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HUMAN RIGHTS
IN
THAILAND
REPORT
MAY - JUNE
1970

HUMAN RIGHTS IN THAILAND REPORT

MAY - JUNE 1978

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INTRODUCTION

The period covered by this report has been a sad one for all those concerned with promoting greater human rights and justice in the country, for in almost every area signs of increasing repression and injustice are beginning to reappear. Ordinary peasants and workers are again being arrested in significant numbers outside the sensitive areas; large numbers of people are being summarily sentenced under article 27 of the interim constitution; workers are being forced to accept reductions in their real earnings; and newspapers are again being closed, and also are being "requested" not to print stories on certain matters. Prime Minister Kriengsak, in reply to the Amnesty International May-June campaign on Thailand stated that "national security comes first" and is more important than human rights. Though we would not challenge the importance of national security, we would like to ask the Prime Minister who is the nation? - the 44 million Thais, most of whom are workers and farmers living in constant debt on the borderline of absolute poverty; or the military, business and bureaucratic elite numbering a few hundred thousand living a life of luxury on the fruits of corruption (according to the chairman of the anti-corruption committee one third of the government budget goes in corruption of one kind or another) and other ill gotten gains.

This report as usual is divided into four parts. In Part One, we continue the story of the arrested CGRS workers, who were on June 14th again remanded on bail (of \$5,000 each) until the case is ready to be heard. Thanks to all the efforts of overseas friends, it seems likely that the serious charges of threatenning the internal and external security of the state, and communists will eventually be dropped, leaving only the charge on Sukhon (of having too many medicines).

The trial of the Bangkok 18 continues to proceed at a snail's pace, with most of the hearings taken up either with theoretical discussions of communism, or with circumstantial evidence from police who were probably involved in the attack (e.g. Pol. Lt. Aree, the sixth prosecution witness claimed that he went into Thammasat with a Thai flag in one hand and a gun in the other "to negotiate with the students"). There has also been continuous discussion of how to speed up the trial hearings. Both prosecution and defence agree there should be two hearings a week, with the defence suggesting Monday, Friday, Saturday or Sunday for the second hearing, and the prosecution proposing Tuesday or Wednesday when most defence lawyers are tied up with other cases. Bureaucratic rigidities are still preventing ordinary humanity from being shown to the defendants with the latest case being the inability of Praon to attend his father's cremation.

With this and most other trials the sympathy of the Judges for the prosecution is far too apparent. This was most obvious during cross examination of the final prosecution witness in the Boonchart case, when only after a very big fight was the defence lawyer allowed to get a direct answer to his question of whether the person being hung in the drama at Thammasat was wearing an ordinary soldiers uniform, or one that might be worn by the crown prince. In the end the witness was forced to accept that the former was true.

With most other political trials (except with that of Supap and his friends which drags on week after week, with each witness repeating the "evidence" of the previous witness), there are more postponements than hearings. For example with the Udom Pka-krong group (who have been in jail for more than 2 years already) there have been no hearings during the past two months, and the next hearing will not take place until August.

Endangering society prisoners continue to sue for habeas corpus, with the most recent case in Nong Khai being lost because of the influence of the governor. Also released detainees sue for damages, again with more delay in the proceedings than hearings.

To complete Part One, we include some samples of letters written by political prisoners to give our readers an idea of their condition of detention and their hopes for the future.

Part Two of this report starts off with a special feature on the Karoonyathep (god's mercy) or democracy training centres run by the Internal Security Operations Command (ISOC). We point out that these centres infringe upon basic human rights in several important respects, especially since most detainees are not surrendered communists (which is the legally stated purpose of the centres), but ordinary villagers who are forced to "voluntarily" undergo detention (without charge and without trial) and reeducation, which can result in detention for many months.

The extent to which article 27 of the interim constitution (the catch-all article which is included in all military drafted constitutions) is being used is also causing concern. In a period of just over a month 30 people have been summarily sentenced, including one to death, and most other to long years imprisonment. In one memorable day 18 people were sentenced. This sentencing carried out by the P.M., with the advice of a special 3 man committee, the cabinet, and the National Policy Council, takes place merely on the basis of the police report, in a few minutes between other important matters of state. The defendants are not heard, nor are their interests represented by any one; and they have no right to appeal. Up to now article 27 has only been used to punish people alleged to have committed economic or social crimes.

Local police and government officials continue to misuse their power in similar ways to those described in previous reports. The most notorious case during the past two months was the attack by the police on a boatload of Vietnamese refugees, which included gang raping of the women on board, and robbery. Other cases are reported from different parts of the country.

Detainees in different prisons (or even different parts of the same prison) continue to receive widely differing treatment. For example on the one hand Suchira and Sa-ngiam are still denied the right to read newspapers that have not first been read and cut by the prison governor, and on the other hand Supap and his friends are receiving cooperation from prison officials in establishing a prison library.

We are becoming worried by the fact that the rate of arrests (particularly outside Bangkok) of people who challenge in one way or another influential people seems to be increasing,

and also by the fact that there seems to be some evidence to suggest that even in Bangkok people are again beginning to be arrested secretly, without relatives or newspapers being informed. Details of arrests over the last two months are included in section 26 of Part Two.

In our report from Up-country we continue to draw attention to the huge personal toll of suffering that the government's communist suppression campaigns are producing. It is also significant that very often the government does not keep its word when it offers amnesty to surrendered communists, but after their surrender then starts to take criminal proceedings against them. In other cases, despite the fact that the communist suppression act allows a total of 480 days of pre-trial detention, surrendered "communists" up country, who have none fighting for their rights, seem to be able to be detained for much longer than the legal period.

The government seems; after the May Day fiasco, where only 500 workers turned up at the officially sponsored celebrations to listen to the P.M.; to have abandoned its attempts to woo the workers. During the past two months many retrogressive steps (reported in section 4 of Part Two) have been taken including trying to delay and reduce the proposed new minimum wage of 33 baht; making workers work about five extra days a year for nothing by cancelling holidays "inlieu" of public holidays that fall on Saturdays or Sundays; changing illegally conditions of employment; banning wage increases or increases in other benefits for all workers who have had any increase since 1975; arresting workers etc etc. What the motives behind these moves to antagonise the workers is not clear, but what is clear is that these government moves have produced a new unity in the union movement, since even "stooge" labour federations find it necessary to lodge protests against these moves.

The P.M.'s honeymoon with the press now seems over, with newspapers again for the first time since Thanin's overthrow being closed, or warned. For example after the big communist attacks all over the country on the 7th and 8th of June, the P.M. "suggested" that such attacks should not be made into big news. Similarly he "requested" that newspapers not report on the activities of the PULO (Pattani United Liberation Organisation). Altogether there is a serious indication that the government is beginning again to tighten the screws on the press, by threats, actions against particular journalists or editors, and other legal and illegal measures at its disposal.

In Part Three of the report we discuss the activities of CGRS, and other human rights organisations. CGRS itself, despite continued harassment by the authorities continues to expand its activities. For example it spear-headed the internal aspects of the May/June Amnesty International campaign on Thailand, producing and widely distributing a leaflet describing AI's activities and publicizing the world wide campaign. In addition it has been more active in trying to obtain legal assistance for political prisoners up-country, and has published a book on the Om Noi case and the rights of workers. Perhaps most significant of all its activities during the past two months was the organisation of a training programme for non-violent action. This two week programme had about 100 people participating at one time or another and can be considered as the first step in an attempt to establish a non-violent force in the country.

In addition to CGRS other groups continue to press for increased human rights and justice. Most notable and effective are the courageous group of lawyers who not only are prepared at great personal sacrifice to defend large numbers of political cases, but also to speak out for greater justice. One of the Leaders of this group, Mr. Thongbai Thongpao (who himself was a political prisoner for 7 years) went on a six week world speaking tour, timed to coincide with the AI campaign, which was extremely effective in focusing attention on the human rights situation in Thailand.

As usual in the Fourth Part of this report we briefly summarise the news as it relates to the general political situation, human rights, and labour.

In conclusion it can be said that despite increasing governmental repression, injustice, and polarisation, those who believe in the importance of creating a more just and humane society through non-violent means are still able (with harassment of course) to organise openly, and to continue and expand their struggle. For the first time in years the labour movement is united, and for the first time ever the foundations for a non-violent third force, encompassing a wide range of groups, are being laid. Thus though the road ahead is likely to become more fraught with danger and obstacles, those on the road are increasing in number, strength and unity. One thing is clear in all our minds, and that is that a more just and peaceful society will not appear by itself, but only through the struggle and self sacrifice of hundreds, thousands and more people. We are prepared for this long and arduous struggle.

PART ONE

POLITICAL PRISONERS

1) CGRS Workers Remanded on Bail Until the Case is Taken to Court

Thanks to the continued support from our overseas friends, and despite pressures from various police officials, when Chaiwat Yao-Wapongsiri, Sukhon Thantakeyoon, and Boontham Chindawong appeared before the military court of Nakorn Sri Thammaraj on June 14th bail at \$5,000 each was extended until the case is taken to court (which should be in not more than 180 days). At the time of the court hearings, Pol. Captain Ponpet made the remark that he had completed his enquiries, and did not think that there was sufficient evidence to press the serious charges of communism, and activities threatening the internal and external security of the state. Thus if his superiors support his opinion, only Sukhon Thantakeyoon is likely to be prosecuted for having too many pills (he is asthmatic and was arrested with more than the allowed number-100- of anti asthma pills) in a sensitive area. This offence carries a maximum sentence of a 10,000 Baht fine and 2 years imprisonment.

However throughout the period covered by this report it seems that Chalart Saengchuto has continued to do his best to "help" the police investigator find the necessary evidence to prosecute on the more serious charges. (Pol. Col. Chalart Saengchuto is deputy commander of the special branch, and has been active in trying to "find communists" in religious organizations, especially CGRS)

For example at the end of April Chalart contacted Chaiwat and asked him to go south with him. Chaiwat refused, but asked Chalart to investigate the case of Pralom Kaewsuwan, who surrendered himself to the police following a government amnesty offer, and was then charged with many serious crimes. (See details of this case in section 3A of part two of this report)

Since CGRS has been helping Pralom for some time, on 13th May Police Capt Ponpet interrogated Pralom about Chaiwat, and on 20th May Chalart took Pralom to see the Deputy Governor of Nakorn Sri Thammaraj to try to get him to confess to being a communist, so this fact could be used as evidence against the CGRS workers. Pralom refused to make the confession.

Chalart then tried to persuade the military court (Through ISOC) to withdraw the bail, but the head of the court (who informed us of this fact) refused and said that it was his duty to uphold justice.

On 2nd of June Chalart again contacted Chaiwat, and tried to trick him into accepting that he had been in contact with the students in the jungle.

On 10th of June a cable requesting that all charges be dropped was sent by fourteen US organisations, and received wide publicity in English and Thai language newspapers on the 12th of June. Many other letters and cables of support were received from friends all over the world at the same time, which we believe is largely the reason why the hearings on June 14th went so favourably for our colleagues.

On the 23rd June we contacted the special branch, and discovered that the police investigator had already sent his report to the chief of the 7th division (Pol Major Udom Charoen). The chief agreed that it was likely that only Sukhon would be prosecuted, and because of all the foreign pressures wanted to end this case as quickly as possible.

On the 29th, 30th June, and 4th of July we again contacted Pol Major Udom Charoen, and he tried to be as helpful as possible. After he had discussed with Pol. Major Gen Aree Kareebutra (the former special branch commander), he said there were only two ways out for Sukhon - either we get some very high

level official to intervene (such as the army commander Gen Serm Na Nakorn, the fourth army commander, or the Deputy Ministry of Interior) by writing a private letter to the Director General of Police; or ISOC will have to make a political decision, whilst the Police Department continues to prepare for the prosecution in the Military Court.

The file of Sukhon has already been sent to the Director General of the police department and soon, as we have no influence at the recommended high levels of government, it will be sent back to Ban Na San for prosecution. Thus in conclusion, unless ISOC decides not to prosecute for political reasons, it seems likely that Sukhon will be charged with having too many anti-asthma pills, in order to save the face of all those involved in the arrest and following proceedings, and in order to do as much damage as possible to CGRS.

We are however much more hopeful than ever before, because it seems that thanks to your tremendous help, the most serious charges will sometime be officially dropped, leaving Chaiwat and Boontham completely free. With your continued assistance we still feel that there is a chance, that at the best, charges will be dropped also against Sukhon, and at the worst he will get a very light sentence. We will inform you when we require your further assistance. As we mentioned in our first report on this case it is impossible for anyone to know all the various regulations in a particular sensitive area, or even to know when one is in a such an area, thus the fact that an asthmatic had more anti-asthma pills than allowed by a two year old military order cannot really be considered to be a serious crime.

This case, is to us a living example of the effectiveness of a well coordinated internal, and international campaign in overcoming unjustified politically motivated arrests. Let us hope that in future we can continue to work together for the release of the hundreds of unknown people still festering in Thai prisons on similar charges as faced by the CGRS workers and with a similar lack of evidence.

2) Trials and Legal Processes

A. Oct. 6th Defendants

1. The Trial of Boonchart Sathienthamani at the Criminal Court

Boonchart was arrested during the October 6th, 1976 incident, was released, and then a few weeks later was rearrested and charged with Lese Majeste. The first trial hearing started on May 30th, 1977. There were 19 prosecution witnesses against him but 7 of them were dropped. The final (12th) prosecution witness gave his evidence on May 18th, 1978. The first hearing of the defense witness is scheduled for July 21st, 1978.

April 14th, 1978: The trial was postponed to May 18th.

May 18th, 1978: Pol.Col. Sa-nga Duang-amporn

(12th and last prosecution witness)

Prosecutor: The witness is the investigator who is responsible for this case. He told the court that the defendant Boonchart acted as the hangman of another student (Apinan) who looked just like the Crown Prince. However, when Pol.Col.Sa-nga, during his first investigations showed Boonchart's picture of the hanging scene, Boonchart denied being the one in the picture. The witness also emphasized that during the investigations there were many witnesses and many films and pictures from various newspapers supporting the prosecution case.

Cross-examination: The defence lawyer let the witness and the judge see the defence document No.13 in which the defendant accepted that he was the hangman as shown in the picture. Finally, the witness accepted that in fact he heard about Boonchart's denial from a teacher at the Civil Aviation Training Center where Boonchart used to study not from Boonchart himself.

The witness accepted that he had also interrogated other defendants in this case and they all said that the play was designed to satirize the hanging of two workers at Nakornpathom, that its purpose was to urge the first year students to stop doing their examinations (and join the demonstration), that the play was performed by the theatre club of Thammasart University not by the National Student Center of Thailand, and that, just after the arrest Boonchart was detained separately from Sutham's group (and yet they gave similar dispositions).

In the witness's opinion, the real Mr. Apinan does not look like the Crown Prince, but the pictures in the newspaper do. As for Apinan's clothes which he wore during the play, the defence lawyer tried to point out that in fact his shirts and trousers were similar to an ordinary soldier's clothing, not to those worn by the Crown Prince. After a big argument; both with the witness, who after having been pushed so hard logically, still tried to distort the facts and refuse to accept the truth; and also with the judge who apparently (as usual) was on the witness's side and tried to stop the lawyer's sharp question all the time; the lawyer finally got the witness to accept that in fact Apinan's clothing looked just like an ordinary soldier's uniform.

2. The Trial of the Bangkok 18 at the Military Court of Bangkok, Army Quartermasters Division of the Royal Thai Army, Nonthaburi Province

All our readers are familiar with the events that led to the arrest of 3,145 students, workers, and members of the general population on Oct 6th 1976, and the concurrent overthrow of the constitutional and democra-

tic government. Of this original number 18 students and workers were picked (many it appears at random) as victims and charged with up to 9 serious offences ranging from Lese Majeste, to killing government officials. The trial started at the end of August 1977, lawyers were permitted in November 1977, and the hearings proper did not start until January 1978.

Because of the wide public, media, and world interest in this case, the hearings were moved to an inconvenient location 25 kms from Bangkok, and every attempt possible was made to reduce interest in the case. The theoretical evidence of the fourth prosecution witness, Prasit Chaithongpan was one such attempt.

Even now those who enter the courtroom are not allowed to take notes of the proceedings, and those who listen outside can often not hear the proceedings clearly.

May 4th, 1978

Fourth Prosecution Witness: Prasit Chaithongpan (continued)

Cross-examination: The witness claimed that there are 2 types for dictatorship; one is communist and is a dictatorship both in form and content, and the other type is more democratic as the dictatorship is only in form, but there is democracy in the content. A dictatorship means that someone or some group has power to rule over the country. It is the relative freedom of expression and political beliefs which differentiate the two forms of dictatorship.

The words "democracy", "liberation", "capitalism", "socialism", and "Communism" are used both as political and as economic terms. The witness then went on to give a rather theoretical and confusing description of the meanings of these terms, which had little if anything to do with the case. Basically he claimed that capitalism was democratic, helped the people and was just, whilst socialism involved all power and property belonging to the party, the royal institution being overthrown, and the forcing of everyone to work hard.

The defence lawyer then asked about the right of labourers. The witness replied that these rights depend on the ruling regime and the economy of each country. Thailand has various labour laws to protect labourers. Labourers have the right to appeal for higher wages where the old wages are too low to support a reasonable level of life. But at present the decree no. 22 of NARC forbids strikes. This decree is to limit the labourers' rights just temporarily according to the witness. However the defence lawyer said that this "temporarily" could be for many years.

Sahai Samrej is still alive and works in a private company. He finished prathom 4. The witness thought that he was a communist because he said he had been trained in Hanoi, and he also spoke communist jargon. He said there are two kinds of communists. The first consist of a group of persons who claim to be communists, but they still try to get their own advantages. Such persons are not real communists. The other ones are the real communists with fixed ideals. They don't search for personal advantage, authority or wealth. The witness only knows about guerilla tactics from Sahai Samrej, since books about communism are banned. The communists are afraid of military dictatorship because it is an obstacle to their movement, on the other hand, the general public don't fear such a dictatorship.

May 9th, 1978

Fourth Prosecution Witness: Prasit Chaithongpan (continued)

Cross-examination: It is the duty of any government to look after the interests of the 43 million Thais, the vast majority of whom are farmers and labourers. If the government looks after the interests of a minority, it is often called

a dictatorship. People who don't like communism always like dictatorship. According to the constitutional laws, to be against dictatorship is not illegal. A demonstration without any guns, which does not hinder traffic and which does not have an intention of overthrowing the government is not an illegal demonstration.

The meeting at T.U. on 6th October 1976 was organized to appeal to the government to send Thanom out of the country and to arrest the murderers of two labourers at Nakornprathom as quickly as possible. Thanom left Thailand on 14th October 1973, after which the government of Sanya Thammasakdi legally confiscated his properties as these were shown to have been obtained illegally. That meant that Thanom had committed offences according to the law. Therefore the police should have arrested him when he returned. The appeal at that time was not designed to overthrow the government of M.R. Seni Pramroj, but according to the witness it was designed to force the government to illegally drive Thanom out of the country, as well as wanting to create trouble for the government. Before 6th October 1976 both Thanom and Prapass had returned to Thailand, and after protest meetings at Thammasat University, both were forced to leave the country and the situation became peaceful again. On the evening of 6th October 1976 a group of persons, (not the people and students who were holding the protest meeting at T.U.) seized power from the legal government of M.R. Seni Pramroj. The witness didn't know who shot into T.U. There were a lot of people killed both in and out of T.U. Daily Times newspaper published pictures of beating, burning and hanging of the people and students in T.U. The witness said he had already seen these, but didn't know where they had happened. He agreed that a person who murders someone in those fashions commit a serious crime, but up until now none of these murderers has been arrested. The witness said the pictures from the newspapers could be true or false.

