol at Pvt. Tongchai, who then sprayed his M16 at the major and at the driver who was trying to get off the car. The three all died on the spot.

3. Tambon Headman Defrauds Villagers of Lands

Headman of Tambon Lipasa-ngo in Pattani province cheated lands from 57 families, destroyed rice fields, vegetable gardens, and rubber plantation, arrested opposing villagers and threatened them of lives.

In late May this year, five villagers (age from 56 - 80) petitioned to a newspaper that their lands weretaken by a tambon (sub-division of a district) headman and some local government officials by force. These people said to the villagers that the land belonged to the government and were to be given and shared amongst a larger number of poorer people. But in fact, the land was given to the relatives and 3 wives of the tambon headman.

The villagers said that all of them had been living on the land for over 20 years, and had paid land tax every year. They also said that the headman has destroyed their rice fields, vegetable

gardens, and rubber trees with tractors. Anyone who opposed this would be arrested under endangering society charges or threatened of life.

4. Drunken Highway Policeman Shoots Dead His Partner

A drunken highway policeman gunned down his drinking partner and seriously wounded another policeman after an argument in the central district of Trang province on 22/3/79.

Witnesses said that the two were shot by Pvt. Decha Kaewnam (23), who was drunk at the time. All three were attached to the local highway police. The three, along with several other highway policemen, were drinking in a foodshop. Pvt. Decha Kaewnam had an argument with some of the policemen; he drew his gun and opened fire at his drinking partners. One policeman died instantly and the other one was seriously injured.

5. Policemen and Marines Fight in Foodshop

A group of policemen and marines took time off from 'fighting crime' to fight themselves on 11/3/79, with the resulting brawl leaving several injured.

The brawl broke out at a foodshop in central district of Nakornsrihammarat province. Twelve marines were sitting at a table across from a group of seven policemen. After much guzzling of liquor, an amicable conversation between the two groups turned into name-calling and exchanges of verbal attacks. Glasses were flung and both sides later grabbed empty bottles and started trading blows.

Police, alerted to the brawl, rushed in and joined the fight before breaking it up. Seven marines were taken to police station and released after questioning.

6. Policemen Get Jail Terms for Kidnap

The Appeal Court upheld a Lower Court sentencing of two policemen to 13 years and four months' jail each for kidnapping a business-man on 2/3/79. In addition, the court ordered the two to pay back the 100,000 Baht ransom to their hostage.

The two police corporals, both from Srithop district of Petchabun province, had kidnapped Suwit Phetvithayavej, a sewing machine dealer in the same province, and taken him to Saraburi province during March 8 - April 5, 1976. The police kidnapers later called up Suwit's wife and asked for 500,000 Baht (US\$25,000) ransom. The ransom was later reduced to 100,000 Baht after negotiations and then paid to the kidnapers who in return released Suwit unharmed.

The two policemen pleaded guilty to the charges and was

sentenced by the Lower Court to 13 years and four months in prison each. However, the Public Prosecutor appealed against the verdict, demanding a heavier sentence.

7. Police Chief Arrested for Kidnap

A police chief was arrested on 27/3/79 for involvement in the kidnapping and killing of a millionaire of Chantaburi province.

Pol.Maj. Mani Chandara, police chief of Laem Sing district was taken for questioning on 27/3/79 at the Crime Suppression Division. He was believed to be a mastermind of the kidnap of a millionaire, Huad Limthang, and his three relatives in early March. Huad was killed during the get away attempt and the other three were rescued on 26/3/79.

The police major was later transferred to the Police Department pending further investigation into the case.

8. ISOC Official Rapes a Student

A second year student of a vocational school in Nakornsri-thammarat province reported to the central district police station that she was raped by an official attached to the Internal Security Operation Command, Sinla Suwanrat (21), on 9/3/79.

The student, (19, named not disclosed) said that she went to the movie with the ISOC official, and on the way back was raped by force. After that she was locked up in a house for one day and one night, before she managed to flee. She said that the ISOC. official had threatened her of life if she told anybody or the police about the incident.

The policeman has later called Sinla Suwanrat for investigation.

9. Twenty Policemen Tortment a Civilian

On 20/3/79 while Mrs. Rungravi Tiewratankul was looking for her husband on a street in Bangkok, a police lieutenant attached to a Drug Suppression Division offered to help with the search. After a vain attempt, the policeman took her back home, and tried to took liberties with her. But at that time Rungravi's husband, Tienchai reached home; the policeman fled away in his car. Tienchai shot his gun at the police car out of anger.

