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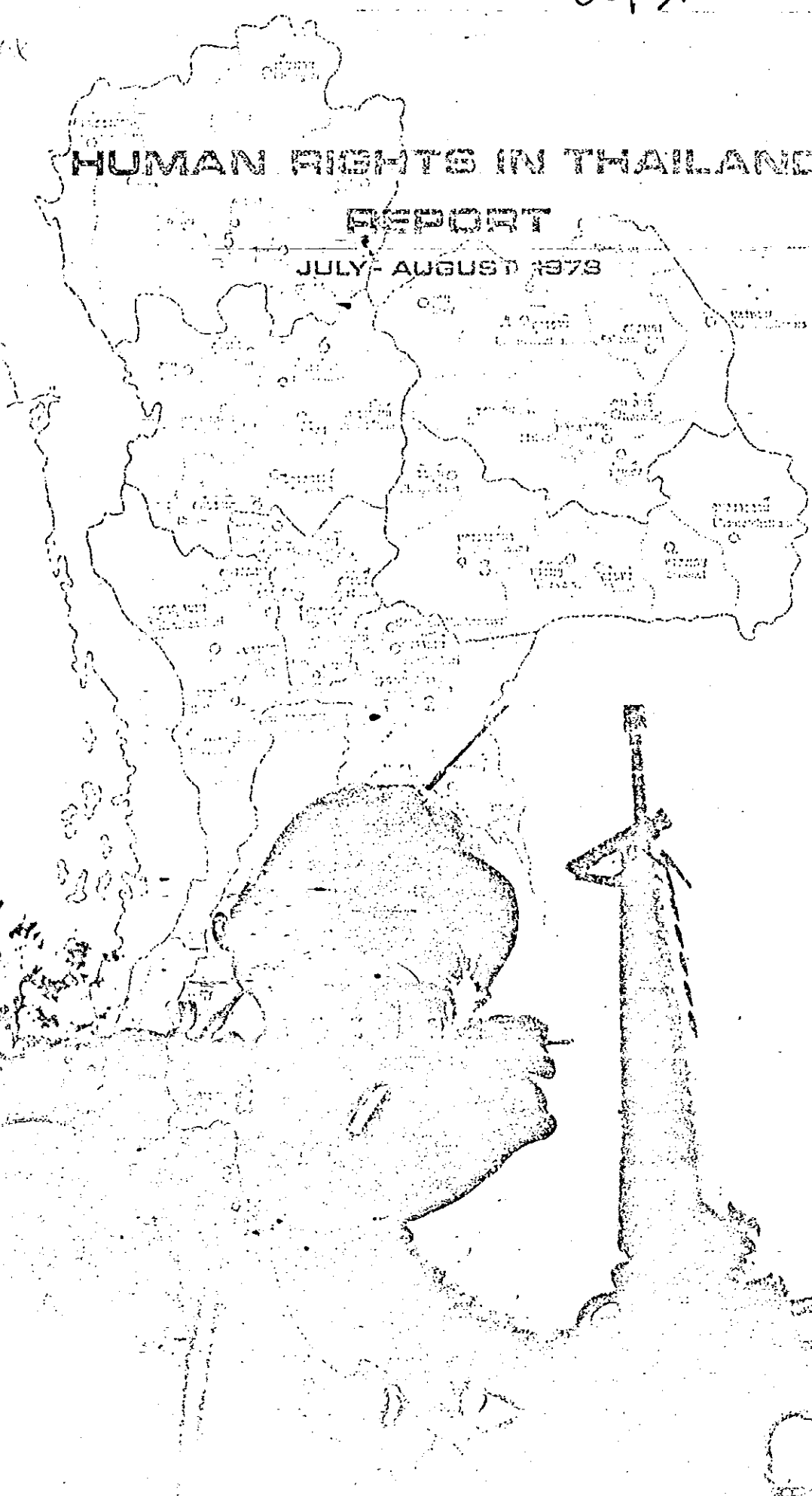
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HUMAN RIGHTS IN THAILAND