Cross-examination: (Suthipong Laocharoen)

Prasit knows the name of Sir Robert Thompson whom is accepted as a world expert on communism. Sir Robert claimed that the person who has the best knowledge and the best understanding about communist ideals and methods is or was a communist himself. The witness claimed he was not a member of CPT, and admitted that he had never been officially appointed as a specialist on communism. The witness said he only knew about communism from a speech of the sub-commander of CID, and from papers of ISOC. He has never studied communism in a country with a communist government. He admitted that a communist party is a merely one particular type of political party.

The defence lawyer said that the characteristics of people who take state power through a coup d'etat are that they:-

- annul the constitution and announce martial law
- limit political freedom, abolish political parties, and outlaw meetings of more than 5 people
- change the civil court into military court and hold hearings for certain kinds of offences in military courts without lawyers, appeals or petitions.
- make announcements or decrees which are used as laws without the signature of the King

Given these characteristics the defence lawyer found it strange that a group of students could be accused of plotting to overthrow the government.

The witness denied that attempts of the government to get rid of corruption were similar to the communist attempts at overthrowing the ruling class.

The defence lawyer asked the witness whether he too was inciting the people with the book he wrote about the Vietnamese plan for operations in Thailand, in which he stated the places, dates and times of possible actions. The witness replied that he was not inciting the people, but merely pointing out danger from the enemies of the country.

Summary of Fourth Prosecution Witness Evidence (including evidence given on 18/5/78)

The fourth prosecution witness, who used up three full days of hearings, was an ardent anti-communist, who claimed to be an expert on communism, through having met and corrupted (taken to a massage parlour) one communist defector. The main effect of his disposition, and the cross examination that followed, was to bore everyone at the court, and reduce even further the number of spectators. He produced absolutely no "evidence" related to the supposed offences of the accused, and showed quite clearly that he was a biased witness in almost every possible way. His only significance is that unfortunately his confused thinking almost certainly reflects the thinking of the prosecution and the governing elite of the country. The overall summary of his evidence is that from his subjective point of view communist dictatorships are bad, liberal democracies play into the hands of the communists, therefore military dictatorships which prevent liberal democracies are good. Also economically socialism is bad and capitalism is good.

May 18th, 1978

The cross-examination for the fourth prosecution witness Mr. Prasit Chaitongpan was finished. (see above).

Before the trial hearings started, one of the 18 defendants Mr. Prapon Wangsriphitak, whose father had died on May 13th, 1978 while he was still in prison, asked permission from the court to attend the cremation ceremony for his father, that would take place on that day. He asked for leave from 9.30 - 11.00 am. to be accompanied by guards from the Correction Department. The court did not object but left the decision to the Correction Department officials who after some discussion gave the answer that they could not allow Prapon to go as there were not enough officials to control him. Mr. Orissa Irawanwat another defendant objected that while he suffered the wound in his mouth, only 2-3 guards were enough to take him to hospital, therefore in this case there should not be any problems. Mr. Sutham Saengpratum, the first defendant who had once unsuccessfully asked for a permission to attend his mother's funeral said to the court that now that the defendants were in court, the judge should have full responsibility for the defendants and could make a decision by himself.

The Correction Department officials claimed that they could not decide anything, that the defendants should request permission from the Head of the Corrections Department. Mr. Suthee Pwapan, the defence lawyer then left the court to see the Head of the Corrections Department. And by the time he returned with the permission, it was already 11.00 am., therefore Prapon missed his last chance to attend the cremation ceremony of his father.

May 25th, 1978

Fifth Prosecution Witness: Pol. Lt. Watcharindra Nsimwanitchkul
Prosecutor: At present Pol. Lt. Watcharindra is the commander of the first company, Police Sergeant's School. He had perviously been a sub-inspector of the 3rd department, C.I.D. inspecting division 5, who had the duty to investigate Chinese and other peoples involvement in politics. In the 6th October event, he was ordered to go to investigate and to collect news about the meeting at

Thammasat and at Wat Bowornby Pol. Maj. Wichai Chanpiboon at 9.00 am. on 5th October, 1976. At about 3 pm. he went into T.U. by the club building and saw that there were 3 groups of people meeting in 3 different places; in the great hall, at Lan Po and on the football ground where there was also a stage.

At Lan Po a group of persons led by Sutham Saengpratum took turns making speeches about expelling Thanom. There were about 2,000-3,000 people there. The witness couldn't remember who were the speakers, but he knew that most of them were students, though there were also a few civilians. After collecting news at Thammasat for about 1 hour, he went out by the front gate at the Sanam Luang side and went to Wat Boworniwes. At Sanam Luang, there was a group of about 100 - 200 people. They were commenting on the student's drama. Some unknown people gave him a few newspapers, including Dao Siam and Bangkok Post. He saw the pictures of the hanging of the Crown Prince from these 2 newspapers.

At first he could not understand why the Crown Prince was hung, but later after reading the news he knew that it was only the drama of the students at Thammasat. He stayed at Sanam Luang for about 30 minutes, and then went to Wat Boworn because he heard that a group from NSCT. would go to burn down Wat Boworn where Phra Thanom was staying. He brought the 2 newspapers with him and gave the Bangkok Post to Phra Yansangworn, the abbot. He arrived home at about 6.00 pm. took dinner and then listened to the radio. At about 10 pm. Yang Kro radio station (a military station) said that there were more and more people at and around Thammasat, and later it said that the people who tried to go into the university were injured by the shots fired from inside.

The witness in civilian clothes went to Sanam Luang at the opposite side of the great hall of T.U. He saw about 1,000 people and thought that they came to protest the drama of the hanging. These people cursed the N.S.C.T. At about 11 pm. many thousands of people were around and they tried to destroy the front gate. The witness and other policemen tried to stop them. There were about 50-60 policemen both in uniform and in civilian clothes. While the people were trying to destroy the front gate, there was the sound of shooting from inside the university. It sounded like a machine gun. No one was wounded and no one outside shot into the university. Inside the university discussions, singing, drama and speeches designed to unite the people to press the government to expel Phra Thanom, and to arrest the murderers of the two labourers at Nakornprathom were still going on.

After 11.00 pm. the large number of people at Sanam Luang tried very hard to go into the university. Every time these people threw themselves at the front gate there would be the sounds of shots coming from inside. He thought that the bullets were not intended to kill the people outside. At about 2 am. the first person was wounded. At 4.00 am. the witness went to put on his uniform in his car and came back to help the people outside. At 5 am. he met Pol. Lt. Slang Boonnak, Pol. Sub-Lt. Alongkorn and Pol. Lt. Aree Wontriat. At 6 am. a person was shot dead. It was said that the man was killed by a shotgun because the bullets hit 4 persons, but only one died. The policemen were cursed and insulted for not shooting at the people inside Thammasat. The NSCT asked the police to push back the mob and asked the people inside to stop shooting in order to enable them to continue their non-violent protest. The NSCT asked the people outside to send in representatives to negotiate with them. Pol. Lt. Slang and five other policemen went to the front gate waving a flag before them. They nearly reached the great hall, when suddenly there were a burst of shooting. Later there was the sound of a bomb. It caused the death of some policemen and wounded others. The village scouts went to take the wounded back. The witness ran out of Thammasat.

Then someone drove a small bus against the gate until it broke, and he was killed. The witness understood that the shots were fired from the building of the Faculty of Laws. He also considered that this meeting was not a peaceful and open meeting because it was designed to force the government. In addition there were shots in the meeting which made some people die.

Cross-examination: (Chana Samutrawanitch)

He received orders from Pol. Maj. Wicha Chanpiboon on 5th October 1976 to investigate the 6th October case. Before this case he had often been ordered to investigate other student meetings. He always reported in writing to his commander. He wrote his report on the evening of 6th October, and divided it into 2 papers, one dated 6th October and the other dated on 7th October. He didn't know whether they were still kept because a month after the incident he was transferred to work at Bangken Police Private School.

During the incident the witness went in civilian clothes with 3 other policemen. He had his own gun, an automatic pistol colt 11mm., with him but he didn't use it. He didn't see any acting or any drama of the students. He stayed at Lan Po for about 1 hour, listening to the speeches. The content of the speeches was to ask the government to expel Thanom, and to arrest the murderers of the 2 labourers at Nakornprathom. The speech didn't mention to the Crown Prince, but there were some charts showing the blood history of the Queen and the Crown Prince put up in many places. The witness didn't take any photographs and didn't report this to his commander because he considered that this was not illegal.

He then went to Wat Baworn as ordered by his commander in order to observe the events. The witness went to see Phra Thanom because he wanted to know why the people and the students wanted to expel him. However he didn't see him because Phra Thanom was sleeping. He only met some C.I.D. officials. After that he went to see Phra Yansangworn, the abbot. The latter asked him what had happened. He then gave the abbot the Bangkok Post. After being with the abbot for about 20-30 minutes, he went home.

At home he listened to the programme of Yang Kro radio station until 10 p.m., after hearing that there were some wounded people at Sanam Luang from the radio, he drove to the university and saw that the police from Chanasongkram Police Station were already there. About 11.00 pm. a sound of shooting, like a shotgun sound, came from the university. The reason for his thinking that it came from T.U. was that the people would run away from the gate every time the shots was heard. The witness didn't see the light from the shots. He admitted that there might be some people from outside the university who had entered the university to cause trouble, though there was no evidence of this.

The people who seized guns from the police were a group of young men outside, not students. The witness was commanded only to investigate the event. He didn't hear "Stop shooting, please police." from the university, but he heard "Police, please prevent the people from going into the university. We want to negotiate and struggle peacefully." He also denied hearing such sentences as, "Please let us take the wounded to the hospital! We want to get emergency help", "I am an official of Thammasat University, Please, police, stop shooting at the students! They have no arms. Please stop shooting!".

June 11, 1978

Fifth Prosecution witness: Pol. Lt. Watcharindra Neimwanitchkul

Cross-examination: (continued)

On 6th October, the witness was in the place where the event occurred until 6 pm., and heard the pleas of the students through an amplifier asking the police to stop shooting. The police also used an amplifier. He thought the meeting was an a violent meeting because there were some shots on the 5th October. He also didn't know whether it had official permission or not.

The students didn't allow the people to go into the university. The plays and drama were performed in open places. The troubles occurred after a group protesting against the students arrived at the university.

He admitted that the destruction of the gate by the group of protesters could be considered as an invasion. However the students were using mob rule to press the government to expel Thanom and to arrest the murderers at Nakornprathom. Nevertheless the constitution at that time gave the right and freedom to hold meetings to all people.

Cross-examination: Krik Rewangpai

On the 5th October at noon, the day he went into T.U., there was a meeting at the platform and a discussion at Lan Po. That night he was not in the university, he was outside, and went in again at about 6 am. on 6th October. The police also held a flag when going into T.U. The witness spent most of time at the football field and there he met about 100 policemen. He didn't notice how they dressed, but he himself was in uniform with a cap on his head. He didn't notice whether there were policemen in uniform with steel helmets or not. The lawyer let him see the pictures no. 1-11.

In the picture no. 2 a policeman held a weapon which looked like a basooka which is designed to destroy tanks. On 6th October the policemen searched everywhere in T.U. and assembled all the students at the football field, and also ordered both boys and girls to take off their shirts as shown in the pictures no. 9 and 10. The officials found a lot of weapons both pistols and rifles. The witness didn't know whether there was a memorandum about these weapons or not. The students were all frisked, but the witness didn't know whether lists of the property taken from the students were made or not. The witness said that he didn't frisk the students and never shot any one either.

Some policemen shot at students, but the witness didn't know who they were and who told them to do that. The chief policemen in the place were Pol. Maj. Gen. Snei Sitthipan, Pol. Maj. Gen. Pon Phladnaksa, Pol. Col. Weerasak Wongsuwan and Pol. Col. Samreng Wannakup. The witness couldn't remember whether Pol. Lt. Gen. Chumpon Lohachala was there or not. He denied seeing any torture at Sanam Luang, and also denied hearing the statement "The officials should stop the torture because the foreign newsmen are coming here." or "Now a photographer from Chaturat is coming here. The official, should seize his camera and films." After receiving news that the students would go to burn Wat Boworn, the witness didn't go to tell the police at Chanasongkram Pol. Station. The person who gave this news was one of his policeman. The witness said that he didn't know from where the policeman got the news.

June 8, 1978

Prosecution Witness: Pol. Lt. Watcharindra Neimwanitchkul
Cross-examination: (continued - Suthes Pwapan)

The witness had said that he went to see Phra Thanom at Wat Boworn, but in fact he had gone to see whether anyone was planning to injure Phra Thanom. Thanom was expelled on 14th October 1973 because his administration killed a lot of students and people. The government of Sanya Thammasat announced that many of the activities of "The 3 tyrants" were illegal and therefore seized their properties under the provisions of section no. 17 of the constitution. Usually a monk was asked to leave the priesthood when he was accused of doing something wrong. In the case of Phra Thanom, he could be asked to leave the priesthood and then be detained and sent to court. However the students called the protest meeting only in order to appeal that the government expel Thanom out of the country not that he be prosecuted.

On the evening of 5th October, the witness watched T.V. at home. M.R. Seni Pramroj said on T.V. that the government would punish legally the persons who committed lese majeste. This was the duty of the police. The witness said that he had listened to the programme of Yang Kro radio because no other radio stations presented news concerning the situation of the country. The witness had told the court that Yang Kro radio station had announced that the people gathering outside Thammasat to protest against the students who performed the drama were shot and wounded. The witness couldn't remember who made that announcement. He went to Sanam Luang after having heard that there was shooting there because he was a policeman. At that time there were about 30 people standing near the front gate of T.U. which was still closed. The policemen also stood there. The gate had not been destroyed when a young man climbed over to burn the guard kiosk inside the university. The witness, as a policeman, didn't arrest that man because at that moment the situation was becoming very serious. He was afraid that such an action might cause things to become even more serious. He went into T.U. with a 11 mm. gun; Pol. Lt. Col. Slang held a rifle; and Pol. Lt. Arge held a pistol. The policemen sometimes ran sometimes walked into the university, and at last they hid in a side road. The sound of shooting came from the Faculty of Law, and a bomb was also thrown at the side road above them.

Cross-examination: (Suthipong Laocharoen)

The witness had never investigated whether some groups of people tried to create a coup d'etat. He had once reported the dangerous situation caused by conflicting groups of people at T.W. to Pol. Maj. Wicha Chanpiboon both in speech and in writing, but didn't mention this to anyone else. He didn't investigate the activities of the group of people at the royal plaza because no one gave him an order to do so. The picture of the hanging of a person who looked like the Crown Prince in Dao Siam and the Bangkok Post were similar to each other, but the witness said he didn't know whether they were processed or touched up in a similar way.

June 15th, 1978

Fifth Prosecution Witness: Pol. Lt. Watcharindra Niemwanitchkul.

Cross-examination: The witness admitted that the October 6th, 1976 incident was brutal. He however said that he did not personally see any dead bodies in the riot. He also ruled out allegations in some local newspapers that he opened fire into Thammasat University on the day of the uprising. "I took a gun up and put my finger on the trigger to pose for photographers but I did not pull the trigger," Lt. Watcharindra said.

He said that policemen were allowed to shoot at 9 am. of the October 6th, but he did not know who gave the order or when the order was given.

Lt. Watcharindra also testified that the students' movement was legal and admitted that he did not see any tunnel or head-quarters in Thammasat University. He also accepted that if the policemen ^{had} surround ^{ed} the university for 10 days without letting any food passing through, they could arrest the students inside easily.

There was no hearings that afternoon as the witness claimed that he was ill.

Finally, it should be noted that on this day a lot more people came to the court than usual (around 500-600) as the day was the final day of the Amnesty International Campaign for political prisoners in Thailand. People greeted each other and the defendants warmly with flags, cards and the leaflets about the AI campaign (produced by CGRS). However, the military guard took all those (legal) things from the people and also took photographs of the distributors.

June 22nd, 1978

Fifth Prosecution Witness: Pol. Lt. Watcharindra Nienwanitchakul

Cross-examination: Before the hearings started, the Bangkok 18 asked the Military Court to reconsider their earlier plea for legal interpretation of the court's "genuine" power in conducting the trial of the Oct 6, 1976 case. The 18 defendants appealed on January 4, requesting that they be tried in the Criminal Court on the grounds that the Oct. 6, 1976 riots and the massacre in Thammasat University took place before the enforcement of martial law. The defendants contended that the Military Court had no authority to judge the case. The Military Court accepted their appeal for consideration.

Pol. Lt. Watcharindra testified that he didn't see any condoms in the campus as alleged by Dr. Uthit Narksawas, a member of the "Free Radio League" who claimed that authorities had uncovered large quantity of used condoms after the incident.

Since there were no further question for Pol. Lt. Watcharindra, the next witness Pol. Lt. Aree was to give his evidence in the afternoon session.

Sixth Prosecution Witness: Pol. Lt. Aree Montrivat

Prosecutor: Pol. Lt. Aree Montrivat of Zone Two Border Patrol Police testified that it was the mock-hanging show organised by the now-defunt National Students Centre of Thailand (NSCT), which outraged many citizens and triggered off a stormy protest at Sanam Luang on October 5th, 1976 and culminated in a bloodbath at Thammasat University the next day.

Pol. Lt. Aree who was then a Crime Suppression Division master sergeant attached to the patrol car unit then related the sequence of the events which eventually led to the toppling of the Seni Pramoj government. His story did not differ much from that already told by the former witness Pol. Lt. Watcharindra.

He said that at 6 am. the Crime Suppression Division policemen decided to move into the campus for negotiations with the NSCT.

Grabbing a Thai flag in his left hand and brandishing a service pistol in the other, Pol. Lt. Aree slipped into Thammasat University through a damaged fence, followed closely by a few other policemen.

"The firing was intense" said Aree who added that he soon found himself shot in the left hand and then ducked for cover. Shortly afterward, a grenade, believed to be fired from a M. 79 grenade launcher, exploded in front of the auditorium.

Aree was later brought out of the university compound and taken by a waiting ambulance to the Police Hospital where he was hospitalised for two months.

Cross-examination: A defence lawyer asked Pol. Lt. Aree to pick out the one of the 18 defendants whom he thought looked like the actor of the mock - hanging show. The policeman chose Anupong Pongsuwan (instead of Apinan Bua-hapakdi).

June 29th, 1978

Prosecution Witness: Pol. Lt. Aree Montrivat

Cross-examination: The witness said that he heard the sound of the guns inside Thammasat University while he was standing on Sanam Luang in front of the University. He accepted however that it was possible that the people outside could have slipped into the campus and shot the guns as he had no idea about the direction the bullets came from. Also he accepted that from where he was standing, he could not distinguish the sound from Thammasat and the National Museum nearby (where government armed forces were gathering).

At around 2 am. of Oct. 6, a group of people were gathering at the front gate. They took all the posters down from the University wall and put them in a cart, burnt them, and tried to destroy the gate by crashing the cart against it. The police made a gesture of forbidding them to do so but did not give any orders. Nobody took any notice of them. When asked by the defence lawyer why the policemen had not arrested those people, the witness said that there were a lot of people so they were afraid. However, he finally added that "because they had not received any such order from their boss".