Shortly afterwards, Pol. Lt. Pornchai Saengchuto came to the house again, with about 20 other policemen. They opened the house door by force and took Tienchai to the Drug Suppression Division, where he was severely tormented.

Tienchai was severely injured and was later sent to the hospital by his wife. There was no further report on the legal action against the 20 policemen.

10. Policemen Accused of Killing Mr. Baen Kitpadung Were All Acquitted.

On 20/4/79 the military court of Nakornsrihammarat Province acquitted 3 policemen from murder charge. The three policemen were accused of killing Mr. Baen Kitpadung in late November 1977. This case has gained much interest from the southern people, and CGRS. has also reported about his death in the HRTR, Nov. - Dec. 77.

Mr. Baen Kitpadung, aged 28, a worker at Narongchai Transport Company was arrested while going to a cinema in the Central District of Nakornsrihammarat Province by four policemen of the Local Police Station at the Central District at 9 pm. on November 25th, 1977. The four policemen asked to see his I.D. card and then arrested him. Baen resisted, thinking that he was not guilty; therefore, the policemen punched him and took him to the police station. On the next morning, his wife went to the police station, but he was not there. An hour later, the dead body of Baen was found near Kuan-lui road in Ronpiboon District, which was known as a communist infested area. He had been shot in his head and body; his jaw was broken and his face was smashed shapeless. His wrists were cut deeply by handcuffs.

Four days later, his body was paraded around the city; thousands of people and hundreds of mini-buses and lorry drivers joined the demonstration. On the lorry carrying his corpse were some posters, saying "Dead body of 4 policemen's murder victim" and "Baen Kitpadung, aged 28, died of chains, torture, shots, and stabs".

The case was on the front page of many newspaper for many days. Meanwhile the witnesses and everybody concerned were threatened by the police. They dared not be investigated or interviewed. The wife was ordered to withdraw the charges. However, as the case was big and everyone was interested in it the Head of Police Department made an urgent order to investigate the case. Consequently, three policemen, namely, Lance Corporal, Pirom Seeyarak, Policeman Somboon Tepachuen and Policeman Boonchoke Nuannak were arrested. Later on Pol. Maj. Gen. Sakrapee Paimueng, police inspector in charge of the Local Police Station of the Central District, Nakornsrihammarat province, was arrested.

It should be noted that charges were formally placed on the three low-ranking policemen only, and all were acquitted. No charges were filed against the police inspector Sakrapee Paimueng.

IV. Unjust Laws

Anti Communist Activities Act 1979

Among the many unjust laws that exist in Thai society, the Anti Communist Activities Act is perhaps the most unjust, giving the greatest and broadest power to the government to deal with its opponents. The act, being very broad and vague, has been used far beyond dealing with communist suppression alone. It infringes upon the basic rights and freedom of the people, and has made legal the misuse of power and malpractice by government officials and government forces. The Act has also, in contrast to the purpose of its existence ("to ensure the safety and stability of the nation and the people"), caused great suffering among the people and a widening gap between the people and the government.

The Anti Communist Activities Act was first enacted in 1933, one year after Thailand was changed from an absolute monarchy to a "democratic" country. This act was, however, abolished in 1946 after World War II because the Thai government at that time wanted to be a member of the United Nations, and if Thailand still had an Anti Communist Activities Act, the USSR might veto Thailand's membership.

In 1952, ten years after the Communist Party of Thailand was founded, P.M. Piboonsongkram again passed an Anti Communist Activities Act; an Act which he copied from the U.S. Security Act. This Act has been used until the present time, with 3 important revisions being made in 1969 (P.M. Thanom Kittikajorn), in 1976 (P.M. Thanin Kraivixien) and in 1979 (P.M. Kriengsak Chomanand). After each revision, the definition of communist organizations and communist activities has become broader, the restrictions and suppression tougher and the punishment harsher.

The 1979 revision of the Anti Communist Activities Act was made because "the current Anti Communist Activities Act empowers the Director for the Prevention and Suppression of Communist Activities and other officials to prevent and suppress communist activities in the communist infested areas only; however in certain circumstances the suppression has to be carried out outside these areas. Therefore, it is proper that the communist infested areas should be abolished and the power and duty of the Director for the Prevention and Suppression of Communist Activities be revised and improved".**

By abolishing "infested areas" the special powers previously given to authorities only in these areas can now be used over the entire country.