REPORT

JULY-AUGUST 1978



HUMAN RIGHTS IN THAILAND REPORT
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INTRODUCTION

In many respects there has continued to be a downward slide in basic human rights over the two months period covered by this report. There has been, for example, an increasing use of article 27 of the interim constitution with 51 people being summarily sentenced (two to death) without trial or defence; increasing numbers of people are being arrested for "endangering society" using NARC decree 22 (of the previous government); newspaper are being "warned" not to print this or that story more and more often, whilst editors and publishers are having their licenses revoked, and two courageous editors of two local newspapers in the South were shot dead. Despite the continued worsening of the overall human rights situation, there are also healthy signs. For example because of a united protest from the labour movement the retrogressive laws on holidays and severance announced last June were dropped and the minimum wage increased; more and more people are beginning to dare to stand up and demand their rights (including Judges, and Civil Servants); the student movements are beginning to come to life again; and in some military circles there is a realisation that violent communist suppression tactics involving confrontation should be stopped. The general feeling is one of the government trying to tighten the screws on the lid of the kettle without appearing to do so, whilst at the same time the water inside is boiling more and more strongly, sometimes almost blowing the lid right off. Given the instability of the present situation, a radical swing to a more oppressive or to a more liberal situation are both possibilities, with unfortunately the former being more likely.

As usual, for the convenience of our readers, the report is divided into four parts. Part One leads off with a continuation of the story of the arrested CGRS workers. Despite promises from authorities there has been no progress with this case at all; no charges have yet been dropped, and the three are still remanded on bail of \$5,000 each. Continued help from our overseas friends to get the government to drop charges is thus still urgently required.

As far as the trial of the Bangkok 18 is concerned three issues have tended to dominate the hearings recently. Firstly there is the issue of why normal anti riot procedures were not used at Thammasat (tear gas, water cannons, clubs etc). Secondly whether the police and other officials sent into Thammasat were heavily armed or not, and whether they were ordered to shoot or not. And thirdly how the proceedings could be speeded up. On the first point no satisfactory answer has been provided. On the second point all the evidence suggests the government forces were sent into to Thammasat heavily armed and ready to kill. On the third point the defence lawyers finally agreed to hearings on Wednesdays and Thursdays despite the fact that this would be inconvenient for the defence. On the prosecution side the military prosecutor has agreed to try to reduce the number of state witnesses. The generally more compromising attitude on this case may be related to the fact that the US embassy publicly announced that President Carter was taking a personal interest in the case. However it should be noted that no evidence directly relating to the defendants has yet been presented.

As in previous months other political trials have been noticeable far more because of their postponements rather than any progress being made. With the Supap Pasa-ong case, CGRS tried to bail out five of the defendants with 1,500,000 Baht of rented land title deeds, but the attempt was refused by the court because of "orders from higher up".

We also report in some detail about the appeal of three communist guerrillas from Surin province, who have been sentenced to death. CGRS, as a non-violent group is obviously inherently against the death penalty, but

in this case, where there has not really been a fair trial the argument at least for commutation to life imprisonment is even stronger. We would appreciate if our overseas friends could help campaign for the lives of Thongchan Srinual, Sao Saokaew and Bunrunng Sri-udom.

One very positive trend on the legal front is an increasing number of attempts by endangering society (or ex endangering society) prisoners to sue for habeas corpus, or for damages against those responsible for their arrests. The more of these types of cases that can be won, the more careful the authorities will be in arresting people under decree 22 of NARC.

We start Part Two, with a special feature on the various types of volunteer programmes that are being set up in different parts of the country by government organisations in order to encourage ordinary people to become actively involved in the armed struggle against communists. There are already at least 200,000 of these para-military forces (not including 2.8 million village scouts), who are being indoctrinated, trained, and armed to join actively in communist suppression activities without pay and without compensation for their families if they get killed or wounded. CGRS, along with many liberal elements in the government are against the idea of persuading Thai people to hate and kill other Thai people. Communist suppression leaders are also against arming unknown and poorly trained villagers who cannot easily be controlled and who could easily turn out to be either gangsters or communists. If the former happens this does not help the government's suppression activities, as it tends to promote misuses in power, thus pushing the people even further away from the government.