"When asked why he did not wear uniform, the witness said, "because I didn't feel like it", but he put a beret on his head to show that he was a policeman. In answering to the lawyer's question from where he got the flag, he said that he borrowed it from an unknown man whom he saw waving a big flag in the street. After he got the flag he went into the university with other policemen, "so as to negotiate with the students". The witness said that he did not hear a voice from inside the university announcing that the Secretary of the NSCT, Mr. Sutham Saengpratum and his friends were going to see the Prime Minister for negotiations. The flag in one of his hand was a sign that "we are all Thais and should not kill each other" and the gun in the other hand "was to protect myself" and also "I held the gun because I was afraid I might lose it."

Proposal to Increase the Number of Hearing from Once to Twice a Week

Largely because of pressure from outside the country, both defence and prosecution lawyers agreed that the hearings should take place twice a week instead of once a week. With the start of the AI campaign on Thai Political Prisoners in Mid-May, in which the slowness of the proceedings was attacked, the Military Prosecutor, Maj.Gen.Saming, claimed that the delays were caused by the defence lawyers who refused to hearings more than once a week.

Over the past two months this matter was discussed several times in court, and the truth of the matters seems to be as follows:-

- The defence lawyers all who devote their time freely for this case, have to earn their living by taking other paying cases on other days. They therefore suggested that the second hearing be on Saturday or Sunday. This was rejected by the court.

- They then suggested that the second hearing be on Wednesday. This was rejected by the court. They then suggested Friday which was again rejected.

- Finally they were told that the the Quartermaster Generals HQ's was only free on Tuesdays, Wednesdays and Thursdays. As these days were not convenient for the defence lawyers because of other cases (as the prosecution know) they suggested that the case be transferred back to the Military Court at the Ministry of Defence. This was refused.

Thus at present there is an impasse, with the court, though theoretically agreeing to add another day of hearings a week to speed up the proceedings, not being prepared to make any compromise with the lawyers.

B. Those Arrested before October 6th

1. The Trial of Supap Pasa-ong Group

Supap and six other labour leaders were arrested in March 1976 and charged with communism, activities threatening the security of the State and owning firearms. Their first trial hearings began on January 19th, 1977. There are altogether 62 prosecution witness but so far only about 30 prosecution witnesses have given their dispositions in court. The hearings normally take place once a week (on Wednesdays).

May 3rd, 1978

Prosecution Witness: Mr. Kampo Chadthammarak, a former manager of Hara Thailand Co. Ltd.

Cross-examination: The only interesting disposition he gave in court was that concerning one of the workers' strike at Hara Jeans factory, when the workers seized the factory and produced the jeans clothing and sold them at much cheaper price than that used to be sold by the company. The witness accepted that if the products are of the same quality but can be sold at cheaper price, then it benefits the masses of people.

May 10th, 1978

Prosecution Witness: Mr. Kampo Chatdhammarak (continued)

Cross-examination: The statement of this witness is not much connected with the case. As in fact, only the first defendant, Supap-Pasa-ong was involved with the strikes at Hara Jeans Factory, since he was an advisor (from Oct-Nov. 1975 only) of the workers in the negotiations with their employers in accordance with the labour law.

May 17th, 1978

Prosecution Witness: Mr. Kampo Chatdhammarak (continued)

Cross-examination: The witness accepted that after the first strike of the workers in the company's two factories in July 1975 in which a common agreement between the employers and the workers was reached, the company dismissed many workers' representatives from their work. The expulsion led to another strike in both factories again and at this time the company again dismissed workers whilst on strike (Oct. 1975). The witness claimed that he and the company had never been informed by the Labour Department that it was illegal to dismiss workers whilst on strike.

May 24th, 1978

Prosecution Witness: Pol. Maj. Pallop Rungsampan

Prosecutor: At the time the incident that led to the arrest of Supap and friends took place, the witness was a police inspector in charge of the local police station at Sampran District. In his precinct there were many factories, especially in Tambon (sub-districts) Om-yai, Yaicha, Raiking and Tatalad. Whenever there was a strike, the factory owner would ask for protection from the police and the witness would send policemen to guard the factory or even went himself. He said that since 1975 the workers' demands and strikes were usually not in accordance with the labour law, with workers threatening and forcing their employers, seizing factories, having support from people outside the factory, not allowing policemen to enter the factory and so on. Many labour unions were founded with students as advisors in the background. These students always caused problems and troubles, for example they set very high demands on purpose so as to lengthen the negotiations and thus damage the employers, used force to close the factory, threatening

arson, or incited the workers to riot. The worst incident occurred in Hara Jeans factory at Tambon Yaicha, where the workers seized the factory, changed its name, produced and sold jeans by themselves and also threatened to set fire to the factory.

The witness claimed that the demands in every factory of that area were strangely similar, so he thought that there must be some supporters at the back who exploited the situation to cause riots in the country. Finally he found out that the organisation behind these troubles was a labour union in Kratumbaen district which was run by some students. Their purpose was to cause riot in the country, to show that the government was unable to control the situation, to change the country's economic system and to overthrow the government. Those in this labour union were political activists and labour leaders. He thought that every strike occurring in Sampran and Kratumbaen districts was inspired by political reasons. Some activities during the strikes seemed related to the communist propaganda he had heard while on duty in remote provinces. And while spying on communist activities in his precinct he found out that the labour union, by helping the workers and at the same time teaching and propagandizing communism, were fulfilling a part of a communist conspiracy.

Then on March 29th, 1976 he was officially informed of a move of something, suspected to be firearms, from that labour union to a house. Therefore, on the next morning he searched the house, found a lot of communist books and documents, letters, note books, a Thai typewriter, a tape recorder, a special short wave radio, a duplicating machine, posters and 3 guns. From all this evidence he felt that this was an extraordinary case and so he arrested the four people living in that house, namely Supap, Pisit, Nippapan and Sa-nguansri.

May 31st, 1978

Prosecution Witness: Pol. Maj. Pallop Rungsampan (continued)

Prosecutor: The witness understood that the special short wave radio was for listening to official news and secrets. The documents found were not about the work of the labourers but about communist propaganda - to change the country's regime to a communist regime. He said that every strike would support communist activities and could be taken as a victory for the communists as it facilitated the political transformation of the country to a communist regime.

June 7th, 1978

Prosecution Witness: Pol. Maj. Pallop Rungsampan (continued)

Cross-examination: Concerning his former disposition to the prosecutor that the demands of the workers in Sampran District were strangely similar, he accepted that he had investigated not more than 10 strikes, inspite of the fact that there had been about 40 strikes in that district at that time. From the police report, Supap was seen at the employer-worker negotiations at Hara Jeans factory 2-3 times.

June 14th, 1978

Prosecution Witness: Pol. Maj. Pallop Rungsampan (continued)

Cross-examination: As far as the books which he earlier claimed to be "communist books" are concerned, he did not know whether they were officially forbidden or not. He did not know either that those books were sold openly in bookshops. When asked which kind of books concerning political regimes, communism, etc, that people should be allowed to study, he answered, "only university text books". However, he accepted that it was the right of the people according to the constitutional law to have freedom to study, through books or whatever other means necessary. He said that there are communists

all over the country but not in his precinct. However strikes always support the communists, even though these strikes take place in non-communist areas.

The witness did not want any elections nor a parliament, nor members of parliament in the country, for he felt that they all caused troubles and problems. This is because Thai people are not aware of their own rights and duties. However, he admitted that the masses of the people wanted elections and M.P.s.

June 21st, 1978

Prosecution Witness: Pol. Col. Pram Nikompakdi

Prosecutor: There was nothing new in the evidence of this witness; most of his disposition was similar to the evidence already given by other police officers.

Cross-examination: The witness said that most of the workers' demands were over their own justifiable rights. It was only at the Hara Jeans factory where the demands went beyond the labour law i.e. the demands for the rehiring of dismissed workers, change in the factory manager, and an increase in wages and salaries twice a year. However, he admitted the provincial labour department had never told him whether these demands were wrong or told him to take action against the strikers. The defendants were arrested while there was still constitutional law in force, which did not disallow any strikes or gathering for the demands of the workers.

As for the so called communist books, he thought these only gave political, economic and social knowledge and admitted that some of them were still sold openly. Before the October 1976 coup the books had never been officially forbidden. The seized foreign correspondence did not refer to rebellion; they were not even political at all.

The make of the radio seized was a common make but sets with such a high frequency reception could not be found on the market; thus the witness thought the radio must have been smuggled into the country.

The witness agreed that there had not been a single demand of the workers which was political. The witness had never ordered any investigation on this case before the arrest of the defendants. Pol. Maj. Pallop (the former witness) had never reported to him about any strikes in which the defendants were involved.

C. From Sensitive Areas

1. The Trial of Udom Pka-krong Group

Mr. Udom Pka-krong and ten other persons were arrested in May 1976 from Tasala District, Nakornsriathammarat Province and charged with being communists, attacking a military camp, committing arson and killing Village Defence Volunteers. The defendants are being tried at the Criminal Court of Bangkok with the hearings proceeding very slowly at the rate of about one day every two months, with frequent postponements.

We reported in the last report that the trial earlier scheduled for April 25th, 1978 was postponed to June 26th and 27th. However, on June 26th, the trial was again postponed a further two months - to August 4th. This means that in over a three months period there will have been no trial hearings at all.

Such postponements have taken place very frequently, in spite of the fact that the defendants have not been granted bail, and so far have been detained for more than 2 years. Moreover, most of the prosecution witnesses who appear in court always give very confusing and contradictory dispositions. One of them after having given evidence inconsistent with earlier statements fainted in court, and another one accepted that the

reason for his contradictory evidence was because he had signed his disposition, written by the police, without reading it.

Mr. Udom once wrote to CGRS. saying that "Legally, although the defendants are not guilty as charged, it is very easy for the prosecutor to detain the defendants in prison if he wants, isn't it? Because he has legal privilege and can find false witnesses. In my case, most of the witnesses are false. Moreover, many of my co-defendants had accepted their guilt during the police investigation and also threw the guilt on others as they could not stand the pain during the torture...."

(For more details see Letters from Political Prisons below, and also the Report from the South in Part Two of this report)

D. Communist Charges

1. The Trial of Somboon and Vichai Banlusilpa at the Bangkok Military Court

Somboon and Vichai were arrested under endangering society charges in October 1976. After having been detained for 5 months under this charge a further charge of communism was filed against them.

Their trial hearings go on at a tremendously slow pace. The first trial hearings, earlier scheduled for January 9th, 1978 have been postponed again and again 5 times already.

During the past two months (May-June) the trial fixed for May 16th, 1978 was again (for the 6th time) postponed to June 6th, 1978. And finally, on June 6th, 1978 the first hearings really began.

June 6th, 1978

First Prosecution Witness: Pol. Lt. Col. Nitat Sawettanan

Prosecutor: The witness is a police inspector in charge of the police station of Patumwan district. He received an order from the director of the metropolitan police to find Somboon as there was a report from the Governor of Ubon province that Somboon was a communist sympathizer and was coming to Bangkok to get rid of some documents at his brother (Vichai)'s room at Baromnivatt temple. The witness was ordered that if he found Somboon, he should detain him for investigation and make a report on him.

He and many other policemen waited for Somboon on October 15th, 1976 and at 6 am. met him. They searched his body and found a letter written by Vichai, which said that the government might collapse or there might be a coup, that Somboon should gather his farmer friends to form a political party under the name United Farmers of Thailand. The policemen searched Vichai's room and found 10 incriminating pieces of evidence.

1. his diary the most remarkable words in which read "when we become the government, we must educate the people through state organizations about Marxism, Leninism and the ideas of Mao.
2. a one page document
3. 13 pages of documents
4. Vichai's note about communist studies (27 pages)
5. a book about USSR (25 pages)
6. a book on "Leninism"
7. 23 documents from the USSR Information Bureau
8. a book on the "Indochina War"
9. a book on "Easy Like Truth"
10. a piece of red cloth and a map of USSR

During the second investigation Somboon accepted that his brother Vichai was a radical and a communist sympathiser, that he

and his father had told Vichai to stop his activities but he did not take any notice of the advice.

The police detained Somboon at Patumwan Police Station under endangering society charges. On the next morning Vichai visited Somboon at the police station and was arrested under the same charges. Later, the director of the metropolitan police ordered him to consider whether another charge of communism should be added or not. Finally the Police Department filed the communist charge on both of the two brothers,

The next hearings are scheduled for 24th July.
(A letter from Somboon is included in section 3

of this Part)

E. Endangering Society

1. Four Prisoners at Nongkhai appealed for Habeas Corpus

Four prisoners arrested under endangering society charges (for smuggling things without paying taxes to Laos and of using influence to threaten and cause fear to others) appealed to the court of Nongkhai for Habeas Corpus. The four are identified as Mr. Kasem Wongchanon, Mr. Noo Kankaew, Mr. Prasert Kemthong and Mr. Seng Sae-ia. (See details in the March-April report page 19).

The hearings took place on May 8, 17, 18, and 19. There were 9 witnesses for the appeal, including the wives of the four, 2 Thai-Laos traders, 2 river policemen and one customs officer. There were also 9 government witnesses, including 7 police officials, a newspaper reporter and the governor of Nongkhai province.

The statements of the appeal witnesses were similar. The river policemen and the customs officials, whose duty was to investigate any legal offences at the border and along the Khong river denied having ever arrested the four, either for bringing Lao into the country illegally or for smuggling things across the border. They also insisted that the four had legal professions.

The government witnesses however gave a statements that the four had smuggled things into Laos and brought Laos into Thailand illegally. Pol. Cap. Kosol said that he had been informed by another policeman that the four were border smugglers who worked with some customs officials. However, he accepted that they had not been arrested under this charge before and as for the charge of threatening people, there had been nobody who complained to or informed the police about this.

Pol. Lt. Col. Teprateep said that Mr. Prasert and Mr. Kasem, who were agents for arranging export import certificates for Thai-Laos trade had always exploited the small traders; they would let the river policemen and custom officials search any traders who did not hire them for the arranging their certificates but those who hired them could easily pass the border. The small traders dared not inform the police as the four were very influential.

Pol. Lt. Col. Teprateep said that the order for this arrest came from the governor of Nongkhai, so he had to arrest them. (although there was no specific evidence against the four.). Police Inspector Bamrung said that Mr. Kasem had a close relationship with the customs officials and that the four were backed by some influential men. He said that there had been some traders who complained orally to him that they had been mistreated by the four.

The governor of Nongkhai Mr. Chamnan Patchana accepted that he was the one who who ordered the police to arrest the four. He added that the four had taken money from 20-30 traders at 20-30 baht each and gave it to the customs or the immigration officials. Those who did not give the money would be victimised.

Judgement of the Court: On June 12th, 1978 the court judged that the detention was justified, the request for habeas corpus was denied. The four detainees are thus still being held in the special endangering society "vocational training centre" in Korat / Nakornrajsrima Province.

Three of detainees namely Mr. Kasem, Mr. Noo and Mr. Seng decided to lodge a further appeal to the Appeal Court.

Note: In fact this is not only a case between the four detainees (who were appealing for release) and the governor of Nongkai Province together with the police, but it is also a case between the customs officials and the Governor and police, both of which have big vested interests and influence in the whole question of Thai Laotian trade. To lose the case means to lose face too. The problem is whose face is bigger?

2. Endangering Society Ex-Detainees Sue for Damages

a) Mrs. Pimpan Puwapan

Mrs. Pimpan Puwapan was arrested in October 1976 under endangering society charges and was detained for a total of 201 days without trial. After having been released on May 11th, 1978 she brought one civil and three criminal actions against many people who arrested her or caused her arrest. (See Human Rights in Thailand Report, Sep-Oct, 1977, pp 17; March-April 1978, pp. 20)

The civil actions were brought against many high rank government officials ranging from the Interior Ministry, the District Chief, the Police Inspector and the Police Captain for having incorrectly carried out or omitted to carry out their duties and for giving false evidences, for which she asked a compensation of 200,000 baht. The hearings on her plea have been postponed many times. Last time, the hearings scheduled for May 9th, 1978 were again postponed to July 24th, 1978 as the prosecution documents were still incomplete.

b) Mr. Suvit Prayoonsak

Mr. Suvit Prayoonsak was dismissed from his position at Kurusapa Trade Association's publishing house on November 4th, 1976 because he had been arrested under endangering society charges and thus absent from his work from October 14th, 1976. After he had been released, he sued the Kurusapa Trade Association for having dismissed him from his work without proper reasons and thus demanded he should be re-employed. He also sued for defamation of character.

As for his first plea for re-employment the hearings have been postponed many times. So far 3 prosecution witness have given their evidence in court. The next hearings will be on August 4th, 1978.

As for the second plea for defamation of character, the hearings started on June 12th, 1978. The judge tried to arrange a compromise between both parties-unsuccessfully. The next hearings will be on August 15th, 1978.

F. Danger to the Security of the State

1. Mr. Surin Suanpan

During the past two months (May-June) there have been no trial hearings on the case of Mr. Surin Suanpan, a former member of the Socialist Party of Thailand who was arrested under endangering society charges in July 1977 and after his release from this charge on January 7th, 1978 was rearrested and detained under the charge of being a danger to the security of the state.

The first trial hearings which were supposed to be on January 17th, 1978 have so far not yet started, partly because Surin has changed his lawyer and the new lawyer has to have time to study the case.

The first trial hearing has now been scheduled for July 14th, 1978.

3. Letters from Prisoners

Every week CGRS receives a large number of letters from political prisoners it is in touch with as well as from their relatives. Sometimes these letters ask for specific assistance, sometimes they request that some action be taken to overcome a particular injustice, and at other times they are a part of a continuing correspondence.

In what follows we have translated a very small sample of the letters on file.

Central Prison of Nakornsrihammarat

20 March 1978

Dear Chaiwat,

A few days ago I read in a newspaper that you were arrested on Feb. 16th after you had visited me on Feb. 12th, and were charged with communism. I have also received a letter from my brother Puchong from the Prison in Bangkok telling me that if you were sent from Nasarn Police Station to the Central Prison of Nakornsrihammarat, I and my friends should greet and take good care of you to the utmost of our ability, so I and my friends are waiting for you. Now I try to follow the news about you in the newspaper and I read that you three have already been released on bail. I am very happy about this news. I might be detained for a long time in prison but I still wish for the freedom of the majority of my friends, as our main work is outside the prison. In prison we are restricted, limited, and have no way out, no way to struggle at all, not even to struggle for our own survival.

I think and worry so much about my family. The military forces have driven the people including my family from our home and land, "to suppress the communists". People have to ask for shelter from others. I feel so angry when thinking about this and sorry that I have been deceived by the government. I never thought before that I would even be deceived like this. However, I must be free one day...

Finally, I have nothing more to say but wish you good luck. I give my hope to all of you.

Yours Respectfully,
Pralom Kaewsuan

Pralom has been detained since November 23rd 1977, as the 12th defendant in the Udam Pka-krong case. His story appears in the report from the South in Part Two of this report.

Bangkhaen

24 December 1977

Dear friend,

Thank you very much for the food you brought to us. You are so kind to us. I feel grateful to you although I know that in fact you want nothing in return.