The Directors for the Prevention and Suppression of Communist Activities include the Director General, who will be appointed by the Prime Minister, the Commanders of the four armies, the gover-

* final note of the Anti Communist Suppression Act 1979

nor of each province and other officials such as the police, soldiers and local administrative personnel. The powers and duties which these people have is similar to those assigned to them by Martial Law. Therefore, even after a new government is formed and Martial Law abolished (as promised by P.M. Kriengsak Chomanand), the Thai people still will not enjoy their freedom and rights. The newly revised Anti Communist Activities Act has placed the whole country permanently under Martial Law.

The Power Structure for the Prevention and Suppression of Communist Activities

Director General for the Prevention and Suppression of Communist Activities
(Appointed by Prime Minister)



(Regional) Director for Prevention and Suppression of Communist Activities
(Commanders of the Four Armies)



(Provincial) Director for Prevention and Suppression of Communist Activities
(Provincial governors of every province except Bangkok, Nontaburi, Patumthani and Samutprakarn) *

* These four provinces are directly under the General Director.

The broad and vague definition of 'communist activities' enables the government to easily arrest and detain anyone under communist charges. According to the Act, "communist activities means any action of infestation, propaganda, espionage, sabotage, intimidation or anything else which will lead to -

1. endanger the security of the Nation, the Religion the Monarchy or the democratic form of government with the King as the Head of the State, or
2. change the national economic system whereby private ownership or means of production is expropriated to the state without payment or just compensation, or
3. adjust a new social order where all properties are shared, except that which is done in a cooperative form or otherwise in accordance with the law.

Such a broad definition enables a wide interpretation of the law. For example, what is the "Nation"? If "Nation" means "People", are the corrupt officials, the owners of the illegal factories where

children are forced to work without payment or which cause serious water pollution, 'communists'? And those people who staged a coup against the people's government, killed, and detained thousands of innocent students and people, are they not damaging the security of the nation or the democratic form of government and thus can they be accused of being 'communists'?

The Act allows the administrative officials, soldiers and policemen of 3rd class upwards (eg. police sub-lieutenant) to search or arrest any person at any place and at anytime without warrant. After a person is arrested, he can be detained up to 480 days before charges are formally placed. Given the broad definition of communist activities, it often occurs that innocent people are detained for a long time before it is finally found out that they are not guilty of any crime. (For example, Miss. Srisamorn Suebboonwong and 3 other persons were detained for 162 days and then acquitted. Mr. Witsanu Cholitkul and two other girls were detained for four months and also acquitted. While being detained, Srisamorn was almost raped by a policeman and Witsanu became seriously ill).

The commanders of the four armies are empowered to restrict and prohibit all means of communications. They have the power to censor all letters, telegrams, documents, parcels, etc; to censor or ban the printing, distribution and sale of printed materials, newspapers, pictures, books, etc; to close public highways, air or water routes; to ban TV, and radio broadcasting; and to make a restriction over the ownership or the sale of food, medicines and all other necessities.

The provincial governors are empowered to ban any meeting, advertising or entertainment programmes; to order the owner or the manager of any private business to make a report on the background and behaviour of their employees and give these reports to the officials; to detain any person for interrogation and reeducation for up to 15 days; and to announce a curfew.

Another point of concern in the Act that can lead to a wide misuse of power and killings is section 22, which allows government officials to refuse to permit an autopsy to be performed in deaths "that is considered to be a hindrance to the suppression of Communist activities or which may place officials in dangerous positions". The decision whether to make an autopsy or not can be made by local officials, who then make a report to their authorities.

It should finally be noted again that all these special powers are held by government officials all over the country, and not only in sensitive areas, and that nobody can ask for compensation for any injustices or damages that occur in any of the suppression activities.

The revision of the Anti Communist Activities Act that violates the people's rights and freedom to such an extent reflects the government's inability to suppress the communist movement. In fact, the more restricted and oppressive the Act is, the stronger the CPT. grows.

It is impossible to stop the communist movement in Thailand, which grows from the roots of poverty, economic exploitation and the oppression caused by the misuse of power by government officials, by launching a strong suppression campaigns against the communists that will only result in the death and suffering of innocent people or by the limitation of people's rights and freedom. This will only lead to further conflicts and make people turn away from the government to seek protection elsewhere. It is therefore our view that to avoid further conflicts suffering and death, the extremely powerful and unjust Anti Communist Activities Act that give much too much power to the government and government officials has to be annuled.