Justice loving people in Thailand, and overseas, are becoming increasingly concerned by the widespread and accelerating use of the catch all article of the interim constitution - article 27. The Prime Minister has, in the two month period July-August 1978 summarily sentenced 51 people, two of them to death. Altogether people have been sentenced on 23 different charges. These sentences have been carried out on the basis of the police investigation reports alone, with the accused not even having the chance to speak in their defence. Conscious of the widespread criticism of the illegitimacy of this summary justice, the PM. has found himself in the strange position of almost having to create a paralled legal system to justify his extra-judicial actions. Thus the cabinet, the National Policy Council, a special committee of three, the Narcotics Advisory Board etc etc are all supposed to make their comments before the PM. decides. Despite this window dressing, the truth of the matter remains the same. People are given very heavy sentences without any chance to defend themselves. This is why the ICJ. has recently lodged a strong protest with the government on this matter.

Unfortunately reports of misuses of power by ordinary police or officials continue to reach us. Murders, tortures and corruption by the police really seem to be the rule rather than the exception. Even though action is beginning to be taken against offenders (e.g. these who raped and robbed the Vietnamese refugees, reported in our last issue, are now facing trial), the rot seems to be so deeply ingrained, that only the most vigorous government sponsored campaign has the chance of success.

Prime Minister Kriengsak has made great efforts to create a liberal image for himself, in contrast to ex PM. Thanin's very right wing image. In reality however the practices of the two governments in terms of human rights are not widely different. The use of decree 22 of NARC is a case in point. Throughout the Thanin government releases of "endangering society" prisoners were taking place more rapidly than arrests. However in recent months the trend seems to be reversed with new arrests now taking place more rapidly than releases.

In our report from up-country we identify a new disturbing trend of peasant leaders being assassinated. This murdering of farmers' leaders was a widespread phenomena¹ in 1975 and 1976, but after that died down for a while. However with reports coming in from the Pattalung in the South, and Chayapoom in the North East, it seems that the process is starting off again. We feel that if peasants are to have a chance of living in relative security, particularly in sensitive areas, and have a chance of lodging complaints about mistreatment without fear of reprisals, then a powerful and independent "Ombudsman" should be set up, which could receive complaints from ordinary citizens about mistreatment by officials, and take strong and public action. Certainly, as our report from Phattalung indicates, strong action must be taken to prevent a reoccurrence of the widescale massacres that took place there in 1971/72.

On the labour front considerable progress has been made, because the workers for once united to fight against the labour protection law number 5, and for an increase in the minimum wage. However having been forced to back down to the workers demands, various right wing forces are intensifying their attempts to divide the labour movement again.

The government is becoming increasingly sensitive to press criticism, and has warned newspapers not to report on a wide range of issues, including the smuggled Volvo car scandle (involving the brother of Sangad Chalor yoo and the rightwing monk Kitiwudho), sensational communist guerrilla activities, the robbing or death of tourists, etc etc. Three news magazines¹, and one newspaper's editor and publisher have had their licence revoked, and the PM. has even issued a veiled threat that he might use article 27 against offending newsmen.

Though there is very little real academic freedom in universities and colleges, with censorship of musical shows dealing with poverty, of books produced by Thammasat law students for lawyers day (7th August) in honour of the father of Thai Law, etc. the situation in universities is becoming more healthy. This is because students are again, after almost two years of silence, beginning to struggle against university authorities for their basic rights to organise activities, run their own students' union without interference from university authorities, and be able participate in development projects. There have thus over the last two months been an increasing number of meaningful student protests.

As usual Part Three of the report deals with the activities of CGRS¹ and other similar organisations in Thailand. CGRS itself is beginning to play a more active role in providing legal assistance for many different categories of political prisoners, is trying to broaden its network of support amongst progressive religious groups, and is spearheading the preparation of activities in Thailand to commemorate the 30th anniversary of the UN universal declaration of human rights. In addition to these, and its normal activities, CGRS. has organised various religious ceremonies to draw attention to specific social problems (i.e. in the slums), and also wrote an open letter to Iang Saray (deputy PM. of Kampuchea) asking for permission to visit Kampuchea to investigate reports of human right violation, and religious persecution there. Other groups are beginning to play a more open and active role in the promotion of human rights and the general level of human rights consciousness in the country is growing.