Thank you for the book about Gandhi. I like to read and study about his life and struggle. I feel that he is a very great man. His greatness is so different from many so-called "great men" whom we can easily find today. Today people seem to appreciate the kind of great men who I would rather call "great murderers", who are happy to kill, exploit and oppress other people, who put innocent people in jail, who produce and sell firearms while the majority of the people are hungry and suffering. And while doing all this, they say that they want

freedom and peace. I wonder why they do not stop oppressing and killing, why they do not solve the problems of hunger, social and economic failure and all the exploitation that takes place, why they do not try to create a society where its members can find peace and happiness...

Before being put in prison I had always struggled in a non-violent way. As for your question of whether (in my opinion) the non-violent struggle can solve the problems of our country or not, I say that non-violent struggle is possible in Thailand, and will win, if a lot of people see its value and join the movement, with patience and solidarity, especially if we have strong and wise leaders. I cannot see for what purposes our fellow countrymen are killing each other. What do they gain from killing but death? For whose benefits are they killing each other? I think every member of our society should carefully consider these problems and use their brains to solve them. Now they seem to think that one can defeat his enemy "only by using force". I cannot see any society where man can defeat his enemies by force and at the same time win the hearts of the people. The only way to win is through non-violence. Only through sincerity, purity, justice, mercy and forgiveness can man really overcome his enemies.

I do not believe in a society with a system that enables the rich to be richer and the poor to be poorer. Such a system cannot last. I believe in creating a society where every person has enough to eat, where there is no oppression and exploitation and where people can live together peacefully.

I always think of you

Somboon Banlusilpa

Somboon, and his brother Wichai Banlusilpa were arrested under endangering society charges in October 1976. After being detained for five months, communist charges were added. According to the law their trial should have started on January 9th 1978. The first hearing only took place on 6th June 1978. (See Part I Trials and Legal Processes)

12 June 1978

Dear Son,

I have received the 300 Baht you sent together with 3 books about the Omnoi case and a leaflet about Amnesty International. I and Mother have read them through and have also discussed about them and could understand them well. I think that we should study what we have not studied. As for Mother she can understand Promma and his friends much better after having read the book.

We thank you very much for your kindness to Promma, for in this way we know he is well cared for without us losing money coming to see him in Bangkok. We can have the news about Promman only through you. I wish you all success with your work.

With love from your father and mother,
On-Buapan

This letter to CGRS is from the mother and father of Promma Nanerk, one of the defendants in the Supap Pasa-ong case. Promma has been detained since March 31st 1976, and his trial is proceeding very slowly and likely to take at least a further two years before completion. His story appeared in the July-August 1977 report.

Special Prison of Bangkok

18 January 1978

Dear friends,

Everytime I go to court I see one or two of you who come to cheer me and my friends up. Although I have never seen my relatives at all since I was sent to Bangkok, I feel as if I were among my own closest relatives. Although I wanted so much to talk to you, when I saw you I could not find the words. I was afraid that my words would be wrong. It is the typical feelings of a country man whose life is used up in the rice fields, who struggles throughout his life only for survival, and who never gets assistance from anybody. And now in a far off place I suddenly find mercy from some justice loving people, and I cannot find any suitable words or thanks. The peasant just blinks his eyes like men without conscience.

I write this letter to ask for some help and opinion from you. I have written 2 stories. The first story tells the life of a young country girl who lost her parents in a big storm that occurred 15 years ago. She and her sister had to struggle in the selfish society. It relates the real lives of the country people. This story is more than 100 pages long. Another story tells about my own reality, including the injustices I have faced from the local authorities, and the inhuman torture I received from the soldiers. I would like you to publish these 2 stories for me. Please also consider whether these 2 stories will have a negative impact on my case that is still in court or not.

May you all be blessed and happy.

My love and respect,
Banchop Chuaipan

Banchop Chuaipan is one of the defendants in the Udom Fka-krong case, which is remarkable for the slowness at which it is taking place. He has been jailed for over two years already, with the end on his trial being nowhere in sight. Is anyone interested in printing or translation Banchop's stories?

Ladyao, Bangkok

10 April 1978

Dear friend,

How are you these days? You must have lots of work to do. At present the weather changes everyday and many people inside the prison became ill, but both of us are strong and healthy. You outside should take care of your health too, as people outside can be ill easier than us inside because of the hard work and the pollution.

We are fine in prison and are busy studying and exchanging knowledge amongst ourselves. Every minute passes precious; we have tried to spend our time as usefully as possible. We two at Ladyao are taking up a nursing course in prison again; after we had stopped for some time to study our case (at that time we were still not allowed to have lawyers). As for music, we used to learn to play the guitar from two other inmates, but after they were released in January last year we have to learn ourselves.

Thank you very much for the books, papers, and writing material, and above all for the encouragement which is sent through the bars every time we meet. No words can express our feelings for all your kindness.

Please give my thoughts to all friends

Love
Sa-ngiam - Suchira

* Before the arrest, Sa-ngiam was a nurse at St. Louis Hospital in Bangkok

Sa-ngiam and Suchira are the only two girls amongst the Bangkok 18. They have been in jail since October 1976, and during the first year suffered much harsher treatment than the other defendants in the case.

PART TWO
THE HUMAN RIGHTS SITUATION

1) Misuse of Government Power

A. Karoonyathep and Democracy Training Centres

For sixteen years now the Internal Security Operations Command (ISOC) has been operating special reeducation centres in all those parts of the country which are classified as sensitive areas. These centres were originally designed to provide "re-education" for communists who surrendered to the government, and according to official figures more than 11,000 such surrendered communists have passed through the centres in the 16 years since they first began. (Over the past ten years 5652 in the NE, and 1090 in the South.) However as we discuss below the centres have been used for a much wider group of people than "surrendered" communists alone, about whom these official figures refer. For example though over the past ten years only 1090 "communists" surrendered in the south, last year alone more than 600 people were "reeducated" in just one of the many centres in that region.

The centres are usually called "Karoonyathep" (or god's mercy) centres, but sometimes called "Santisuk" (peaceful happiness), or democracy training centres. We believe that there are altogether 22 such reeducation centres, most of which are concentrated in the North East, and the South of the country, with at least two in the North. However we only know the precise location of nine of these; in Suratthanes, Nakhorn Sri Thammaraj, Phatalung, and Songkhla in the South, Udonthanes, Nakhon Phanom, and Korat in the North East, and Phitsanulok and Chiangmai in the North. These centres are always situated, in or behind a military or police establishment, and are thus inaccessible to the general public. In the North and North East the centres whose location we know, are behind police training schools, whilst in the South behind military camps. Generally the people living near the centres don't even know (or claim they don't know) of their existence, and don't know that people are detained there. This is particularly since most are surrounded by an ordinary corrugated iron fence with no notice board.

Each centre is coupled with what is called an "information centre". This information centre is in fact the place where new detainees are interrogated before being transferred to the centre proper.

Whilst the conditions in the Karoonyathep centres are generally quite good, with detainees being provided with one or two sets of clothes, and 10-12 baht of food a day (depending whether they are arrested or surrendered "communists") living in dormitories with mosquito nets, and having some freedom to walk around inside the fence, conditions in the adjoining "information centres" are quite different. In these information centres there are "dark rooms" and solitary cells to disorientate detainees, and interrogations which can take place at any time of the night or day. Very often "stool pigeons" are used to get the confidence of new detainees, and to help extract their confessions. These are old prisoners who work for the interrogators, are locked in the cell with the

new detainees, and try to befriend them only to betray him. Detainees, only transfer out of the "Information Centre". to the Karoonyathep centre when they have confessed that they are communists, have given all possible information to ISOC interrogators, and have "voluntarily" agreed to undergo reeducation.

Though the programme was originally designed for surrendered communists, at least since 1976 (and probably before), the majority of people in the centres have been peasants, and other ordinary people, usually from sensitive areas, who have been picked up by the police, army, border patrol police, and other paramilitary forces, suspected of being communists sympathisers, or of having given food to the communists. Immediately after October 6th 1976 significant numbers of students and teachers were also detained in these centres (e.g. 30 in Chiangmai, 10 in Phitsanulok) but this does not seem to be happening any more.

Sometimes in particularly sensitive areas virtually the whole of the remaining (those who have not fled to the jungle) adult males are detained.

Those detained in the centres are not charged with any offence, and are not tried. They are merely arrested, (or are surrendered communists) kept in poor conditions (either in the information centres or in local police stations or military camps), heavily interrogated, threatened with long periods of detention followed by a trial on serious offences, and at the same time offered reeducation, as long as they accept their guilt, and agree voluntarily to their detention. Obviously most detainees, particularly unsophisticated peasants agree to go to the centres, but equally obviously so do most real communists, which explains why so few of the 2,200 "communists" who have been arrested or surrendered (in a rate of 4:6) since Oct 6th ever come to trial. Like all such carrot and stick psychological methods, once guilt is accepted further information is required, which sometimes leads to the arrest of other innocent people, and sometimes to criminal charges being placed (see section 3 below).

The reeducation usually takes about 2 months, (though sometimes, for example for released endangering society prisoners, special two week courses were run in Udorn last year). The curriculum concentrates on the benefits of "democracy" over "communism", and on promoting national loyalty, extolling the merits of the Nation, the Religion, and the Monarchy. The importance of National Security, and the cooperation of the people with the government and military forces is also emphasised. There is no discussion of economic problems, or of the ordinary life of the people.

During the first 20 days of the training the detainees are carefully watched, and these whose behaviour seems "good" are given special privileges, whilst these who are "bad" have their conditions worsened. Throughout the training "stool pigeons" continue to try to gain the confidence of the detainees to get further information, and ISOC officials try to persuade detainees to become their spies when released.

The actual reeducation usually takes two months, with most detainees held for a total of at least 3 months. In many cases detainees have to pass through at least two consecutive reeducation programmes before "passing" the curriculum and being released. We have no idea exactly how the ISOC officials decide whether someone has "passed" the curriculum or not. The average detainees spends about four to six months in reeducation.

We do not have statistical information on the number of detainees being held at any one time, but as an example we can give figures from Ban Cha-ian Democracy Training Centre in Nakorn Sri Thammaraj for the first three courses in 1977; first course 185 detainees, second course 235 detainees, third course 211 detainees. Of the detainees in the third course 50 were held for a further course, and 10 charged with criminal or anti communist offences.

From a basic human rights point of view we are against these centres for four main reasons; namely:-

- They are being used for much more than their original legal purpose, the reeducation and reorientation of surrendered communists.
- People can be arrested without charge and detained in these centres merely because someone thinks that they are communist sympathisers. This gives much too much power to local officials and spies.
- Participation in the reeducation is supposed to be voluntary, though most detainees are tricked or forced into accepting their guilt and agreeing to be reeducated
- The location of the centres is kept quite secret, and visitors are not encouraged. This can lead to misuses of power particularly during interrogation in the adjacent information centres.

B. Increasing Use of Article 27 of the Interim Constitutions

The interim constitution promulgated by the "revolutionary party" in November 1977, like all militarily drafted constitutions, includes an article (article 27) which allows the Prime Minister, with the approval of the cabinet and the National Policy Council to give any sentence to anyone, for basically any "crime" they are supposed to have committed, anywhere (in or out of the country), at any time (before or after the constitution) came in force. Exactly why such an article is needed when there is a penal code, martial law, communist suppression law, the endangering society decree (decree 28 or NARC) etc is not quite clear, particularly ^{since} with all these it is possible to detain people for any period of time, but what is clear that this article has been increasingly used over the last month or so.

Early in his administration the P.M announced that he would use article 27 for "economic and social crimes". The first use was on the 12th April 1978 against log poachers. The second against tin smugglers on April 27th 1978. Those first uses were then followed by a whole spate of rumours that article 27 would be used against this or that group. Increasingly in late April and early May there was evidence that high officials were threatening to use article 27 to obtain bribes, whilst others were trying to use the article on minor actors in crimes in order to protect the influential people behind.

Thus at the end of April, supposedly to prevent these misuses the cabinet set up a special sub-committee of the cabinet to consider all article 27 cases. This committee is chaired by Sompop Hotrakit, Deputy Prime Minister; and includes Sutham Pathrakom, Minister of Justice!!; and General Prem Tinsulanonda, Deputy Minister of Interior. However neither this committee, nor the P.M, nor the Cabinet, nor the National Policy Council, ever give the accused a chance to defend themselves, but make their decision merely on the basis of the police investigators report. Since everyone is aware of the weakness of most police investigations (50-70% of people taken to court are normally acquitted), and also the far from clean image of the police this is a very strange form of justice.

Since the formation of this special three man sub committee, there has been rapidly increasing use of article 27. For example:-

24th May 1978

- Three persons sentenced 3 to 25 years imprisonment for operating an illegal saw mill. (two of the three escaped arrest)
- Five persons sentenced to 5 years imprisonment for illegal logging.
- Three persons sentenced to life imprisonment for drug peddling.
- Two persons sentenced to 25 years imprisonment for illegal logging (both escaped arrest)

- One person sentenced to 15 years for leasing a sawmill for illegal operations.
- One forestry official sentenced to 20 years for aiding the loggers.
- Three persons sentenced to five years for illegal logging.
5th June 1978
- One person sentenced to 30 years for illegal logging
13th June 1978
- Two drug traffickers sentenced to life imprisonment
119th June 1978
- One person sentenced to fifteen years imprisonment for illegal logging.
- One person sentenced to ten years imprisonment for illegal logging, (he escaped arrest)
- One log poacher sentenced to five years imprisonment.
- Two persons sentenced to three years imprisonment for using electric current in fishing.
22nd June 1978
- One alleged rapist murderer sentenced to death and executed.
29th June 1978
- Three people were sentenced to five years imprisonment for using explosives in fishing

In each of the above cases, in addition to the sentence, all related property, such as saw mills, trucks, logs, taxis, boats, motors etc were confiscated.

Altogether in a period of just over a month 30 people have received sentences under article 27, and most of these sentences have not been light. Even the most efficient court working round the clock over a month could hardly be expected to reach just conclusions on so many cases (including 18 in one day!!) particularly since most of the defendants pleaded not guilty. How the P.M, his committee of 3, the Cabinet, and the National Policy Council, can be expected to really understand any of these cases in a few minutes between other important matters of state, particularly when the accused are not even allowed to defend themselves (except through the police prosecutors summary report!) is not clear. It is also noticeable that many of the most influential of those sentenced were released on bail and escaped arrest and detention.

We are certainly not in anyway in favour of people who destroy the environment, push drugs, or whorape and kill, but nevertheless we do not believe that in this corrupt society (or in any society for that matter) any crime is so clear cut that a summary punishment (including execution) can justly be decided by busy men in a few minutes. We consider it is a basic human rights that all those accused of a crime, however horrible the crime, should be given a real chance to defend themselves before being sentenced, and should never be assumed guilty merely because the police say they are guilty.

This increasing use of Article 27, can only lead to an increase in the power and influence of local and central police, and to an increase in their misuse of this power. However weak the existing penal code might be, it does at least provide some protection to the ordinary citizen against summary sentencing, and thus it should be upheld and improved.

c) Other Misuses of Government Power

1. Seven Thai Policemen Loot and Rape Vietnamese Refugees

In mid-May, 1978, while a shipload of about 30 Vietnamese refugees was landing at Ban Nasuan, Tambon Nasuan, Hua Sai District, Suratthani, a group of 7 policemen led by Pol.Lt.Vichit Wongamukul opened fire with M.16 assault rifles on the ship, forcing it to turn back to the open sea. The Vietnamese ship duly complied with the order.

In the evening, however, the ship headed for the shore again. Pol.Lt.Vichit, who was still around, immediately led his men on a motor boat to board the ship. Men on the ship were quickly forced at gun-point to the bow while women were moved to the stern where all of them were allegedly undressed and gang raped by the policemen. The policemen also looted the Vietnamese of their gold ornaments and other valuables before leaving the ship.

The group of Vietnamese finally was able to land at Tambon Nasuan and was later sent to the refugee camp at Songkla province.

This story was exposed only after the refugees reported the case to the local refugee control officials in Songkla who lodged a petition of complaint with the Ministry of Interior.

Although Pol.Lt.Vichit and the 6 other policemen were transferred, from Hua Sai to Pipoon and Tung-yai local police stations to prevent them from influencing the probe, the investigation did not proceed easily because many significant witnesses, including a buddhist novice, who was present at the time and asked the policemen to stop shooting.

On June 13th, 1978 the seven policemen were arrested and charged with robbery and misconduct on duty. All pleaded not guilty and released on bail. The outcome of the case is still unknown.

2. Five Policemen Shot Dead three Civilians

Five local policemen from Prachinburi Province took three civilians to a remote area in Nakorn Rajsrima Province and shot at them. Two died on the spot and one was severely injured.

On June 5th, 1978 at 4 p.m, the three men identified as Mr.Somsak Kankaew (23) from no 63, Moo 3, Tambon Tungpo, Nadi Sub-district, Prachinburi Province, Mr.Thonglaw Songwut and Mr.Prem Boonpong were seen being taken into a green car by five policemen at Ban Klong Pogpeg near a shooting range of a police school at Tambon Wang Namkiew, Paktongchai District, Nakorn Rajsrima.

The three were found later lying in blood, two of them were dead with their bodies bruised as if they had been tortured before being shot. The other one was severely injured and was instantly taken to the hospital.

The five policemen were evidently from Prachinburi Province, either from special force unit or from the local police station at Nadi Sub-district. One of them was known as "Policeman Yong-yut".

3. Three Policemen Charged with Murder of Alleged Offender

Three sergeants were charged with torturing an alleged offender Mr.Sunan Senawong to death in jail. Sunan was earlier arrested on drug charges and was detained at Songkla district police station, Songkla province. After Sunan had died the police made a report that Sunan had committed suicide, but his mother who knew the truth appealed to the Ministry of Interior to re-investigate the case. After the investigation, it was found out that Sunan had been tortured to death by Sergeant Boonchai Siriwandi and two other sergeants. The three sergeants have been arrested and prosecuted in court.

The mother also accused Pol.Lt.Wira Butpo, the investigation officer of Songkla district police station, of having given false evidence, a false report and a false signature to help his subordinates. Pol.Lt. Wira has been called for preliminary examination in court on May 3rd, 1978.

4. Prison Custodian Tortured a Prisoner to Death

Tawatchai Namnual (22), a prisoner at the central prison of Lampang Province was beaten and kicked after being found drunk by a prison custodian Mr.Pinit Ngarnkuntod on June 10th, 1978, Tawatchai was sent to hospital and died the following day.

The custodian was arrested on June 21st, 1978 and charged with manslaughter.

5. Police Shot Dead Unwilling Detainee

Dej Kunsin, a 17 year-old boy who was detained by police at the request of his wealthy father so as to eradicate his "good-for-nothing" conduct, was shot dead by Pol.Put, Thongbai Chaiwong (24)(who was drunk) on June 26th, 1978.

The boy was lying on the floor of the detention room at Sisatchanalai district, Sukhothai province police station when the drunken policeman came to inspect the place. Pol.Pvt.Thongbai was quoted by police as saying that he felt disgusted with the boy, and because of his drunkenness, angrily sprayed five bullets killing the boy instantly.

According to police report, Pol.Put, Thongbai was charged with manslaughter and detained at the Police Station of Sawankaloke district.