V. Report from Up-Country

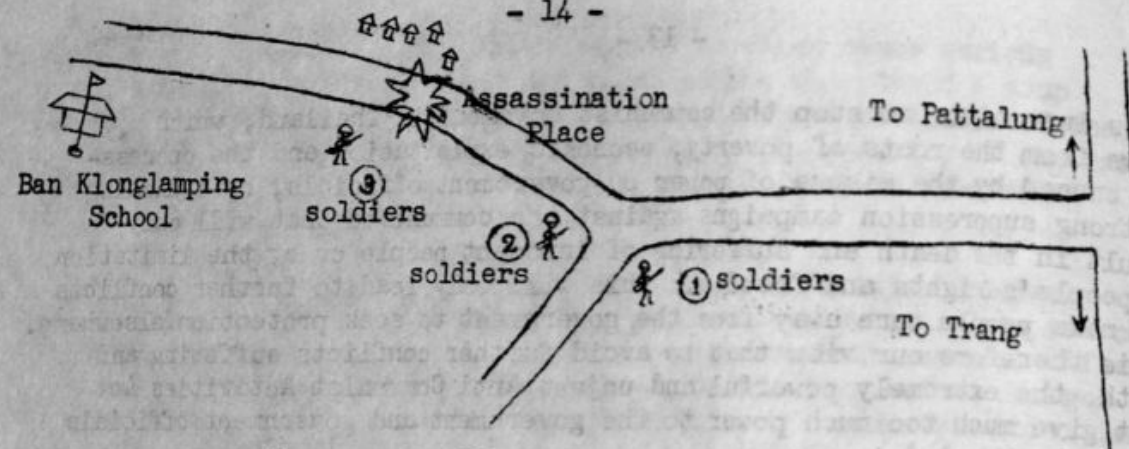
As usual, report from up-country this time will give our readers some pictures of the situation in the country-side, where people are suffering from gross misuse of government power. In spite of changes in the central government, there seems to have been no change at all with the situation in the countryside particularly in the so-called "communist infested areas", where a strong suppression campaign is being carried out on such a wide scale that even innocent people become victims of the arrests, torture and killing. The following two stories, one about the killing of an innocent teacher in Trang province, whose death led to a protest and demonstration of teachers, and the other one about the killing of two villagers in Nakornsrihammarat province, will give our readers some idea of how innocent people are mistaken for being or supporting communists, and consequently are murdered at will.

The Assassination of Mr. Chamnong Raksa

In the early morning of March 26th, 1979, the day when the result of the final examination would be announced to the school children of Ban Klonglampring school, the head-teacher, Mr. Chamnong Raksa, rode his motorcycle from his home to the school. On the way, a group of soldiers from Senanarong military camp stopped him. Chamnong showed his ID. card and told the soldiers that he was going to the school. The soldiers allowed him to go.

Fifty metres further, he met another group of soldiers. These soldiers shot 2 bullets in the air and let him go. But he soon met with the third group of soldiers, who sprayed him with their guns. He died on the spot.

When his wife heard the news, she contacted the soldiers to get his body for an autopsy and a religious ceremony. The soldiers refused, saying that they were afraid of negative rumours. The relatives of the dead man asked the soldiers again for the second time, and finally got the body of Chamnong. There were bullet holes all over his body, and a large dreadful wound in his left cheek.



Chamnong was 29 years old when he died, leaving behind his wife and his 1½ year old son.

The death of the teacher has caused great sorrow, fear and anger among the school children and other teachers. His death is of course not the first death of the innocent. The news about his death spread quickly, while the soldiers tried to distort the truth by saying that the death resulted from an armal clash between soldiers and communist guerrillas and theat Chamnong had refused to stop his bicycle when ordered by the soldiers, etc, etc. Consequently, the teachers in the central district of Trang province, for fear that there would be nobody responsible for their colleague's death, drew up a statement, stating that the death of Chamnong Raksa had resulted from irresponsible action by the government suppression forces. They demanded that the soldiers state the facts behind the killing, that the police make a public report on the autopsy and investigation, that the government give protection to teachers working in sensitive areas, and that there must be a person held legally responsible for the death of Chamnong.