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We conclude the report in Part Four, with a general political analyses, where we show how in the struggle between military factions (particularly over forthcoming promotions), every possible tactic is used. However it does appear that PM. Kriengsak is able to avoid an issue that might unite his oponents. We also report on the increase budgets devoted to amaments, and the expanding arms trade. Finally we comment on reports of the development of a more humane communist supression strategy.

We have been heartenned by General Prem Tinsunalod's statement that "bloodshed is no cure for insurgency the real battle against communism is carried out by those who believe in peaceful methods". Though we in CGRS do not believe the battle is for or against communism, but for a more just, humane society where spiritual values are important, we are encouraged when a leading member of the government and a military General, can come out so strongly in favour of peaceful methods. If such ideas can spread our faith in the possibility for a peaceful future for the country might not be misplaced.

Part One: Political Frisoners

1. Little Progress in the Case of the CGRS Workers

In the May-June issue of "Human Rights in Thailand" we reported that it was likely that all charges would be dropped against the CGRS workers and volunteer (Chaiwat Yao-Wapongsiri, Sukhon Tantakeyoon, and Boontham Chindawong) except for the charge against Sukhon of having more than the legal number of pills in a sensitive area (he is asthmatic and had more than 100 anti-asthma pills on him at the time of his arrest). Unfortunately these charges have not yet been dropped.

At the time that report was written we had also been informed by Police Major Udom Charoen (commander of the 7th Division of the special branch) that the case had already been sent to the Director General of the Police Department for a decision.

On the 12th of July we again went to the special branch, and at that time were informed that the case certainly would not take more than a month to be completed. On the 25th of July, checking again at the Special Branch we discovered that the case had not yet been sent to the Director General of the Police Department. On the 12th of August we again contacted the special branch and were informed, on the 24th of August that the case had passed the Police Department with a recommendation that only Sukhon should be prosecuted with the medicine charge, and had been sent back to the investigating officer in Ban Na San for onward transmission to the military court at Nakorn Sri Thammaraj. However we have no indication of the truth of this report.

In all that has transpired up until now two things are quite clear. Firstly, that in a case such as this one everyone from the governor of the province, the local police chief, the special branch police, the director general of the police department and the military prosecutor have the power to say whether prosecution should take place or not. If one of the above is in favour the others are likely to agree. Secondly that some people in high positions are trying to make this case progress as slowly as possible, to keep a burden over the head of CGRS, and to keep tied up a large amount of money in bail.

In conclusion it should be noted that contrary to letters that might have been sent by government officials to AI and other groups, and contrary to information we have received, this case is still far from over. No charges have yet been officially dropped, and the three are still remanded on bail of \$5,000 each. Thus continued assistance in campaigning for charges to be dropped is still required from all our overseas friends.

2) Trials and Legal Processes

A. October 6th Defendants

1. 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 democratic 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.

July 6th, 1978

Sixth Prosecution Witness: Pol. Lt. Aree Montrivat (continued)

(Pol. Lt. Aree was a Crime Suppression Division master sergeant who "slipped" into Thammasart University with a Thai flag in one hand and a gun in the other to negotiate with the students.)

Cross-examination: The witness admitted that the demonstration by the students to force former Prime Minister Thanom Kijitkachorn out of the country was conducted peacefully. The witness described the assault and attack on students on the morning of Oct. 6th as "brutal", and after looking at 11 photographs of the Thammasart incident, (showing a man urinating on a dead body, a man being beaten and hanged from a tamarind tree, people kicking students, and a policeman stamping on a student's face, etc.), he described them as "very bad behaviour" and "extreme brutality". When asked by the lawyer if the policemen and people who had killed and tortured the demonstrators were investigated by the police or not, the witness said that he did not know, and that the first time he had seen the pictures was in the court.