6. Policeman Shot Dead Two Fleeing Prisoners

Two out of four prisoners fleeing from Pukiew Central Prison in Chai-yapume Province were shot dead by a group of policemen. At 6 a.m on May 5th, 1978 whilst the prisoners having their daily wash outside the jail, four prisoners slipped from the bathroom, climbed over the prison wall and ran to the mountains nearby. A group of policemen led by Pol. Maj.Pramual Wankowit followed them to the forest, and shot dead two prisoners, Tieb Chuer-Charuern and Wanapum (Mee) Petpirom, while two other prisoners successfully fled.

7. Two Civilians Claim to Have Been Tortured by Policeman

Two civilians complained to Karp-churng district police station of Surin Province that they had been tortured by Police Lance Corporal Chaluay Abdon. The two, Mr.Somma Sritoo and Mrs.Tua Salisuke claimed that the policeman had kicked, punched and beaten them with a gun on May 24th, 1978.

During the police investigation. Policeman Chaluay denied the allegation. However, he was charged in Surin Court on May 31st, 1978. The outcome of the trial is still unavailable.

8. Policemen Torture Five Handcuffed Prison Wardens

Five prison wardens were arrested, because of personal conflicts with a police officer at a brothel, and were tortured both on the way to the police station and in jail on May 25th, 1978. At 00.10 a.m of that day the five wardens of Bangkwang Frison. Nontaburi Prison had a quarrel with Pol.Lt.Anan Pau-in at a brothel in the province. Shortly after the quarrel while the five were drinking coffee in the market, a group of 7-8 policeman arrested them without charges, handcuffed them, and on the way to the prison, kicked and beat them all. On reaching Nontaburi central police station they were sent to the investigation room when Pol.Lt.Anan was waiting and continued with the torture. At 9 am. they were officially charged for being drunk, and after being fined 10 Baht, they were all set free.

The five wardens were identified as Mr.Chainarong Wongkawi (25), Mr.Somchai Pongpiatpanit (21), Mr.Panthai Prommittikul (23), Mr.Chauwalit

Sae-jang and Mr. Samart.

This arrest and torture led to demonstration of 560 wardens and people in front of the police station, with many posters attacking the policemen for torturing innocence people, making profit out of brothels and gambling houses etc.

Pol. Lt. Anan accepted that he was very drunk on that day and was very disturbed by the five wardens.

2; Detention Centres, Arrests and Releases

A. News from Detention Centres

1. Letter from Arom Pongpa-ngan to His Daughter

Are you thinking of your father?
If you want to hug your father,
To be loved by your father,
You must be able to endure.
Because this is the idea
Of love,
That I am so proud of.
When you have these things
The hugs of your father
Will be real.
And you will feel close to me.

What is the point of me letting you have dreams
That are not based on reality?
The jail will certainly not keep all of your father
Since my body might be detained
But my spirit is free.
My warm embrace
Is floating over the whole area of the country.
If you, my child, can endure,
You will feel me touching you.

The kisses of a weak father
Has what value to you my child.
To be tied to love
Might be deceptive.
Only a father who is brave enough
To create a good society
Is a real father.

If you think of me,
You should also think of the poor and deprived people,
Because they are the life of your father.
If you want to hug your father,
Open your arms,
And hug those who are poor and oppressed.
Such people who are being tortured in such a way
Are your father.

Arom Pongpa-ngan

2. Suchira and Sa-ngiam Denied the Right to Read Newspapers

Suchira Tanchainan and Sa-ngiam Jamduang, the two female detainees in the Bangkok 18 case who at present are imprisoned at the female prison of Lad Yao have continuously faced problems of not being granted the legal right of pre-convicted prisoners. The latest event in a string of illegal restrictions is denying them the right to read legally published newspapers.

During the first year of detention both of them weren't allowed to read any newspapers (as with the other detainees in this case). However recently after trying to appeal for newspapers, they have been allowed to read newspapers which the governor of the prison has already read. This means that every newspaper reaches them after they have been read by the governor. Those newspapers were not readable since some news was cut out before the papers were sent to the 2 women, even interviews with some of their friends in the case.

Being allowed only to read those materials that passed the governor was inconvenient also because they sometimes would receive no newspaper when the governor was busy. In addition, both of them were reluctant to continuously ask her for the newspapers. They thus wrote a letter to the governor to ask permission to receive newspapers from the boy who came everyday to deliver newspapers to the officials in the prison. They wanted to receive the daily and weekly Siam Rath. Their friends who often called on them were willing to pay the costs involved.

The governor answered, "even if you yourself buy directly the newspapers, they must still pass the censor!". But later the governor wrote to them that "according to the rule of the Corrections Dept., printed materials brought into the prison are not allowed to be taken out. Therefore the governor can't allow you to buy newspapers because it seems that your case will take a very long time. Thus by the time your case is concluded you will have a lot of newspapers, and according to the rules those newspapers must be kept in your room which as you know is a very small room. In addition, there are other female prisoners in your room and they are not allowed to read anything. So if you keep the newspapers in your room, that means those prisoners can read them too. This will cause us much trouble because they will know news about the country and the political situation"

Thus we can say that Suchira and Sa-ngiam are still denied their basic rights as unconvicted prisoners, and are still not allowed to buy ordinary newspapers.

It should be noted that other unconvicted prisoners in other prisons (such as Udom Fka-krong and his group in the Bangkok Special Detention Centre) face similar if not even more serious restrictions.

2. Supap and Friends Help Make and Run a Prison Library

It is strange that whilst Sa-ngiam and Suchira are denied their basic rights of reading newspapers by the governor of Lad Yao (See 1 above), some of the lower level officials and section commanders do everything in their power to help encourage a reading habit amongst prisoners.

This is particularly the case in section six of Klong Prem-Lad Yao maximum security prison where Supap and his friends have been held for the past 27 months. There are about 500-600 prisoners detained both for criminal and political cases. They are of all ages and come from every part of Thailand as well as from Bangkok. Some of them are foreigners too. There is a wide range of educational levels, linguistic abilities and customs,

since some have finished their bachelors degree, some have once been government officials, whilst others can't even read or write.

It is noticeable that most of them want to read books. Some borrow from friends in the same or other section, and some ask friends or relatives from outside to bring them books. Given the above situation the warden in charge of the sixth section thought of organizing a library in the section with the following aims:-

- a) To encourage a love of reading and writing amongst the prisoners, and to respond to the desire for books by the prisoners
- b) To increase scientific knowledge, rational thinking and imagination, and to promote the culture and personability development of each prisoner.
- c) To improve the mental state of the prisoners.

Supap and the other Om Noi detainees agreed to help the section commander organise and run the library. They agreed to make an appeal for books, manage the library, organise the checking in and out of books, and carry out all other administrative tasks. Supap explained to us that in his view the aim of the library was to solve the problem of the shortage of books, and to enable the prisoners both to find enjoyment, and to increase their knowledge. In addition he felt that if the prisoners could be occupied they they would be less likely to break prison rules and be punished.

The first step was to prepare a circular, asking for books, which was typed and distributed by the Om Noi group. This circular outlined the background to the project, and then continued as follows:-

" The project is divided into two parts, namely:-

- A Library designed to provide many kinds of books on loan for each prisoner.

- An information board to be used on important days such as National Holidays, or religious days, and also to allow prisoners to express their views. In addition it will be used to describe events or persons in the past or present, and to mount exhibitions on subjects such as addictive drugs, etc.

This project has to be created out of thin air because we have no budget, no books and no other facilities. The only things we have are our creative ideas and faith in the outside world, and thus we are sure that there will be some people prepared to give us help.

Please therefore could you give us some books, as such a gift will enable us to turn our imagination into reality.

The kind of books we require are:

- a) Thai magazines which are legal and not obscene
- b) All kinds of Thai novels
- c) Every kind of academic books on subjects such as science, social studies, philosophy, religion, education, law, etc.
- d) Professional manuals and text books.

You could either send those books to the 6th section library, Klong Prem maximum security prison, Bang Khen, BK 9 ; or take the books to the prison yourself. The prison is at Ngamwongwan St., BangKhen, Bangkok.

Please accept our gratitude in anticipation.

The 6th Section Library
Klong Prem Maximum Security Prison
June 7, 1978 "

So far the result of this appeal has been very successful, since not only has every type of book been received (so there is something for every prisoner) but also money has been received to buy books and other necessary

materials, and thus Supao and the other organisers are extremely grateful for all the help already obtained.

Of course all books have to be censored before being allowed into the library, and automatically all those banned by NARC in 1976/77 are not allowed in. In addition Supap told us no "political" books can be brought into the library. He could not however define what was a "political book", because the low level officials who were encouraging the scheme were very afraid of being criticised, and thus banned a wide range of books that could not really be considered political.

The main hope of Supap and his friends is that the idea will spread to other sections and prisons, so that the basic right of people to knowledge (even if they are prisoners) is not denied.

Any help from friends outside the country for this project would be most welcome.

B. Detention Centers

1. Nakornrajsrima Profession Training Center

Nakornrajsrima Profession Training Center was built shortly after the NARC announce Decree 22 (in Oct, 1976) and arrested people on endangering society charges. The people arrested in the North-East region under this charge are detained there. The training center is situated in the town, next to the central prison. The number of the detainees changes from time to time; in March 1978 there were about 60 detainees while in May 1978 there were 54 detainees. Every two months a group of prisoners (number also varying) are released. The next release will be in July 1978. Prisoners are allowed to be visited twice a week (Monday and Friday).

Although the center is called a "professional training center", the only profession being taught here is "vegetable growing". The vegetables grown by the detainees are sold to the central prison nearby. However, the detainees who grow them have nothing in return for their hard work.

Names of some prisoners here are as followed:

1. Mr. Kasem Wongchanon
2. Mr. Noo Kankaew
3. Mr. Seng Sae-ia
4. Mr. Prasert Kemthong
5. Mr. Tongdaeng Kesa-ngam
6. Mr. Sanan Saisilp.

2. Ayudhya Profession Training Center

The center is in the central district of Ayudhya Province, 72 Km. from Bangkok. Originally the center was a detention place for those arrested on non-political charges in the central region of the country under the endangering society decree. Earlier all political endangering society prisoners from all over the country were sent to Bangkok II prison in Bangkok. However, at the beginning of this year the government changed its policy of detaining political prisoners in one place only, and now mixes up political prisoners with criminal prisoners, so as to make it less obvious and to hide the real number of political prisoners. Those arrested under endangering society charges for political reasons are now sent to regional profession training centers; however, the general conditions provided for them is usually worse than for non-political prisoners.

At Ayudhya the political prisoners are detained in a separate part of the center. The prisoners cannot leave their room except at meal times. Officially, they are allowed a visit on Mondays and Thursdays from 9:00 - 12:00 am. and 13:00 - 15:00 pm. but practically they can be visited only 15 minutes a day.

The profession being taught here is rattan crafts, making such things as baskets, bags, and so on. But the detainees get nothing in return for their work.

As far as we know, there are 3 political prisoners here, namely

1. Mr. Tawee Yindipot (30)
2. Mr. Sanan Klankaew (21)
3. Mr. Prasit Petuboe (21)

The total of the prisoners here is about 100.

C. Arrests and Releases

Arrests

8/3/78 A villager Mr. Sawat Saitong was arrested and shot dead by a marine at Na Tap, Tasala district, Nakornsrithammarat. The marine accused him of being a communist. (Siengrat 23/3/78)

15/3/78 Mr. Jae-ha-ma Jahow, (23) a former marine, was arrested and firstly charged with assassination, then with endangering society because he owned dangerous weapons and a bomb. He lived at 45 Moo 2, Tambon Baha, Muang district, Pattani. He was imprisoned at Muang Police Station. (Siengrat 23/3/78)

21/4/78 Mrs. Kimlee Wongkhom (35), who lived in Nakornpathom, was arrested with the charge of communist insurgency after fighting with police in Moo 12, Tambon Klong Narn Ching, Rataphom district, Songkla. She was imprisoned at Had-yai Police Station. (Chaotai 26/4/78)

26/4/78 Three suppliers for a muslim separatist movement surrendered to the governor of Yala, after realising that they had been spied on by the police. The three are identified as Mr. Wae-Hayilatae (47), Mr. Kariya Hayilatae (24), Mr. Jae-soe Ii-tae (44) from Moo 5, Tambon Ba-ngoisinae, Yaha district, Yala.

14/5/78 Two villagers of Ban Dunsad, Tambon Nong Tako, Kranuan district, Konkhaen were arrested. Mr. Tongchan Ta-ua was suspected of being a communist representative in a village, while Mr. Sommai Nawang was suspected of being responsible for contacts between Ban Dunsad and Ban Suksomboon villages.

24/5/78 Mr. Srisamai Bueng-suwan, a communist leader surrendered at Ban Bueng-saehangpeng, Tambon Toa-ngoy, Muang district, Sakonnakorn. He was investigated by the governor and the information division of ISOC (Internal Security Operations Command) then sent to the second Army Front division HQ's. (Sakonnakorn 21-31/5/78)

25/5/78 Three communists from different villages of Sewang-nikom sub-district, Ubonrajathanee, surrendered to the chief of the sub-district on May 25. The three were Mrs. Bnaw-sorn Vichitphan, aged 27, a resident of Ban Phon-thong, Ms. Klin Boonrawd, aged 20, a resident of Ban Kumkha and Mrs. Eiw Thurabutr, aged 21, a resident of Ban Nongno. (Daily Times 7/6/78)

25/5/78 The supreme command reported that 26 communist insurgents had surrendered themselves to the government during April - 19 from the NE and 7 from the South. It was also stated that over the past ten years, 5652 communists had given themselves up in the NE and 1090 in the South.

26/5/78 Police inspector of Ra-ngae district, Narathiwat (in the South) arrested 5 workers (the fifth was arrested on May 27) in the district and charged them with endangering society by supporting the Bandit Guerilla Movement. The 5 prisoners were Mr. Yusoh, aged 36, who lived at 186 Moo 2, Tambon Ja-nae, Mr. Seu-mae Jae Ma, aged 27, from 280 Moo 2, Tambon Ja-nae, Mr. Satoba Ara, aged 23, from 65 Moo 5, Tambon Bo-ngo, Mr. Wae-yuso Badang, aged 22, from 205 Moo 2, Tambon Ja-nae and Mr. Kode or Alo, aged 27, from 106 Moo 6, Tambon Tonyonglimo. (Chaotai 1/6/78)

27/5/78 Ten stevedores in Sriracha district, Cholburi, were arrested on the charge of disturbing the peace and order of the state because of their leading role in the May 26 night strike and rally with hundreds of stevedores who asked for more pay and a guarantee of further employment. They had also blockaded the entrance of the harbour. They were Mr. Daeng Srisuk, Mr. Dan Srisuk, Mr. Somphong Samleem, Mr. Sanga Naem-suksai, Mr. Maek Arun, Mr. Prasit Phitsawong, Mr. Narong O-kitloa, Mr. Kao Sae-heng, Mr. Uthai Chumphanthong and Mr. Somnuk Beuw-kaew. On the evening of May 26, 2 stevedores were also arrested during the strike with the charge of possessing guns without licenses. They were Mr. Sangad Sae-lee and Mr. Suchard Netrnimit. (Nation 4 Ban Muang 28/5/78)

Mr. Noi or Lob Thamthura, a villager of Ban Khonsa-ard, Moo 5, Tambon Don Arang, Nong-kee district, Buriram was arrested with the charge of being a communist and possessing war weapons. He was imprisoned in the Nong-kee Police Station. (Daily time 8/6/78)

29/5/78 Two southern separatist bandit - Mr. Yusoh Musor, 29, and Mr. Mala-oh Sani, 19, were captured after a gun battle with government forces at Ban Du Ku in Bajor district, Narathiwat. (Nation 31/5/78)

3/6/78 Mr. Man Laikaw (34), and Mr. Vichit Sathongin, living at 174 Moo 9, Tambon Khola, Waeng district, Narathiwat were arrested and charged with sending medical aid to the guerillas. (Chaotai 11/6/78)

6/6/78 Mr. Saeng Sabsook (40) and Thongdee Chanta (30) were arrested in a house of a suspected communist terrorist leader, at Doi Phonng near Ban Luang-tam-thang district, Chiengmai, along with three other unidentified persons. They were charged with being suspected terrorists.

12/6/78 Ms. Suphorn Kanchanasanit (19), a rubber plantation worker and former communist, in charge of the insurgent supplies division, surrendered to soldier of Royal Thai Air Force Marines at Ban Nai Thung, Moo 6, Tambon Thasala, Thasala district, Nakorn Sri Thammaraj. She was later sent to be re-educated at democratic school in Ban Nai Thung. (Serirat 14-16/6/78)

19/6/78 Three Cambodian refugees Mr. Tan Kvae (28), Mr. Fin Tif (21) and Mr. Rang Wal were arrested for fleeing from the refugee camp. The three are now detained at a local police station in Aranyaprathate. A village defence volunteer who arrested the three had earlier shot dead Mr. Sam Pao for fleeing from the refugee camp, after being accused of robbery and killing one government officials. (Bangkok Post 20/6/78)

Releases

5/5/78 26 prisoners charged with communism were released from Ramkhamhaeng Reeducation Camp in Songkla. Amongst the 26 detainees were 20 women and 6 men, 20 Thai communist and 6 Malaysian communists, 17 who had been arrested and 9 who had surrendered.

3. Report from Up-country

A. Report from the South

Previous reports on Human Rights in Thailand, have dealt in some detail with the suffering and hardship caused to ordinary people in the governments communist suppression campaigns. In this report we continue to follow up this problem by including (without comment) the stories of several apparently innocent villagers who are victims of a confused situation where everyone and anyone can be suspected of communism. What is also significant about some of these cases is also the broken promises of government officials, who offer an amnesty (after reeducation) to all those who surrender, but then proceed to prosecute, or detain illegally for long periods of time.

Political Prisoners at Nakornsri-thammarat Central Prison

1. Pralom Kaewsuwan

Pralom is at present detained at the Central Prison of Nakornsri-thammarat, and was arrested on November 23rd, 1977 accused of taking part in a robbery, killing and trying to kill government officials on duty and committing arson which caused death to other people - i.e. similar charges and cause of arrest as these in the Udom Pka-krong group which ^{has} been arrested and detained since ^{May 1976} Pralom therefore becomes the 12th defendant of this case. He has been charged in court on February 17th, 1978 and the first hearings are scheduled for July 3rd, 1978.

Although he is charged with criminal offences, it seems highly likely that he was in fact arrested for political reasons. His letter below shows clearly how the incident happened, how he, an innocent man, was forced to surrender to the government and was then charged with serious offences. This letter also shows how people living in a village in a 'pink area' suffer from communist suppression campaigns and how these campaigns and all the government officials' mistreatments drive them into the jungle.

Letter from Pralom Kaewsuwan

I, Pralom Kaewsuwan, lived at No. 86/1 Moo 11 Ban Wang Lung, Tambon Inkiri, Sub-amphur Promkiri, Nakornsri-thammarat Province.

The story of my arrest began in mid 1976 when a communist insurgent band from Krungching Camp on the Bantad mountain range attacked a Village Defence Volunteer training camp at Ban Song Praeg School in Moo 1, Tambon Huatapan, which was only about 1 kilometre from Tasala District of Nakornsri-thammarat. The guerrillas' attack resulted in the death of six soldiers and their family members and the injury of a further seven.