After the first statement, there were many other statements following, but there was no response from the officials. On March 31th, there was a demonstration of 2,000 teachers from every district in Trang, carrying wreaths. When the provincial authorities knew about this demonstration, they made a response to the teachers. Two points were given in the statement; firstly that Chamnong rode his motorcycle into the area where the suppression campaign was being launched, and consequently was shot to death, but the investigating committee was trying to speed up the case, so that legal action would be brought against the criminal, and secondly that the policemen and soldiers had given protection to the lives and property of the people already.

These answers from the provincial government are of course not reliable or satisfactory. To the relatives of the dead teacher and to most people, it is clear that Chamnong did not die in an armed clash by accident, but was murdered on purpose, because he was suspected of supporting the communists.

Chamnong was killed by soldiers, who according the provincial authorities were supposed to give protection to him. How then can the people feel that their lives and property are being protected by police and soldiers who are ready to "get rid" of anyone they suspect?

The Assassination of Two Villagers in Promkiri

On 28th February 1979 while Mr. Pew Sapsarachol (38) was working on a water tank construction near Promloke falls, 3 soldiers in civilian clothes went to him, forced him to lie on the ground and pointed their guns at him. One soldier said to him "I have to do this to prote. myself", the other said "You have had contacts with communist insurgents, haven't you?" But at that moment a woman peasant passed by, and one soldier said to him that this time he survived, because 'a devil protects you'. Before the three soldiers left him, they told him to go to Donca military camp at 16:00 - 18:00.

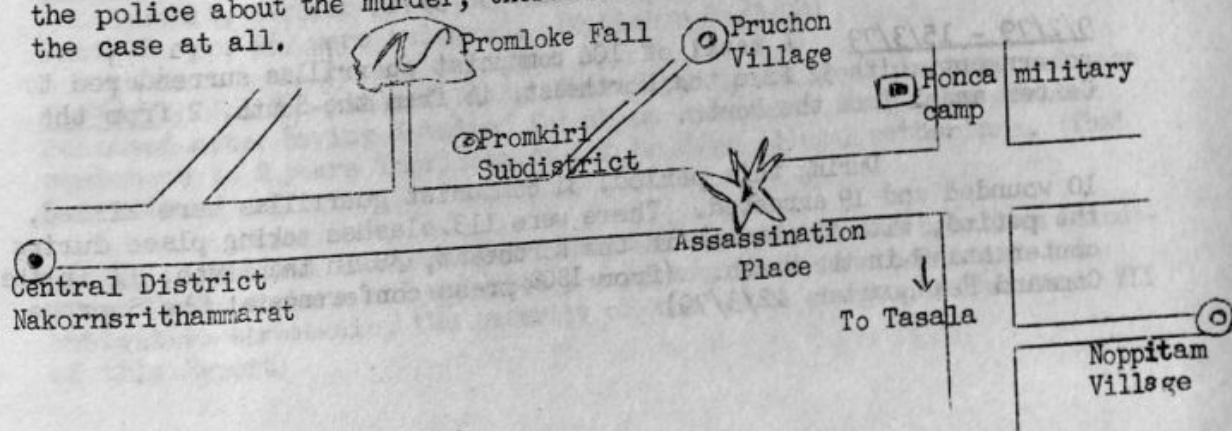
"My husband told those soldiers that he had no contact with the guerrillas, because in fact he had nothing in common with the guerrillas. The next day, hedid go to the military camp, because he recognized the three as soldiers, even though they wore civilian clothes", said Pew's wife.

Pew went to the military camp the next day. His friend, Chanai Chuthai, who used to be a soldier in the air force, followed him to the military camp to explain to the soldiers that Pew was innocent. The two friends came out of the military camp together on a motorcycle. They had not gone very far from the military camp, when they were shot dead on the road by men on another motorcycle.

Pew had long been suspected by the soldiers of being a spy for the guerrillas. "Being a watchman, Pew had to go out of the house at night or early morning, and thus was suspected", said one villager. "But because he was innocent, he did not fear to go out at night, even- though he knew that the soldiers were keeping an eye on him". Pew had been "invited" by the soldiers 4 times before he died. And Chanai ? "The soldiers had to shut him up", said a villager about his death.

One week after the death of the two men from Pruchon village, the village headman was shot and wounded by two soldiers. The village headman, Somchit Morasilp, could however catch the two soldiers, who confessed that they had received an "order" to kill him.

Although the relatives of the 2 dead men have informed the police about the murder, there have been so far no investigation of the case at all.