After the lawyers had finished cross-examining this witness, the question of increasing the hearings from once to twice a week was raised again, but still no agreement could be reached over the additional day.

July 13th, 1978

Seventh Prosecution Witness: Pol. Pvt. Prasart Choosarn

Prosecutor: Pol. Pvt. Prasart of the Special Operations Police testified to the court that he was shot in the left shoulder at about 9.00 am. on Oct. 6th, 1976 as he went inside Thammasart University, carrying a .38 revolver and a shot gun, to "restore peace" there. "This bullet forced me to bed for three days in hospital and a further month at home before it healed. I was unable to do any routine work for almost a month", he said.

Cross-examination: Pol. Pvt. Prasart said that he did not hear any shots fired from outside into the university at 8.00 am, the time at which the defence lawyers claimed that there was heavy shooting into Thammasart. He added that he received an order from Metropolitan Police Commissioner Pol. Lt. Gen. Vichien Saengkaew under the code name "N. 1", to move to Thammasat University at 8.00 am. to reinforce the police there.

Asked by defence lawyer Suthee Puwapan whether he saw students being beaten or burnt, he said that he had not seen anything. "I did not see any plainclothes policemen either. All policemen there were in uniform", he said. He added that he did not see anyone holding M.16, HK, or AK rifles as claimed by defence lawyers. "The policemen had been ordered to maintain peace, not to arrest the students. Those who threatened the peace were the

demonstrators inside the university".

July 18th, 1978

Eighth Prosecution Witness: Pol.Lt.Col. Salang Bunnag

Prosecutor: Pol.Lt.Col. Salang Bunnag, deputy superintendent of the Crime Suppression Division testified in court that a 200-man anti-riot police force from CSD's section five arrived at Sanam Luang (opposite Thammasart) at about 3 am. of Oct. 6th, awaiting further instructions from their superiors. At that time there was a crowd of about 8,000 angry anti-student demonstrators gathering. At about 6 am. the witness, along with Pol.Lt. Watcharindra Neimwanitchkul, Pol.Lt. Aree Montrivat (5th and 6th prosecution witnesses) and three other policemen went into the university "to negotiate with the students". He told the court that after three policemen had been shot and wounded, he opened fire to provide cover to the wounded policemen. He also added that several protestors who tried to get into the campus were wounded and pinned down by intense gunfire.

At approximately 8 am., the then Police Director General Srisuk Mahinthorathep gave an order permitting policemen to use their arms in self-defence and to protect the lives of others. Following the order, several police units from CSD, the Border Patrol Police and Metropolitan Police stormed the university.

Cross-examination: The witness got angry when asked by a defence lawyer about the police's anti-riot methods. According to the witness, the 200 Crime Suppression Division anti-riot policemen dispatched to maintain peace and order at Thammasart University on Oct. 6th were not equipped with teargas, gas masks, bludgeons, shields or water hoses, but with M 16 assault rifles, M 2 carbines and Ingram machine pistols.

The witness, who himself carried an Ingram machine pistol, reasoned that from his own evaluation of the seriousness of the situation combined with the wide location where the demonstrations and counter demonstrations were being held, the use of teargas and other anti-riot gadgets to disperse the crowds would not have been effective. Besides, he said, several policemen unequipped with gasmasks would be physically harmed.

He however agreed with the defence lawyer that teargas, gasmasks, bludgeons and water hoses mounted on fire trucks were basic equipment used to quell rioting. He further said that anti-riot policemen should show restraint and try to avoid using firearms unless it was inevitable and their lives were in danger.

After the hearing, the question of increasing the number of trial hearings per week was raised again, and finally it was agreed that in October the trial hearings would be increased to twice a week - on Wednesday and Thursday, even though the defence lawyers felt that two trial days without interval would be disadvantageous to the defendants.

July 27th, 1978

Eighth Prosecution Witness: Pol.Lt. Col. Salang Bunnag.