Four to five days later a joint military and police operation against the communists was launched at BanTungchon, Ban Wang Lung, Ban NaiTul, Ban Yod Luerng and Ban Noppitam in Tasala District. The operation forces arrested 6 men from Ban Wang Lung, 4 men from Ban Tungchon and one from Ban Nai Tul and took them to the Military Camp at Wat Don Hong. The arrested were interrogated by day and night, were forced, threatened and brutally tortured for 3-4 days so that they would confess that they had joined the guerrillas' to attack the VDV. camp at Ban Song Praeg School. The arrested had to admit their guilt in order to save their lives. The officials recorded their confessions as evidence. Those who did not confess were tortured until they fainted, and the officials would then pour water on them to wake them up only to be tortured again.*

Another group of communist suppression officials arrested 7-8 civilians from Ban Wang Lung. In their investigation they asked those arrested where I was. Those people answered that I was in the village and not in the mountains with the guerrillas. Those civilians were released soon afterwards and told me about the inquiries as they saw that I had always been a good citizen and was

* The eleven are now standing court trial in Bangkok, known as 'Udom Pka-krong case' (see Part 1 -- Trials and Legal Processes)

trusted by the villagers in Ban Don Ka, Ban Wang Lung, Ban Huai Teng and Ban Tungchon. I had never brought trouble to anybody but tried to compromise and reduce any conflicts and problems among the people. The young people also liked and trusted me. And it was because of this that the government authorities suspected me.

I hid myself in the village and listened to the news from some good villagers. They told me that I must certainly not let the government arrest me, because those who had been arrested were severely injured from torture; and nobody knew if they would live or die. I asked them why. They told me because those people would not confess their guilt. I asked them how could they confess when they were not guilty. Those people said that they themselves who had been called for investigation and then released were not sure if they would be treated in the same way or not. They also advised me to flee.

I did not know where to go and so I stayed in the village. However, a few days later a newspaper reported that I and Mr. Narong were the leaders of the communist guerrillas, that we had given firearms such as rifles, M. 16, H.K.'s to other guerrillas to attack the VDV. Camp at Ban Song Praeg School. I was even more frightened and worried. I could not see a way out. I was very afraid of the arrest and the torture that would surely follow. They would inhumanly torture me for their own personal benefit. As the District Chief Mr. Prakit, whose last name I have forgotten had lost face now that the guerrillas had attacked the VDV. training camp not far away from his district office, he ^{would} blindly arrest his personal enemies, and any well-known villagers, and accuse them of being communists. He was thus able to make a good report to his boss that he and the police and military were able to arrest the communists who attacked the camp, therefore expecting that they would be rewarded by rank, money and fame. They did not however think of the trouble they were causing to other innocent people.

I saw nowhere to flee, so I finally contacted the communist guerrillas and went to stay with them for my safety for about 20 days. When the joint military and police troops moved away from the village, I came back to my village again.

Later on, in 1977 the communist suppression marines established a unit at Ban Wang Lung School and also three cannon bases on the Noppitam road between Ban Don Ka and Ban Nai Tul, at Ban Wat Put and at Ban Noppitam. They ordered the people to leave the villages. The villagers would not leave their homes for fear of having no land to live on and no house to live in. The marines then arrested the villagers and detained them at the Democratic School at Ban Cha-ien Camp which was under the control of the Fourth Army. The marines fired their cannons at the villages (Ban Huai Teng, Ban Yod Luerng, Ban Wang Lung and Ban Noppitam). The villagers were shocked and took their children out and went to live at the temples or the deserted police stations or rented rooms in the market. The shells fell on many rubber plantations, on coconut trees and on people's houses. The newly built house of Mr. Kam and Mrs. Chaem was completely destroyed, not a single wooden plank or a roofing sheet was left intact. Kam had spent 2 years and about 40,000 Baht building this house. Having been forced to leave his house by the marines, he asked for some shelter at Don Ka Market. A man who earned a living by smuggling things from the relocated villages told him that his house had been destroyed. Kam sneaked into the village and saw that his house was really destroyed, so he informed the village headman and then went to the market and drank alcohol to drown his sorrow. Whilst drinking he questioned whether the government was suppressing the communist guerrillas

or the people. Some marines heard what he was saying and called him in for investigation. Kam spoke carelessly because he was very angry about his house. The marines forced him to stop speaking or else they would think that he was a communist and shoot him. Kam was afraid and stopped complaining. But inside himself he was angry that the marines had such a dictatorial power over the people and could do anything they wanted. And the people were speechless. Kam became a hired worker in a rubber plantation in another village (Ban Na Klang). Such incidents also occurred to many other people in many villages - in Ban Wang Lung, Ban Huai Teng, Ban Yod Luerng, Ban Noppitam. Most of the people in these villages owned rubber plantations but after the suppression campaigns they had to leave their homes and land to stay in the temples, and become hired workers.

The soldiers shot the coconut bunches down when they wanted to eat coconuts and shot the villagers' pigs and hens to eat. They burnt down more than 80 houses. Sometimes they shot the cannons into the mountains but I doubt whether the guerrillas in the mountains were hurt at all.

At the end of 1977 the marines held a village meeting and declared that I was the cause of the people's sufferings and troubles, that if I surrendered, they would let the villagers come back to their homes and land. Some villagers believed them and were angry with me, some asked me to surrender. But I would not. The marines told the villagers that if I surrendered, they would not harm me or arrest me as it was the government policy to show compassion. At that time the authorities had also thrown leaflets from aeroplanes urging the communists to surrender, and promising that those who surrendered would not be arrested or harmed. Many people believed this and contacted me many times to surrender, including my relatives, my brothers and my mother.

I thought about this a lot. I believed that this promise was only government deception but still I wished that the people would find peace and happiness if I surrendered. Finally I decided to surrender.

I surrendered to the marines at Ban Don Ka market. I was sent to the Marine Headquarters at Ban Nai Tung and was interrogated. I asked the investigator about my offence and was informed that I was not guilty of anything at all, not even of the attack on the VDV. camp. I was sent to the Democratic School at Ban Cha-ien and was told that I would be held there for about 1-2 months and would then be released. I was interrogated again for 8-9 days. During the investigation one soldier said that the communists were selling the country to the Chinese. I was puzzled as I saw no Chinese in the mountains. I saw only Thais. I told the investigators that the guerrillas said that the Thai Government was selling the country to the Americans. I thought of the words of the two sides and did not know what was what. I did however know that when I was in the mountains with the guerrillas, we were attacked by the government troops and when I came back to the government I was cheated and harmed by the government again.

After I had been detained at Ban Cha-ien for 18 days, a policeman from Tasala District took me to Tasala Police Station. He put the chains on my hands and told me that the military radioed to him to take me from the camp and charge me with attacking the VDV. camp. While I was detained at the police station I knew from other prisoners that all the prisoners there were tortured. Next morning I was sent to the Central Prison of Nakornsrihammarat. After 84 days I was charged by the court.

Any help you can be to me, and my fellow villagers in finding justice and peace would be most highly appreciated.

2. Sombat Charankul

The case of Sombat is another example of how an alleged offender is detained in prison before his trial starts longer than is legally allowed.

Sombat was arrested on June 10th, 1976 for owning an unregistered firearm. He was sentenced to 3 months imprisonment and was detained at the Central Prison of Surathani Province. After having been released, he was immediately rearrested and remanded under communist charges.

He was sent to be detained at Ban Nasan Police Station, Surathani Province on September 8th, 1976. During the investigation he confessed to having been involved in communist activities. According to the Communist Suppression Act, people can be detained for an initial period of 30 days followed by three successive periods of 60 days under the power of the investigating officials, followed by three periods of 90 days under the power of the Military Court, making a total of 480 days before the alleged offender has to be prosecuted in court. (However, after each period a detainee can either be prosecuted or sent to one of the regional democracy training camps.)

Obviously, the pre-trial detention period allowed in the Communist Suppression Act is much longer than that allowed in the ordinary criminal law, which allows people to be detained for only 7-90 days before specific charges must be lodged. (number of days depending on the severity of the case)

However, as a matter of fact, many people have been detained much longer than that legally allowed period. Sombat is another example of this.

From September 8th, 1976 to April 4th, 1977, 210 days altogether, he was detained at Ban Nasan Police Station legally. On April 4th, 1977 he was sent to the Military Court of the Fifth Precinct at Nakornsrihammarat and a further detention was ordered. According to the law he should have been prosecuted by December 29th, 1977 - when the 270 days of military detention was over, but up till now (July 1978, 6 months later) he has not yet been prosecuted, and has not been given any reason for this at all.

3. Prayoon Rajpaen

The case of Prayoon Rajpaen is an example of how an innocent villager who believes in his innocence and in the government's promises can be arrested and detained easily with very little evidence.

Prayoon is 22 years old and lives at Moo 3, Tambon Wang-ang, Cha-ud District, Nakornsrihammarat Province, a village where the communist suppression activities take place from time to time. It seems that his family has been one of the most unlucky victims of these suppression campaigns. In 1969 Prayoon's brother who had fled to the jungle was killed during an attack and in 1977 Prayoon could not stand the oppression of the government authorities anymore and so left his hometown. He was suspected of joining the guerrillas.

On November 30th, 1977 a group of communist guerrillas killed a

village defence volunteer named Sapon Ratanawichit who had always threatened and accused the villagers of being, or supporting the communists and reported these accusations to the government authorities. He had also led his men to shoot Prayoon's house and threaten his father that if he did not bring Prayoon to him, he would be killed.

After the guerrillas shot this VDV, they took his gun and left a leaflet denouncing all the malpractices and oppression this man had inflicted on the villagers and consequently why he had to be killed. However, the deadman's brother put Prayoon's name on that leaflet, therefore the government officials misunderstood that Prayoon was the killer. They told Prayoon's father that if Prayoon did not surrender, he would die, but if he surrendered, Prayoon would not be guilty as they knew the truth. So on February 7th, 1978 Prayoon surrendered to the Military authorities. He was sent to Cha-ien Democracy Training Camp, was interrogated for a few days and then sent to Cha-uad District to be detained under endangering society charges for 1 month and then sent to the Central Prison of Nakornsrihammarat on April 6th, 1978. In spite of all the promises, he was charged with killing the village defence volunteer, Sapon Ratanawichit. Prayoon has already been charged in court, but his trial hearings have been postponed 4 times so far. The next (first) trial hearing is supposed take place on July 12th, 1978. He is still imprisoned.

4. Ratom Banchongchuai

Ratom was born in 1954 in Moo 3, Tambon Santambon, Ronpiboon District, Nakornsrihammarat Province. In 1968 when he was 14 years old the military men and soldiers in their communist suppression campaign forced the villagers to leave the village by setting fire to the houses and killing those who did not leave. His father who had left the house to join the guerrillas in 1965 came back and brought Ratom into the jungle. In 1973 Ratom surrendered to the government as he believed the government's promises that any guerrilla who surrendered would not be punished.

On April 26th, 1975 he was arrested in Nakornsrihammarat for having no Identity Card and bringing more things than allowed into communist suppression area. He was sent to Ronpiboon Police Station and was told that he would also be charged with killing 2 village defence volunteers, Mr. Chuen Tongboonyang and Mr. Noo Kongpan, on June 5th, 1973, and later communist charges were also filed on him. He has been detained at the Central Prison of Nakornsrihammarat ever since and has not been allowed bail.

On July 26th, 1976, when the pre-trial detention period (480 days) was over, he was brought to the Military Court of Nakornsrihammarat to stand trial. The trial lasted only two hours, during which time there were 4 prosecution witnesses, including 2 village defence volunteers, the murdered man's brother and father. Ratom had no defence witnesses as when the incident occurred he was in the guerrilla army on Bantad mountain range and all his witnesses were in the jungle. Ratom said that while staying in the jungle, he had never been in the army, but in a production unit.

The court acquitted him from all charges on that day but the prosecutor appealed. At present the case is still under appeal. So far Ratom has been detained for about 3 years.

5. Juie Klomchit

Juie was arrested on March 28th, 1978 and charged with causing riots, having activities threatening the security of the state and participating in a gathering of more than 10 people to cause disorder in the country. The incident which led to his arrest took place on January 21 and 22, 1975 when the people of Nakornsrihammarat Province demonstrated against their governor and on Jan. 22nd his residence was burnt down Seventeen people were arrested but were soon released as there were big demonstrations against the arrest

in many provinces in the South and also in Bangkok. However, one year later, the government took up this case again, and rearrested 9 people (including Julie); the other 8 people fled before being rearrested. Thus out of the originally 17 people only nine are being prosecuted in court. All of them, except Julie, have been bailed out. Originally Julie was also bailed out, but the person who provided land as security, withdrew the land, so he was rearrested again.

There are 103 prosecution witness, amongst whom are 62 policemen. The defendants have to go to different courts in 11 provinces, depending where the witnesses live. After two years have passed, only 40 witnesses have given their statements in court.

Before the arrest Julie was a progressive teacher and a famous shadow puppet performer.

On July 5th, 1978 CGRS helped bail Julie out of prison, as we were sure that the trial would continue for a very very long time, and he was badly needed at home to help his 54 year old mother make ends meet.

B. Report from the North-East
Ladbuakau Detention Centre

We have frequently reported on the situation of Ladbuakau Detention Centre, a detention center for Thais of Vietnamese origins who are usually arrested and detained for going out of the areas to which they are restricted without permission.

In the last report (March-April 1978) we reported on a female detainee named "Nang" who was arrested, taken to a brothel and then rearrested. We reported that she was completely absent-minded and had syphilis but was not receiving any medical treatment. The other inmates therefore donated 300 baht and asked the officials to buy injections for her.

During the past two months (May-June) Nang has already been hospitalized at the Police Hospital in Bangkok, again using money donated by the other inmates. According to the prison rules, any inmate who is very ill can be sent to a hospital in the province - with special permission, or to Bangkok, but they have to pay an allowance for the policemen who guard them and also have to pay for their own medical treatment and medicines. Although she has been hospitalized for some time in Bangkok, Nang has not yet recovered either from the syphilis or from her absent-mindedness (her mental state developed after she had been raped in the brothel). It is still the hope of other inmates (as she herself has no hope anymore) that she should have further appropriate medical treatment.

We reported last year, that though the detainees at Lad Bua Kaw, are neither charged, nor tried, nor convicted of any offence, but have merely the misfortune of being born from parents of Vietnamese origin in Thailand. The only way they can be released is to undergo "training", and then pay a bail bond of 20,000 Baht (which is refunded only when they leave the country). Training usually only takes place once a year.

The fifth training was completed on June 4th, 1978 and one of the participants was Mr. Wirat Truen, an ex-Oct 6, 1976 detainee who after the release from Bangkok Prison in Bangkok rearrested and sent to this detention center because he was of Vietnamese origin. He has still not yet been bailed out.

Behind the Ladbuakau Detention Center is a Vietnamese Refugee Camp where there are about 1800 refugees being detained in rather bad and poor conditions.

4. The Human Rights Situation of the Workers

The period covered by this report has in terms of the rights of the workers, been the most significant period since P.M. Kriengsak took power in 1977. This is for three main reasons. Firstly because the government has finally made it quite clear that its interests lie with supporting the capitalists - by fighting against a minimum wage of 39 baht a day (whilst they are driven to work in Mercedes Benz); by making workers work five more days a year through withdrawing holidays in lieu of public holidays that fall on Saturdays or Sundays; by reducing the amount of severance pay that has to be given to dismissed workers; and by disallowing any wage increases to those workers who have had an increase since 1975; - all these at a time of rapid inflation. Secondly, the government has started to arrest workers again, with ten stevedores from Sri Racha District in Choburi who went on strike being arrested and charged with creating unrest in the country. Thirdly, on the more positive side labourers have begun to realise that unity is essential, and it appears that the government's efforts to divide the labour movement, through the creation of two additional labour federations to oppose Paisal Thawatchainand's NCTL, are beginning to fail. Though this two month period started with tremendous disunity over the May Day celebrations, it ended in a unified protest against the government policies.

Gradually the workers are beginning to realise that the whole system, at least in practise, is designed to suppress their interest.

For example when 7 workers died and 24 were injured in a boiler explosion at a rice mill, the Labour Department tried not to have to pay the legal compensation, saying that the Labour compensation only covered ordinary working hours. Compensation was only obtained after the workers went to court, and if the factory had employed less than 20 people no compensation would have been paid.

Another example is the labour relations committee, which is supposed to arbitrate labour disputes. However this committee is completely biased against the workers as can be seen from its settlement of the MEA workers dispute. A 200 baht per month increase for all workers was demanded, but the committee decided to grant increases from 184 Baht to 500 Baht (the higher increases going to higher paid executives) with the workers having to pay their own taxes meaning they got very little increase altogether.

The Deputy Minister of Interior, Mr. Damri Noimanee, is considered to be the person working most against the interests of labour. His unjust actions include the delaying of the announcement of the new minimum wage - saying sometimes that he wants more information and at other times that the case is now under consideration by the Ministry of Finance - and the Labour Protection Law (No.5) which bans "holidays in lieu" of public holidays that fall on Saturday or Sunday. It is said that this law has political motives, to cause labour unrest to attack the government and cover up the minimum wage demand.

The National Labour Development Advisory Board (NLDAB) consists of 10 representatives from the government, 5 from the employers, and 5 from the employees. This NLDAB has done very little, and has even refused to consider the minimum wage issue. This is because the employers representatives on the board refuse to carry out their duties, because they do not like the employees representatives who are strong and active, and despite their small number can partially dominate its proceedings. Thus the employers find that their most fruitful action is to stop the board functioning at all by boycotting most meetings.

Another common tactic of employers is to use certain workers as "agent provocateurs" to make the workers go further than allowed by the law in order to bring down repression on the workers. The MEA workers strikes is a case in point, whilst the union was trying to persuade the workers to

stop their strike (because of martial law) several workers in the pay of the employers, persuaded the workers to continue their protest. This provocation produced the desired results, as the P.M issued an order banning both strikes and gatherings at the MEA.

Private employers are treating this period of martial law as a period when they can break the power of the unions. This is because the unions themselves cannot struggle in a normal way to improve the conditions of their members, as all strikes and protests are banned. In addition employees (particularly of female workers in the textile industry) are told that unionists are communists and are threatened that if they support the union they will be fired from their job.

The labour law though theoretically providing protection to unions and labourers, seems to be ignored by government and employers alike. Cabinet announcements, such as the ban on increasing salaries or improving services of workers who have had increases since 1975 is against the labour law. Government committee decisions, such as the decision to make MEA workers pay their own taxes (thus changing conditions of employment) is against the labour law. Private employers threats to fire union members is against the labour law. Even the labour Department in its attempts to block compensation to injured or killed workers is acting against the spirit of the labour law. All this proves that the labour law is of little help to labourers, unless they have the power to non-violently demand their rights.

Even the police are becoming active against labourers, as is confirmed by the report that 10 stevedors, who acted as guards when 1,000 stevedors gathered to demand more wages on May 26, at Sriracha Harbour, Choburi, were arrested and charged with creating unrest and another 2 stevedors charged with possessing guns without licenses. This is another good example of how the workers are not only blocked by laws, but also by the police or governmental officials.

Even children are not exempt from gross exploitation, with there being frequent reports of children kept as "slave labour", forced to work from 6 a.m to 10 p.m, given no wages and little food, and forced to live in unsanitary conditions. In such cases the employers are arrested, then released on 50,000 Baht bail (half the level demanded for the arrested CGRS workers!) and this is ^{the} last one hears of the case.