VI. Arrests and Releases

1. Arrests

- 1/2/79 Three guerrillas, Mr. Surin Prawat, Mrs. Aree Chaikla and Mr. Wichien Niyom surrendered to the government at Nakornsrihammarat. (Daily Time 24/3/79)
- 29/2/79 "Prayut" (code name used in the jungle) was arrested in Nongkai. (Bangkok Post 1/3/79)
- 1/3/79 Mr. Wichit Chongchit, a leading communist guerrilla, surrendered to the government. (Nation 21/3/79)
- 1/3/79 Mrs. Rachanee and Mr. Supachai Chongchit and 4 other guerrillas surrendered to the government at Nakornsrihammarat. (Daily Time 20/3/79)
- 11/3/79 A communist guerrilla (name not reported) was arrested in Yala after a Thai-Malasian Joint Suppression Campaign. (Nation 13/3/79)
- 12/3/79 Eleven peasants were arrested from marijuana field in Lampon province under the charges of illegal gatherings, narcotic drug, and endangering society charges.
- 14/3/79 Mun and Lamun Onnom (63,43), communist guerrillas, surrendered to the government in Trang. (Bangkok Post 16/3/79)
- 15/3/79 Mr. Bunsri Nearnchart and Mr. Kongkaew Saringa were arrested after a government - communist fight in Mae Chaem, Chiangmai province as they were suspected of giving informations to communists. (Bangkok Post 17/3/79)
- 17/3/79 Mr. Samnieng Wuttipong (27) and Mrs. Suda Raksawong (20) communist guerrillas, surrendered at Nakornsrihammarat. (S'engpuangchon 20/3/79)
- 22/3/79 Mr. Teng Petsawan (23), a communist suspect, was arrested from the attack area in Surathani province. (Daily News 23/3/79)
- 29/3/79 Miss. Pin Buasaeng (27), a communist guerrilla, surrendered at Pattalung province. (Bangkok Post 30/3/79)
- 9/2/79 - 15/3/79 A total of 104 communist guerrillas surrendered to government, with 52 from the Northeast, 46 from the South, 2 from the Center and 1 from the North.

During this period, 34 communist guerrillas were killed, 10 wounded and 19 arrested. There were 113 clashes taking place during the period, with 55 clashes in the Northeast, 38 in the South, 11 in the center and 9 in the North. (from ISOC press conference at the Supreme Command Headquarter 22/3/79)

3/4/79 Ten communist guerrillas (names not reported) surrendered at Srisaket province. (Bangkok Post 5/4/79)

5/4/79 Mr. Sithi Chanket (42) was arrested with lots of firearms at Pattani province. He was suspected of supplying those firearms to the Chinese communist guerrillas. (Bangkok Post 6/4/79)

5/4/79 Three villagers were arrested as being suspected of supporting communist guerrillas in Udonthani province. (Bangkok Post 6/4/79)

10/4/79 Six communist guerrillas (names available) ages ranging from 18 - 21, surrendered at Nakornsrihammarat province. (Bangkok Post 11/4/79)

11/4/79 Thirteen people suspected of supporting communists (names not reported) were arrested in Buriram province. (Bangkok Post 15/4/79)

12/4/79 Mrs. Chuenmoey Saechueng (21) and Mr. Suni Saesim (20), communist guerrillas, surrendered at Narathivat province. (Bangkok Post 13/4/79)

14/79 Mr. Winong Promraksa, communist guerrilla, surrendered at Udonthani province. (Ban Muang 12/4/79)

17/4/79 Mr. Chakkri Mongvichit, a communist guerrilla, surrendered at Ubonrajthani province. (Siengpuangchon 25/4/79)

14/79 Mr. Somchai Suthampan (42), captain of a Thai freighter that had accepted 500 Vietnamese boatpeople from a wrecked vietnamese vessel on 8/4/79 was arrested under endangering society charges. He was suspected of organizing the trip for the Vietnamese so as to get money. (Matichon 21/4/79)

Dec 78 - Mar 79 The Supreme Command Information Center disclosed that during this period 231 communist guerrillas were killed in 197 arm encounters with government forces, over 67 being captured and 122 defecting.