Cross-examination: The witness could not estimate the number of officials on duty on the morning of October 6th. He was not sure whether he had seen any village scouts during the incident, claiming that the pictures of the village scouts shown in some newspapers might be fake. He admitted that after the incident was over the officials searched the bodies of those arrested and found only 3-4 guns. However, he denied seeing officials taking personal property of the arrested students, such as necklaces, wristwatches as claimed by the defence lawyers. He had also not seen whether the women were forced to take off their blouses.

August 3rd, 1978

Eight Prosecution Witness: Pol.Lt.Col. Salang Bunnag

Cross-examination: The witness denied that the demonstrators who beat, kicked and hit the students as shown in the pictures brought by a defence lawyer were helping policemen arrest the demonstrators. He accepted that 3-4 students lying dead on ground as shown in another picture had no firearms with them at all.

In conflict with a former witnesses testimony, the witness said that policemen had not been ordered to open fire at the demonstrators at all, "or else many more people would have died." He also denied the defence lawyer's claim that women were forced to take off their blouses after they had surrendered and that later some of them were raped.

August 10th, 1978

Eighth Prosecution Witness: Pol.Lt.Col. Salang Bunnag

Cross-examination: The witness accepted that when he went to Thammasart University at 11 pm. on Oct. 5th, and guessed from the worsening situation that there would soon be riot. However, even though he was a superintendent of the CSD, he had no plans to prevent that riot. "I tried to get inside the university, but failed, so I had no idea of how to solve the problems", said Salang. "The students did not allow you into the campus because you were wearing plainclothes and yet you carried a ~~firearms~~ with you, is this right?", asked the lawyer. The witness answered that he did not know.

When asked if the Police Department had ever tried to arrest the killers and torturers of students during the Oct. 6th event by sending pictures of these people all over the country, the witness stressed that that such arrests were not his duty and he did not know about the government policy on this matter.

"While you were in Thammasat, did you see piles of dead bodies of students?" "I saw only wounded students. I saw no such ~~piles~~", answered the witness. "Don't you believe this picture?" The lawyer said, showing the pictures, and "do you say that this other picture of a man dragging a dead corpse also did not happen in Thammasart on that day". The witness simply said, "I do not know where it took place".

Finally, it should also be noted that a lot more people (about 500) attended the trial on that day to celebrate Lawyer's Day (August 7th). After the hearings, a bunch of flowers was given to the leader of the lawyers Mr. Thongbai Thongpao. After that a statement was read and everybody listened peacefully. At that moment a soldier who was clearing a way to an official's car pushed one student and also knocked him down. The students and people who were gathering there were very angry but still continued the ceremony peacefully.

August 17th, 1978

Eighth Prosecution Witness: Pol.Lt.Col. Salang Bunnag

Cross-examination: The witness told the court that he went to Don Muang Airport in the evening of October 6th, 1976 after having listened to Yankrao Radio that Dr. Puey Ungpakorn the rector of Thammasart University was going to "flee" from the country. He had not stopped or postponed the Singapore Airline plane from taking off, but had gone there to guard Dr. Puey from being assaulted or harmed by a group of 700-1,000 protestors who tried to stop the professor from going abroad. "I hid Dr. Puey from the protestors and because of this he still survives," he said.

Salang denied that he had forcibly snatched a telephone from Dr. Puey's hand. He also testified that he was told by a reliable Air Force official that the Singaporean pilot had refused to take off if Dr. Puey was allowed on to his plane.

August 24th, 1978

Ninth Prosecution Witness: Pol.Pvt. Suriya Tuichui

Prosecutor: Patrol policeman Pol.Pvt. Suriya Tuichui testified in court that he was shot in the back by a student during the October 6th, 1976 incident.

Suriya and more than 30 other policemen of his unit were assigned to inspect the incident at Thammasart and were all armed with HK 33 rifles. At 8 am. he and the other policemen received an order to enter the university

and were allowed to use the guns. He said that he climbed up to the higher floors of the building of the Faculty of Law with a few other policemen, and forced at gunpoint about 50 students, including girls, to go down from the building and gather at a room on the groundfloor.