All in all, with wages fixed (or even being reduced!) and inflation increasing, employers and government working together, the labour law ignored, and unionists being victimised it seems that workers are entering into a dark period. It can only be hoped that they will realise the importance of uniting, and realise the importance of carrying out their struggle in a non-violent way, so that the government does not have the excuse to crush them, and remove their few remaining rights.

5. Academic Freedom

A. Freedom of the Press

After the overthrow of the Thanin government on October 20th, 1977 the new government led by Prime Minister Kriengsak Chomanan successfully created for itself a new image of being more liberal through having a "honeymoon with the press", through which the newspapers, with care and tactics, are able to print news and stories unfavorable to, or slightly attacking the government. However, lots of people particularly the newsmen realized the fact that the press could still be harshly oppressed as the government still kept in force the NARC Decree 42 which forbade the press to publish eight different categories of news, words and pictures. If the press breaks this decree, the punishment ranges from a fine or imprisonment, to the closing of the newspaper.

At present, although Prime Minister Kriengsak, in his speech on 28/5/78 to reporters from the Daily News Newspaper, said that he did not believe that his honeymoon with the press was over, all the incidents that have taken place during the past two months, or even before that, have made it clear that finally Kriengsak is turning more and more to use his executive power to close the ears and eyes of the Thai people through press oppression. The press is increasingly facing problems of threats of censorship, newspaper closures and many other methods which force them to report only news favourable to the government.

After the Oct. 6, 1976 Coup, 13 newspapers and magazines were closed down, and so far one Thai newspaper and 4 Chinese newspapers have been allowed to resume publication. Two Chinese newspapers "Tong Hua" and "Sing Chong Yien" were re-opened in late March shortly before P.M. Kriengsak trip to China. Later, a Thai newspaper "Ruam Prachachart" and 2 Chinese newspapers "Thai Hua-Pao" and "Sing-Fu-Pao" were approved ^{for} re-opening by the Prime Minister on May 16.

During the past two months, a pro-Taiwan Chinese newspaper "The Universal" was closed down on June 30th, 1978 (until it changed both its publisher and editor) as its standpoint was against the government policy of recognising only the Chinese government at Peking. Another Thai newspaper Siengpuangchon was closed down for one day on 22/6/78 as it had published (on its Birthday) a half front page picture of the mass demonstration on October 14th, 1973 (when 100,000 people demonstrated for a Constitution) which according to the closure order "could provoke riot and disorder amongst the people".

"I as a Minister of Interior will not close down any newspaper unless it endangers the security of the country. (meaning the government?) If it is such a danger, I will not hesitate to close it down. Now I have all the evidence on every newspapers reporting. There might come a time when I will burst out!", said Prime Minister Kriengsak as a warning to the press.

Besides such closures and warnings, the government seems to be practising a tactic of punishing a person such as an editor or a columnist, not the whole newspaper or publisher. The editorial staff of Matichon Newspaper were recently called by policemen and warned about the contents of their editorial column. Another tactic used, whether by influential people, or government officials, is to kill journalists or newspaper editors who consistently attack vested interests. For example at the end of last year one progressive journalist Chukiet Poonchai was killed in Nakon Pannom, shot dead in front of his family, and again on 15th May 1978, a Sukhothai newspaper "Nakhon News" publisher Kitti Prempri, was similarly shot dead.

Besides, there is a special order of the government press office on 20/6/78 to every newspaper not to write reports which suggest that the PULO Muslim separatist movement is a big and significant movement as this would cause disorder in the country. On 13/6/78 P.M. Kriengsak also "asked" the newspaper not to report too much on the attacks and movements of the Communist Party of Thailand for the same reason. As a result the news about all the CPT's attacks seem to have disappeared from every newspaper, especially in the English newspapers, the Bangkok Post and Nation Review where there have been virtually no news on those attacks at all since then.

On 19/5/78 there appeared a new order from the Prime Minister's Secretariat which forbade reporters to enter the Government House to find news as freely as before, except when there were press conferences.

In summary it seems that during the past month or so, there has been a gradual and slow return to a situation where journalists and publishers are being quietly threatenned not to publish stories that are not favourable to the image of the government. We can expect - even though article 27 in the draft constitution does provide some considerable protection for the press - that the government will try even more to gain a tighter control of the press during its difficult months ahead, using decree 42 of NARC, and all other measures available.

PART THREE

Activities of CGRS. And Other Human Rights Groups

1. Activities of CGRS

During the past two months CGRS. still continued with all its basic regular activities such as visiting and helping prisoners and their families; listening to trials and providing legal aid to political prisoners and so on. Also it has taken on some other special activities including organising a non-violent training seminar, making a simplified summary the legal rights of the unconvicted offenders and defendants, and co-operating with Amnesty International with its Campaign on Thailand.

A. Visiting, Helping Prisoners and their Families

CGRS. has continued to visit political prisoners in Bangkok at least once a week at every prison in Bangkok, and also visits political prisoners up-country on a less regular basis. On every visit it provides the prisoners both moral support and encouragement, and also all necessary assistance according to the prisoners demands and needs, including money, food, clothes, books, writing materials and other necessary commodities. Also, it provides similar support to the poor families of the prisoners, both on a regular basis and in response to special and immediate needs.

B. Listening to Trials and Providing Legal Aid

CGRS. keeps monitoring and noting down the proceedings of the trials of about ten groups of political prisoners both in Bangkok and up-country. Besides, it has also provided some prisoners with legal aid. For example, it has found lawyers for Mr. Pralom Kaewsuan, Mr. Sombat Charankul and Mr. Prayoon Rajpaen, prisoners in the Central Prison of Nakornsrihammarat. (See details in Part Two - Section 3-Report from the South). Realizing the fact that most of the political prisoners are poor and thus lawyers have to defend them free of charge, CGRS. has, in order to help both the lawyers and the prisoners, given financial support for documents, and travelling and lodging expenses of the lawyers in defending many political cases, for example, the cases of Mr. Somboon and Mr. Vichai Banlusilp, Mr. Surin Suanpan, Miss Srisamorn Suebbunwong and also the three political prisoners mentioned above. Also it has bailed out Mr. Julie Klomchit from the Central prison of Nakornsrihammarat on 5th July, 1978, through hiring land title deeds for the bail. (See details in Part Two - Section 3 - Report from the South)

C. Other Activities of CGRS

1. Non-Violent Training Seminar

Background

Over the past few years, in the political arena Thailand has become increasingly violent. Before October 1976 farmers leaders, students, and politicians were increasingly being assassinated; demonstrations, strikes and other forms of protest resulting in loss of life became common; and violence and killing of ones political opponents, or even those who one disagreed with was being openly advocated by people in political and even religious leadership positions.

After the Oct. 6th events, which were the most violent and bloodiest stain on the image of Thailand ever, institutionalised violence became the norm. People could be arrested and detained at will, political assassinations continued, officials in some areas felt that they had the authority to arrest and kill whoever they wanted to, and guerrilla warfare with wanton killing by both sides intensified.

The stage is rapidly being reached where political activists from whatever side feel that the only way to achieve their goals is through violence and killing.

CGRS. however believes violence can never achieve the basic objective of all political ideologies, i.e. the creation of a new society where suffering is minimised. It believes that violence cannot create, but can only destroy; cannot bring people together, but can only further polarise the society; and cannot solve problems, but only intensify the problems that exist even more.

Furthermore it believes that any future, ideal society cannot be constructed on a political and materialistic framework alone, but must also have a strong spiritual and value structure. All religions in their basic principles and tenets emphasise love, and not killing.

It felt that neither activists, nor religious youth and leaders in Thailand were aware of the tremendous potential of non-violence in helping solving the myriads of problems that exist in today's society, nor of the many tools and methods that have been developed in the struggles in other countries. Even fewer are aware of the successes non-violence has had in countries all over the world, and the potential that it has in Thailand.

CGRS. thus wanted to start to try to create a non-violent third force, which can bring the two extremes close together and help develop the country on the bases of love and spiritual values, rather than on the bases of hate and materialism. The first step in the creation of this force is training and conscientization.

CGRS. thus decided, with the cooperation of other interested organisations to organise a training seminar in non-violent direct action from 15th-28th of May, 1978 with the following objectives:-

- To create an awareness of the essentialness, and potential of non-violence for solving the problems of the country.
- To promote the formation of non-violent action groups of many different types throughout Thailand.
- To develop non-violent skills amongst activists, social workers, and religious groups.
- To find out ways in which these skills can be applied to solve the immediate, and the long term problems in Thai society in both the short and long run.

Seminar Programme

The seminar was divided into two main parts.

The first part (12 days) included discussions about the philosophy and ideas behind non-violence, as well as practical training in various tools and methods of non-violence that are commonly needed by non-violent organizers. For example methods of organising groups, running meetings, campaigning, mob control, rumour control, role playing, street drama, using symbolic action etc. This first part also dealt with the application of these tools to the problems of Thai Society. Here, various issues relating to the concern of the participants were selected (e.g. human rights, peasant organising, community development, etc.), so that the participants could see how they could apply the tools that they had learnt, in dealing with specific issues and problems that they face in their day to day work.

The second part (the last two days) was devoted to a seminar on non-violence and Thai society (with much expanded participation). The participants discussed the ways of spreading the ideas and practice of non-violence as widely as possible in Thailand, and also discussed and agreed upon the follow up of the seminar.

Participants

During the first 12 days there were 40 young participants and two foreign consultants, one from the Movement For a New Society (USA) and one from the Canadian Friends Service Committee. The 40 young participants included representatives from active religious youth groups (Buddhist, Catholic, Muslim and Protestant groups), young progressive activists from various parts of the country, including university activists, slum teachers and organizers, teachers in sensitive areas, peasant and community organizers, minority (hill-tribe) workers, etc. and also full-time workers and volunteers from CGRS. During the middle weekend of the first part a further 30 activists (with similar background to the above; but who could not get away from their work) joined the seminar for two days.

During the final two day seminar, in addition to the 40 participants in the first part, a further 30 older people, such as university professors, religious leaders, writers, intellectual leaders, trade unionists, lawyers, doctors, and civil servants joined.

Followed up

The participants of the seminar agreed to the following follow-up activities:-

- Organizing another non-violent training for rural workers. up-country around the end of this year.
- Organizing a documentation center on non-violence.
- Organizing a study group on non-violence and religions.
- Providing assistance to active non-violent groups wherever possible.

A co-ordinating committee made up of representatives from five bodies was elected to co-ordinate the various work groups and participants. This coordinating committee as well as working groups for the follow up activities have been formed and have started to work actively already.

2. Amnesty International Campaign on Thailand

Realizing that the Amnesty International campaign on Thailand from 15th May - 15th June (later expanded to 30th June) would have some benefits to both political prisoners in Thailand and in conscientizing Thai people about human rights problems, CGRS. has given the closest possible cooperation and support to Amnesty International. It made suggestions about the topics and strategies for the campaign, provided background information; and also made suggestions as to how improvements in this campaign could be made. In addition,

realizing that one extremely important point was that Thai people should be kept informed of the international initiatives that are taking place, CGRS. produced 5,000 leaflets about Amnesty International and its campaign and activities in Thailand. The leaflets were distributed to people from all walks of life. It has also leaked information about the campaign to various local newspapers and magazines. In addition, with the hope of strengthening the campaign run by Amnesty International, CGRS. has also cooperated with Thais living abroad in organizing a world-wide speaking tour (from May 8th - June 22nd) for the leader of the team of lawyers in the Oct. 6th case, Mr. Thongbai Thongpao. He met with, and spoke to many different groups of Thai and foreign people about the human rights situation and political prisoners in Thailand in many countries including Japan, USA, Canada, England, France, Germany, Denmark and Sweden.

Inside the country, both the AI campaign and Thongbai's trip received considerable press coverage in newspapers and magazines, both in Bangkok and up-country. In addition; medical students at Siriraj hospital in Bangkok arranged news wallpaper on the campaign; CGRS. leaflets were widely distributed, and finally on June 15th, the original final day of the campaign which was also a trial day for the Oct. 6 detainees, students and people arranged to have a special gathering at the compound of the court to emphasize and support the demands of Amnesty International relating to political prisoners in Thailand.

3. Summary of Legal Rights of the Pre-convicted Offenders and Defendants.

Almost all prisoners in Thailand, both political or non-political, are denied their basic legal rights in one way or another despite the fact that these rights are clearly stated in various laws and regulations. They are, for example, not allowed to read newspapers, have medical treatment or get medicines or any other commodities from the relatives; some are not allowed to be visited, are detained longer than the legal detention period; some are being chained on have leg shackles although not having been convicted; others are not allowed to wear their own clothes; yet others are not allowed to consult with their lawyers.

CGRS. felt that the denial of basic legal rights at least partly resulted from the fact that the detainees are not aware of their own rights and thus cannot see clearly what they should be demanding and struggling for. CGRS. has consequently made a summary of the legal rights of both the un-convicted offenders and defendants, in simple language. It will publish this in leaflet form and distribute as widely as possible, both inside and outside prisons,

4. CGRS and the Press

During the past two months CGRS has received considerable attention from the press, both positive and negative. The news that obtained the greatest coverage was about the case of the arrest of its 2 full-time workers Chaiwat and Sukhon. For example on June 12, 1978, five newspapers, Matichon, Siengpuang-chon, Daily Times, Nation Review, and Bangkok Post, reported on their front page about an appeal from eleven human rights groups in USA to PM. Kriengsak Chomanand urging that all charges be dropped when the three were to appear in front of the military court on June 14th, 1978. On June 15 and 16, Matichon and Siamrat reported on the outcome of these court hearings. In the following week there was an article on 'the Special Branch and Religious Groups' in Siam Rat weekly magazine of June 18 telling how and why the secret police keep following some religious groups including CGRS. In the same week there was also an interview with Chaiwat and a woman from Ahimsa group in Tawanmai weekly of June 23.

As if to balance all this, in the same week, a committee members of CGRS. Nicholas Bennett was reported by Arthit magazine to be a 'secret supporter' behind the group and because of this was "threatened everyday by telephone".

In the following week Pol. Col. Chalad Saengchuto of the Special Branch (see Part One of the report) wrote an open letter to Tawanmai accusing Chaiwat of being an "aggressive" man, and of misreporting facts in his interviews the previous week and told the story of the case of the arrested CGRS's workers in a completely different way from what is generally understood.

Other newspapers, both in Bangkok and the provinces, continued to report both true and false stories about CGRS with some regularity, particularly over the last two months in relationship to the AI campaign, and the publication of the book on the Om Noi case and the rights of workers.

2. Activities of Other Human Rights Groups

During the past two months the most active and courageous of all the other groups of people interested in promoting human rights has been the extremely courageous and dedicated group of lawyers who at great personal risk and expense are prepared not only to take up political cases in all parts of the country, but also to publish articles, make speeches, and in the case of one of their leaders Mr. Thongbai Thongpao go on a world wide speaking tour to promote human rights.

In order to try to help this group become stronger, and expand its membership, preliminary steps are being taken to establish a legal aid foundation, with the support of ICJ and various international religious organisations.

It is hoped that this foundation will provide bail and legal assistance for political prisoners, run seminars and training programmes for lawyers, and publish pamphlets on topical legal issues.

PART FOUR

SUMMARY OF THE NEWS

1. Election or Coup de'tat ?

A) Since he is a staff-officer, Prime Minister Kriangsak actually has no military power-base; therefore, he has to compromise with various military and political groups. At present, Gen. Serm na Nakorn and Gen. Prem Tinasulanonda are those who lead the most important military factions supporting the government. A source told us that Admiral Sa-ngad Chaloryu, the Chairman of the National Policy Council who is at present 63-years old, is trying to seduce Gen. Serm na Nakorn and Gen. Yos Thephasdin na Ayudhya. After a seven-week private trip to Europe and Latin America with Gen. Serm Admiral Sa-ngad told the press that "there were reports saying that some people didn't want to see me back" (The Nation 5/6/78). At the same time, he also plans to set up a political party together with Gen. Yos who is said to have linkage with Former Deputy Prime Minister Field Marshal Prapass.

This coming September, a group of 56 top-ranking military officers will be retired from various posts. Top of the list is Gen. Kriangsak; other prominent officers include Gen. Yos and Navy Commander-in-Chief Admiral Amorn Sirikaya (Tawon Siam 8/6/78). Gen. Kriangsak will vacate his interior portfolio to clear the way for Gen. Yos (Ban Muang 3/6/78). But soon after Admiral Sa-ngad came back, Prime Minister Kriangsak flatly dismissed rumours of an imminent Cabinet reshuffle (Bangkok Post 6/6/78). Obviously a power game is going on. The extreme right-wing groups, some in the cabinet as well, try very hard to destabilize the government, especially Kriangsak's position. The plots are on many crucial issues such as :-

- i) Extreme rightists who used to be against workers' strikes, unexpectedly encourage workers in various enterprises to create unrest, such as in the case of the Metropolitan Electricity Authority workers' strike; but Paisal Thawatchainan a leading union leader was aware of the situation and informed Kriangsak; therefore Prime Minister Kriangsak banned the strike and affirmed in a public speech that "the government will not allow anything to challenge law and order". (Siam Rath 26/5/78).
- ii) Prapass, Thanom and Narong asked for the return of their confiscated assets. Khunying Sawai, Prapass' wife, also asked for the return of her gold bullion which she claimed to be worth about 600 million baht. This created a wide-spread reaction among the people; therefore, the government is presently in dilemma. Prapass also proposed to set up a commercial bank which he said would be aimed at helping poor farmers and agriculturists (Bangkok Post 8/6/78). But, the Prime Minister said he didn't see any necessity of new commercial banks at the moment. On the 24th of June, Prapass said in a Press conference that "...in the future I may be forced to play politics" (Bangkok Post 25/6/78).
- iii) Right-wing groups such as village scouts helped some political groups to attack Kriangsak about his presentation of China's invitation to the King. They also spread widely rumours about a coup de'tat. Meanwhile, there has been a circular from the Interior Ministry to various concerned authorities prohibiting village scouts from become candidates in the upcoming election. This move was strongly attacked by Thamanoon Thien-nguen who is in the right-wing group of the former Prachathipath Political Party.
- iv) The government was strongly criticized about the events occurring on the Thai-Cambodian common border, by people such as from Chatchai Choonhawon of the former Chat-Thai Party (but this party is not strong since Chatchai is in conflict with Pramarn). Kriangsak, however, said the incidents along the border will not affect Thai-Cambodian relationships (Ban Muang 2/5/78).