2. Releases

22/2/79 Mr. Witsanu Cholitkul, Miss Ratana Intararit and Miss Piyawan Sokolpichit, earlier arrested under communist charges (See HRTR Nov. - Dec. 78 pp. 26) were released. (Matichon 18/3/79)

15/3/79 Joi Noo-yam and Vichai Chaemniyom got a Royal Amnesty and were released after having detained for about one year. They were earlier sentenced to 2 years imprisonment for holding illegal gatherings. (Thai Guard Case)

2/4/79 Chaiwat Yao-wapongsiri, Sukhon Tantakeyoon and Boontham Chinda-wong, CGRS. workers and volunteer, were acquitted from communist and activities threatening the security of the state charges. (See Part VII of this Report)

VII. Activities of CGRS. and Other Human Rights Groups

1. Activities of CGRS.

i. Visiting, Helping Prisoners and Their Families

During the period of March-April 1979 CGRS. still actively continues with its regular activity of visiting and helping prisoners and their families both in Bangkok and up-country. On its visits (at least once a week at every prison in Bangkok, and on a less regular basis at the prisons in the country side), CGRS. provides prisoners with all necessary assistance and also moral support and encouragement. It also gives regular assistance to families of some prisoners, and from time to time arranges for the families to visit the prisoners or attend the trial hearings in Bangkok.

Very often, CGRS. learns about the injustices and suffering that the prisoners have to face. In a hot season like this, the prisoners find it harder to live in the hot crowded jail. In March, CGRS. was informed about the severe punishment on some prisoners in Udom Fka-krong case at the Special Prison of Bangkok. Twenty prisoners (both political and non-political) were severely beaten up because one of them had tried to light a cigarette with electricity (electricity and smoking are forbidden in the prison).

CGRS. also has regular correspondence with the prisoners. From these letters it knows about the prisoners feelings, thoughts, problems, etc. Following is one such letter that CGRS. wants to share with the readers.

Special Prison of Bangkok

9 April, 1979

Dear friends,

I am very happy to receive your letter. I want to thank you again for having made the long trip to visit my family in the south. As you know, only when I or my family face real trouble and difficulties shall we ask for your help, as we know that you have many burdens and responsibilities to bare. I always think that we are lucky to get help from you, but at the same time I am very sorry when I think of other people who are faced with the same problems or have as equal or even more trouble than us. From whom will these people ask for help, even at the time of greatest difficulties? I can imagine my wife working so hard for the survival of herself and our children, can imagine my poor starving children and hundreds of thousands of other children who are in the same condition as my own children. These pictures appear clearly in my mind, causing pain and sorrow in my heart, and rapidly they turn into a firm

confidence and intention to join hand in hand with other justice loving people, to struggle for a better society where there is freedom and equality. The prison can detain only my body, but it cannot lock up my mind from a desire for justice. On the contrary, the more I see all these injustices, the stronger and firmer my desire grows. My hope for the rest of my life is that it should be of greatest use for our society. It is the desire that lies in the depth of my heart, and I cannot describe it as it is.

In the next hearings, when I give my statement, I would be glad if you could take my wife to court, because my wife is one of my witnesses. It would be useful for the case if she could hear my statements, memorize them, and tell them to the witnesses at my home, so that they can make good statement in court.

I send my warm greetings to everybody in CGRS. I am very happy that Chaiwat, Sukhon and Boontham are now free. I always hope that everyone of you will always continue with your struggle for justice, though there might be a lot of barriers.

Sincerely,

Banchob Chuaipan
(Defendant in Udom Ika-Krong case)

ii. Listening to Trial and Providing Legal Aids

CGRS. has been trying hard to ensure justice to the prisoners, that at least they should have legal protection, legal representatives, and fair trials in just courts. CGRS. has not only given direct assistance such as finding experienced defending lawyers for the prisoners, helping raise and arrange bail, etc, but also has been trying to give assistance to lawyers defending political cases, to help organize lawyer groups, organize campaigns for the release of certain groups of or all political prisoners, and so on.

During the past two months, there was a pleasing change in the case of the SURIN THREE. Tongchan Srinual, Sao Saokaew and Bunrurung Sri-Udom were granted an amnesty in accordance with the Royal Amnesty Decree and their death sentences are now commuted to life imprisonment. Although the amnesty has been granted to the three since 27/2/79, the official confirmation was only recently (on 12/4/79 for Bunrurung) done by the court.

With their death sentences having been commuted, the three are now moved from the "execution rooms" to normal detention rooms, and have to work very hard like other convicted prisoners.

The continuous interest and support from our readers and other justice loving people all over the world have played a significant role for the improvement of this case. The Minister of Justice, Sutham Pattakorn, accepted that he had got hundreds of letters asking for

justice to be done to the three. The Minister however said that those who sent the letters were "Russian Communists"! (Matichon 14/4/79)

All the 7 defendants in Omnoi (Supan Pasa-ong) Case have given their statements in court. After that the defendant witnesses began to give their statements. Suchila Tanchainan and Sutham Saengpratum (from Bangkok 19 case), the first 2 witnesses amongst the 29 defendant witnesses, have given useful statements in court in late April.