But, Gen. Yos said it does affect these (Siam Rath 11/5/78). And Gen. Amorn said that the government should not keep passive but should strongly and violently react (Siam Rath 9/5/78).

v) The fact that the Communist Party of Thailand (CPT) has grown larger despite the suppression has indirectly damaged the present government especially Kriangsak's position. Moreover, some officers, whether intentionally or not, have exaggerated the situation; and this made Kriangsak ask the public not to get "overly excited". He also ordered provincial governors to exercise extreme care in giving Press interview about the situation in communist infested areas. (Bangkok Post 18/6/78)

Lt. Gen. Vitoon Yasawasdi, a very intelligent staff officer who has just come back from his "hibernation" as Student Superintendent in Tokyo was summoned to see Prime Minister Kriangsak; he spent more than one hour with the Prime Minister but said nothing to reporters except that "there might be a change after October, but not now.". At present, Gen. Vitoon is officially attached to the Supreme Command. (Siam Rath 24/5/78)

On the 15th of June, there was a party organized by Gen. Serm for high-ranking army officers at Suan Ruen. It should be noted that no outsider or reporter was allowed to join this party, and Kriangsak himself abruptly left the ASEAN conference held at Pattaya to join the party. (Tawon Siam 16/6/78) Prime Minister Kriangsak called for a special meeting on the 17th of June among all ministers, provincial governors, director generals of all departments, directors of six state enterprises under the Interior Ministry, commanders-in-chief of the three armed forces, army commanders of all regions and provincial police commissioners at Government House. (The Nation 16/6/78)

B) The draft constitution, containing several controversial clause, went to the legislative body on the 23rd of June, and came under heated and severe attacks from many members of the National Legislative Assembly. Consequently, the debate on the draft constitution was postponed. (Siam Rath 24/6/78)

Some of the highlights of the draft constitution are as follows:

1. In case that there is no Crown Prince to succeed to the Throne, a Princess, with the approval of Parliament, can succeed to the Throne.
2. The Prime Minister can either be elected or appointed with the approval of Parliament.
3. Mobilization of labour is prohibited unless it is done by virtue of a special law. (Bangkok Post 11/6/78)
4. The appointed senators are given overwhelming power because they comprise three-fourths of the total number of MPs. By this, the draft constitution gives the right to the NPC chairman (presently is Admiral Sa-ngad) to become the prime minister. (Siam Rath 3/6/78).

However, in an effort to minimize the number of political parties in the upcoming general election, the Interior Ministry, which Kriangsak is presently the minister, will impose a minimum membership of 5,000 for the formation of a political party. (The Nation 20/6/78)

2. Military Defence

i) The US government will supply necessary defence weapons to Thailand and will reaffirm its commitments to Thailand under the Manila Pact and the Dean Rusk-Thanat Khoman communique. (Bangkok Post 5/5/78)

But, the effectiveness of Thanat-Rusk and Manila Pact could hardly be considered valid in practice unless Thailand faces an external threat. (The Nation 7/5/78) Commenting on US Vice President Mondale's visit to Asia, Vietnam accused the United States of hatching a new military plot in Southeast Asia. (The Nation 5/5/78)

- ii) All news reporters will be summoned by ISOC to attend a political orientation and military training. (Matichon 12/5/78)
- iii) An anti-urban terrorist squad has been set up by the Lop Buri Special Warfare Centre. (Bangkok Post 15/5/78)
- iv) The Santisuk (Peace) Association gave a large number of shotguns and ammunition to the Prime Minister to be distributed to defence volunteers. (Bangkok Post 20/5/78)
- v) The Prime Minister's Office has just issued a new regulation on giving shotguns and cash rewards to civilians who manage to kill or capture communist insurgents. (The Nation 31/5/78)
- vi) ISOC will train civilians to take part as the buffer in countering communist insurgency. (Matichon 16/6/78)

3. Insurgency

The Maoist-oriented Communist Party of Thailand (CPT) has stepped up its arms operations against the government in 42 of 72 provinces of the country. The CPT now has an estimated armed force of at least 15,000 and has succeeded in setting up many strong bases in various mountainous and border areas in the country. Officials reported that between January 1 and June 13, some 111 insurgents were killed and 32 captured in the entire country. (Bangkok Post 16/6/78)

At present the CPT has some conflicts with the Communist Party of Vietnam, and accuses Vietnam as being revisionist. A source said that it has also closed down its "schools" in Laos which provided political and arms training to Thai insurgents. The closure of these schools has resulted in the establishment of more "schools" in Cambodian territory. (The Nation 6/5/78)

Unfortunately, as can be seen from the various reports from the regions below, insurgents attacks, and government suppression activities seem to be increasing at a rapid rate. As is always the case it is usually the innocent and confused villager who suffers most, through the widening armed conflict that is taking part throughout the country. How can both the government forces and the CPT learn that the way to solve the peoples problems is not through killing and counter killing, but through jointly finding a middle way, and sincerely trying to solve the myriads of problems facing Thai people, and their root causes.

4. Reports from the Regions

A) The South

The situation in the south has worsened because of government launched offensive operations, and increasing attacks by elements of the Communist Party of Thailand (CPT), the Communist Party of Malaya (CPM), separatist movements (such as PULO) and common bandit gangs. A source indicated that CPM is now closely co-operating with CPT, and the separatist movements have recently set up the Muslim Liberation Front under CPT.

At present, a Thai-Malaysian joint-operation called "Selamat-Sawadee" has been launched against an estimate 1,000 CPM insurgents in Tarn-to district and Betong Salient of Yala province. Artit Magazine reported that the Malaysian troops engaging in anti-CPM campaign in southern Thailand have killed over one thousand innocent Thai villagers. (The Nation 16/5/78) PULO which is active in Pattani and Narathiwat was accused of planting a bomb in a provincial fair in Narathiwat on the 9th of May. (Dao Siam 10/5/76)

As for the CPT, it is reported to be active along the Ban-thad mountain range and the adjoining areas covering Suratthani, Nakorn Sri Thammaraj, Krabi, Trang, Pattalung, Satun and Songkla. The areas where incidents occurred during the last two months can be listed as follows:-

a) Suratthani: Wiengsra district, Panom district, and the main highway between Suratthani and Ta-Kua-Pa district of Phang-nga province.

b) Nakorn Sri Thammaraj: Ron Phiboon, Nabon, Toongsong, Cha-uad districts and Krung Ching in Ta Sala district.

Deputy Interior Minister Gen. Prem Tinsulanonda, after inspecting the Nabon incident in which 10 civilian defence volunteers were killed, said that the insurgents are stepping up their offensives against defence volunteer units. (The Nation 20/6/78)

An army officer was urgently recalled to ISOC headquarter for an explanation after a Thai newspaper published his statement saying that the Communist Krung Ching Camp recently captured by the forces had been retaken by the insurgents. (Bangkok Post 21/6/78)

c) Trang: Yan Ta Khao district

About 200 communist insurgents forced policemen to surrender and razed the police station to ground. Authorities said that some insurgents spoke the central dialect and looked very young. This incident occurred after the authorities operated the "Yoothakarn-Wathana" plan to suppress the insurgents in the infested area along the border line between Pattalung and Trang.

d) Pattalung: Kuan Kanun district

The Prime Minister assigned Gen. Prem to inspect the incident which 12 Border Patrol Police were killed and 24 injured when communist insurgent attacked their outpost. (The Nation 9/6/78)

e) Songkla: Sadao, Na-thawee and Sabayoi districts

Pol. Gen. Montchai said that the worst part in Songkla is Na-thawee where clashes occur almost every day; he also added that he believed that there are students in the insurgent groups. (The Nation 4/6/78)

A suppression operation called "Kittitthep 2" was centred in Na-thawee and Sabayoi districts. (The Nation 16/6/78)

f) Satun: Kuan Kalong district

B) The North

Many sources indicated that the Central Committee of the CPT has its base in the overlapping mountainous areas of Payao and Nan provinces; where Mitr Samanand the present Secretary-General is. CPT also succeeded in setting up strongholds in the overlapping mountainous areas of Phisanulok, Petchaboon and Loei. It also has other strongholds along the border line in Tak, Mae-hong-son, Chiengrai and Utharadith provinces, and in the southern parts of Chiengmai, Lampoon and Lampang provinces.

During the last two months, the situation in Nan province was reported to be extremely grave; a district chief said that CPT intended to seize complete control over the northern area of the Nan River basin covering Thing Chang, Chieng Klang, Pua and Wung-pa districts by the end of this year. (The Nation 13/6/78) There were also many attacks on strategic road construction units such as that on the road between Mae Sod and Um-pang in Tak province; Li and Serm-ngam between Lampoon and Lampang provinces, Pang-po and Bang Kum in Chiengrai, and Lub-Lae and Ban Kok in Utharadith. Other incidents that occurred were in Hangchut district of Lampang province, Mae Sai and Chieng Kong districts of Chiengrai province, Mae Jam district in Chiengmai province, Chat-tra-karn and Nakorn-thai districts of Pitsanulok province; and Ban-rai district which covers two-thirds of Uthai-thani province (only 307 km. from Bangkok) was reported to be under the control of the insurgents. (Siam Rath 5/6/78) The National Information Centre reported that in Petchaboon province alone, at least 3,000 villagers has recently become communist supporters. (Siam Rath 6/6/78)

c) The North-East

The second army region command said that the CPT had announced that it would liberate the southern part of Northeast from Sri-sa-keet to Nakorn-rajsima within this year. (Sieng Puang Chon 16/6/78) The situation during this last two months has been much more severe than in April this year. (Siam Rath 17/6/78) Communist insurgents have also revived a strong campaign to gain support from villagers by dispatching mobile medical units to remote villages in the Northeast to provide free treatment. (Bangkok Post 29/5/78)

The CPT strongholds in this region are in the Pu-parn mountainous areas near Nakorn Panom province. The situation in various other north-eastern provinces can be summarized as follows:-

Loei: Communist insurgents launched rockets at and attacked the road construction unit of the road linking Pak Chom district to Nam Som district in Udonthani province. (Daily Times 8/5/78) There was also an ambush on a BPP unit in Chiang Khan district.

Udon thani: Apart from the attacks that occurred along the strategic road, the insurgents also attacked and razed police stations in Ban Doong district close to Sakonnakorn province. (Tawon Siam 4/5/78)

Nakornpanom: Communist insurgents attacked a road construction unit of the road linking Nakornpanom, Sakornakorn and Karlsin which is along the Pu-parn range. (Nakorn Sarn 15/5/78)

A group of 40 youths, believed to be former students, was reported to have sneaked back into the country at Kwanyai sub-district. (Bangkok Post 5/6/78)

Khon-Kaen: A group of 11 village headmen in the sensitive district of Kranuan resigned. (The Nation 6/6/78) The provincial administration sought permission from the Second Army Region to declare three districts- Kranuan, Chumpae and Seechompoo- to be communist infested areas. (Bangkok Post 10/6/78) But the army said that situation in Khon-Kaen is not serious. (Tawon Siam 20/6/78) However, a source told us that the mountainous areas covering Kranuan in Khon-Kaen, Sri-that in Udonthani and Nong-Krungsri in Karlsin have become much more sensitive after the military launched a suppressive operation called "Poo Hung" which commenced on 11th of May.

Ubon-ratchathani: Nam Yuen district township was stormed with RPG rockets, grenades and automatic gunfire. (Bangkok Post 17/5/78) However, after an investigation, Pol.Gen.Choompol disclosed that the incident seemed suspicious since a report said that the attackers were drunken and a village was intentionally killed whereas no officer was even injured. (Sieng Ubon and Ban Muang 21/5/78)

Buri-ram, Surin, Sri-sa-keet: These three provinces were said to be the most sensitive areas of the North-East, especially Buri-ram. According to high ranking officials of the Supreme Command, the insurgents intended to obstruct the construction of Lahansai-Taphaya strategic road linking Buri-ram and the Eastern province of Prachin Buri. (Bangkok Post 16/6/78)

D) The East

The Army announced that 141 incidents had occurred along the Cambodian-Thai border over the past four months and declared that "strong retaliatory measures have to be taken". (Bangkok Post 19/5/78) Deputy Interior Minister Prem Tinsulanonda announced that Khmer Rouge soldiers have been directly involved in the killing of Thai people along the border. (The Nation 30/5/78) But, Mr.G.M.Staley the Australian Ambassador said after his trip to Aranya-pathet that "there is no reason for the Cambodian to attack Thai villagers". (Thai Rath 6/5/78) A district chief said that judging from the tactics used, Communist insurgents were not involved in the killing of Thai people along the border. (Matichon 6/5/78)

But that CIA, a leading rightists in Chonburi, and a group of White Khmer employed by ISOC were behind the border incidents. (Santi-parb, June 78)
Lord Mayor of Aranya-pathet admitted that some 20 per cent of local residents numbering about 14,000 have been evacuated intend with some going as far as Bangkok, Nakorn Rajsrima and elsewhere. (Bangkok Post 11/5/78)

Cambodian authorities have moved their villages 25 km. away from the border, said Gen.Serm. (The Nation 16/5/78) And Thai authority have imposed a 12-hour curfew on four border villages following an ambush on a passenger bus in a border village which left 10 dead, 17 wounded and several missing. (Bangkok Post 25/5/78)

As far as the CPT is concerned, the biggest stronghold of the insurgents in this region was reported to be located in an area some 80 km. north of Bor-rai sub-district of Trat province. (The Nation 14/5/78)
According to an army spokesman, CPT declared to make Tapraya district in Prachin-buri province a liberated area before the end of this year. (The Nation 19/5/78)

5. Labour News

Five major issues have dominated the news about labour over the past two months, namely: the May Day celebrations; the proposals to increase the minimum wage; workers demands and strikes; industrial accidents; and finally and most seriously the new regulation number 5 of the labour protection law.

A) May Day

The disunity of the Labour movement was fully illustrated by the fact that the three labour federations (ie. the National Labour Council-NLC led by Paisal Thawatchainand; the National Council of Thai labour-NCTL- headed by Sanan Vongsuthee; and the Free Labour Council of Thailand - FLCT- led by Anusak Boonyaprapai) could not agree to join together for the May Day celebrations.

Thus three separate events took place. Firstly the government and FLCT sponsored activity in Amporn Gardens; secondly the NCTL celebration in Samut Prakarn; and finally the NCC sponsored activity in Rangsit.

The government had hoped that the Amporn Gardens activity would be a national celebration with the Prime Minister making an opening speech. But only 500 workers came to greet PM, who in his speech urged all workers to stay united, and praised the workers' "sincerity, sacrifice and patience" thus helping to maintain peace in the country.

This celebration was boycotted by the NCL with Paisal going to Peking. Union leaders - Amad Kamthetthong and Suntorn Kaewnet said that government officials interfered in a workers' affair. (The Nation 15/78)

The PM explained afterwards that government didn't interfere the May Day celebration and didn't have ill intentions to ferment disunity among the workers. (Bangkok Post 3/5/78)

B) Minimum Wage

The minimum wage committee announced on May 15th that wage would be raised to 35 baht a day - an increase of 7 baht or 25 per cent- fro Bangkok and the surrounding provinces.

The rate was worked out on the basis of data from several national sources and a survey carried out by the committee on the earnings of a sample of 93 low income families which came out at 569 baht a month. The committee also made three other recommendations on ways to help workers, namely by arranging better welfare, stabilising the prices of consumer products and establishing consumers' co-operatives. (Bangkok Post 15,17/5/78)

Damri Noimanee, Deputy Minister of Interior, charge of labour affairs refused to accept this new rate claiming that there was not enough information and data and thus he could not pass the recommendations of the committee on to the cabinet. He added that most of the employers already could not manage to pay even the former rate of 28 baht, and thus the matter should be reconsidered by the new minimum wage committee (consisting of 15 representatives - 9 from the government, 3 from employers and another 3 from the employees) because the term of the former committee expired on May 18. The announcement of the new minimum wage would not be made until October. (Dao Siam 19/5/78)

Obviously Damri's announcement produced strong reaction from Paisal Thawatchainan, who blamed Damri for "trying to incite unrest and protest the capitalist's interest, as well as from other labour leaders. (The Nation 29/5/78)

The protests from Paisal and others over the proposed delay in fixing a new minimum wage, forced Damri to back down, and agree to pass the existing proposals on to the Ministry of Finance, with his recommendation that the wage would be 32 baht.

c) Workers' Demands and Strikes

The cabinet approved in principle the proposal to upgrade the Provincial Water Works Authority to a state enterprise as demanded by the workers in April. (Bangkok Post 10/5/78)

Throughout May and June there was a large number of demands and strikes over economic issues, including to increase living allowance, wages and other benefits (such as funeral, medical and housing allowances etc). For example "Thai Daimaru" workers went on strike on May 2, (Siam Rath 3/5/78), the Siam Cement Group Trade Union gave their demands to the executives on May 8 (Siam Rath 9/5/78), Klouw Nam Thai Hospital workers on May 13, the Oil and Fuel Organization (OFO) workers on June 1, the State Railway of Thailand workers on June 5, the Telephone Organization of Thailand Workers on June 2 etc. (Nation 1/6/78, Bangkok Post 2/6/78, Matichon 10/6/78)

The most significant case was of the MEA (Metropolitan Electricity Authority) workers who demanded an increase in salary of 300 baht for the workers earning less than 6,000 baht. (The MEA Labour Union sent 10 point demand to the executives on May 12). The workers went on strike on May 24 when the executives rejected the demand and said that if the salary was to be raised, the workers would have to pay taxes themselves. The Prime Minister as the Minister of Interior and Director of the Internal Security Division issued urgently 2 orders on May 24 ordering the workers to go back to work.

The workers tried to compromise by accepting an increase of 200 baht, but this was not accepted, thus the despite was sent to the Labour Relation Committee on May 28. The decision, announced on June 27, stated that the salary would be raised for everyone including executives by an amount ranging from 184-500 baht according to the present salary scale and that the workers would have to pay their own taxes.

The MEA workers then wore mourning clothes for 7 days from June 29 and layed a wreath at the MEA to protest against the Labour Relation Committee's decision. The MEA Labour Union decided to appeal to the Ministry of Interior because this decision was unjustified and against the Labour Law because it changed the employment condition (by making the workers pay their own tax) (Siam Raht 16/5, 29/5, The Nation 24/5, 29/6, Daily News 25/5, Matichon 28/6/78)

D.) Workers' Accidents

Miss Shabaprai Yodkarn, aged 16, a worker at Siam Meat Products Factory, Yanawa, Bangkok, was caught in a machine for an hour without help until her right arm was almost cut off on May 2nd. Mrs. Chamchan Muwnnikorn, the owner of the factory, said that she would take responsibility for the event and pay compensation.

Seven workers were killed and 24 injured in a huge steam boiler explosion at the Lee Heng Chan rice mill in Soi Chet Chamrerng off Petchkasem Road, Thonburi. The boiler had been used for 17 years. Police arrested the chief mechanic of the mill, Pae Mienthong, and charged him with negligence leading to death and injury.

The Compensation Fund of the Labour Department only covered those killed and injured whilst on duty with the relative of those being killed being given 60% of the last salary for 5 consecutive years plus 5,000 baht for funeral expenses. Those injured receive 50% of their salary until they recover and medical expenses not exceeding 20,000 baht each. At first the Labour Department claimed the event did not take place during working hours, but after the case was taken to court agreed to pay compensation.

E.) Cabinet's Announcement and the Labour Protection Law No.5

According to Paisal Thawatchainan, the cabinet's announcement prohibiting any increase or adjustment in the wages of state and private enterprise workers who had already gained increases since 1975, was completely unjustified. (Siam Rath 27/6/78)

Even more serious was the fact that the Ministry of Interior issued a new regulation (the Labour Protection Law No.5) which stopped the companies having to give their employers "a holiday in lieu" of any public holiday which fell on Saturday or Sunday. The Law also stated that any employer who paid a dismissed employee a bonus or welfare fund that was equal or higher than the legal severance pay would no longer also have to pay severance pay.

The announcement (together with the cabinet's approval one) drew an immediate and angry response from every labour leader and all three labour councils. (Bangkok Post 28/6/78) Thus this two month period which started with the May Day disunity amongst labourers ended in a united protest against government injustice.