On 2/4/79 Udom Pka-krong, a teacher arrested under communist charges with 10 other villagers in Nakornsrihammarat, gave long and interesting statements in court. It is estimated that the hearings of the defence witnesses in this case should be finished within a year.

The hearings of prosecution witnesses in other cases, such as the cases of Somboon and Vichai Banlusilpa, Fralom Kaewsuan, etc, proceed in a snail pace with lots of postponements.

iii. Campaign for Bail of Somboon and Vichai Banlusilpa

Since February this year CGRS. has been campaigning to raise money to bail Somboon and Vichai Banlusilpa, the two brothers arrested under communist charges. CGRS. produced a pamphlet, telling about the background of the case, the cause of arrest, and the injustice the two brothers are facing. The pamphlets have been distributed widely so as to ask for contributions towards the 30,000 Baht (\$1,500) need to rent land title deeds to be used as security for the 500,000 Baht bail, also to conscientize people about the case and problems of political prisoners. So far, CGRS. has received almost one third of the money needed, and expects to lodge the court for the bail on May 3rd, 1979.

iv. Producing a slide set on Child Labour

To commemorate the International Year of the Child and to promote the rights of the child, CGRS. has produced a 140 colour slide set on "Child Labour in Thailand". It is estimated that in Thailand there are about 50,000 children under 14 years old in labour market, and the number is increasing every year. Feeling concerned about this problem, CGRS. has produced a slide set, narrating the problem of child labour and its cause. The slides will be shown at the first time at the National Labour Day Celebration on May 1st at Sanam Luang.

v. Release of Three CGRS. Workers

On 2/4/79 the three CGRS. workers, Chaiwat Yao-wapongsiri, Sukhon Tantakeyoon and Boontham Chindawong went to the military court of Nakornsrihammarat. The judge dropped the two serious charges of communism, and activities threatening the internal and external security of the state, and only Sukhon was prosecuted under the charge of bringing too many pills into the restricted areas without permission. He was sentenced to 1,400 Baht fine and after that the three were free from all the charges.

However, when the guarantor (one of CGRS. workers) asked the court to return him the 300,000 Baht (US\$15,000) bail, the chief judge of the military court Col. Udom Sitapawang resisted, telling the guarantor to lodge an appeal for the bail in another 15 days, since the court had no 300,000 Baht available. The colonel accepted that he had used all the 300,000 Baht for his personal interest (sending his son to study abroad and buying a tractor).

On 16th April when we asked for the bail again, the judge still could not give us the money back. He accepted the guarantor's written appeal for the bail, but wrote in that appeal that the money would be paid back on the next day (which is against the law that the bail has to be paid back to the guarantor after the case was over and as soon as the written appeal was lodged). In the morning of 17th April, we got the 300,000 Baht back.

CGRS. has disclosed the malpractices of this corrupted judge in the Thai presses which has gained much public interest. We feel strongly against the injustices and corrupted deeds of the judge who is expected to be the one who preserve justice in the society. One serious reason that the case has been prolonged was because the judge had spent all the bail money for his personal benefits. Naturally, he has tried to prolong the case as much as possible, but finally had to finish the case because of the pressure from his authority who got the local and international pressure from justice loving people all over the world.

It is very difficult to describe how grateful every body in CGRS. is to its overseas friends in their continuous interest and support for the sake of the three, for without this, the case would never have ended so quickly.

2. Activities of Other Human Rights Groups

On March 23-25, the Provincial Journalist Association of Thailand hold an assembly in Songkla province. During the meeting, one important problem that the provincial journalists were facing was raised, and that is that a large number of journalists have been assassinated or threatened of lives in one way or another (15 were killed; 11 were attacked and severely injured, 2 were threatened and 3 were arrested under endangering society charges). The reasons for the assassination, attack, etc. are mainly because these journalists have disclosed corruption, hindered or opposed the malpractice of influential people or involved in political issue.

It was agreed upon by the participants in the meeting that to solve these problems, there should be

1. a committee composed of representatives from 5 press associations in Thailand to follow the case of assassination and attempted assassination closely, and
2. a journalist labour union to protect the rights and freedom of journalists all over the country.