Suriya said he was shot at the back while guarding the students. He denied allegations that the arrested students were assaulted by police. He said he was sure that the person who shot him was a student because from the position of his wound the gun must have been fired from the top floor of the building. He did not believe that police or other civilians could have climbed up the building at that time.

Cross-examination: The defence lawyers decided not to cross-examine this witness as they felt that he had no evidence relating to the defendants.

August 30th, 1978

Tenth Prosecution Witness: Air Sergeant Chom Fuchak

Prosecutor: The witness testified that his parachute unit at Sur-dam Camp at Hua Hin received orders to come to Bangkok at 2 am. on 6th Oct. About 50-60 parachutists then came to Bangkok by road and reached Bangkok about 6 am. Each one of them had been allocated one HK. 33 rifle and about 70-80 bullets. Only after their arrival in Bangkok were they informed of the purpose of their coming, ie. to restore order at Thammasart University. They were given permission to use their weapons when they thought it necessary. The witness claimed that he was shot while crawling inside the campus and had been hospitalized for 8 days.

Cross-examination: While he was in the campus, he had fired only about 10 bullets. The defence lawyer showed him a picture of the gun used by the Border Patrol Police, and asked the witness about its power. The witness said that that gun could cause considerable damage to an armoured car.

Arom Refused Bail: On August 28th, 1978 the brother of Arom Pongpa-nran, one of the Oct. 6th defendants requested a bail for Arom, but the request was refused by the court because "Arom is an influential person".

2. The Trial of Boonchart Sathienthammani at the Criminal Court

Boonchart was arrested during the October 6th, 1976 incident, was released, and then a few weeks later was arrested 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 for the defence witness's was scheduled for July 21st, 1978 but was postponed to September 15th as the defence lawyers and witnesses were not ready.

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 40 prosecution witnesses have given their evidence in court. The hearings normally take place on a week. (on Wednesday). It is estimated the trial should be complete within a year.

June 28th, 1978

Prosecution Witness: Pol.Lt.Col. Wisit Witayarampa

Prosecutor: The witness has worked with the Special Security Police since 1961. In this case he was an enquiry officer who continued to investigate the case after the local enquiry officer had finished his investigation. He had interrogated Pisit and the two other women Nipapan and Sa-nguansri (who fled after having been released on bail).

He also studied the documents seized from the defendants' residence. Those books included as far as he could remember, "Selected Works of Mao Tse-tung", and "The Thoughts of Mao Tse-tung", which had been used for studying and propagating communism. Other documents were those used for educating workers and peasants so that they would struggle with their employers for justice, wages, welfare and so on.

Cross-examination: The witness studied the documents as to whether they belonged to the defendants or not, how the defendants got them, whether they had read them and how they felt about them, whether they had let other people read them and why, whether they had used the documents as a means to educate others and so on? But the defendants did not make any statement about the documents during the police inquiry. He had never studied the content of the documents, as this would need a specialist. He accepted that the books seized were sold in the market during October 1973 - October 1976 (i.e. at the time of the defendants' activities among the workers and of the arrest) although a few of them had been forbidden to be sold.

July 5th, 1978

Prosecution Witness: Pol.Maj. Watana Yururn-ngam

Prosecutor: The witness was a police officer at Sampran District who joined the group which raided and searched the four defendants' residence. The four, Supap, Pisit, Nipapan and Sa-nguansri did not oppose the search but let the policemen search their house freely "to show their innocence". Later, a policeman from the Special Security Police came and said that the documents seized were communist documents. The four were then accused of being involved in communist activities, and with the illegal possession of firearms.

Cross-examination: The witness accepted that he had never read the seized books which he had originally claimed to be "communist books", nor had he ever studied communism. When he searched the defendants' bodies he found no weapons at all. As for the guns seized, he found them after they had been laid on a table by some policemen; he did not know where those policemen found them.

July 12th, 1978

Prosecution Witness: Pol.Col. Apai Woradithi

Prosecutor: The witness was a Deputy Commander of the Special Security Police and an investigation officer in this case. He interrogated Nipapan and Promma in addition to the interrogation by other policemen. The report of the statements given by the two had been given to the court.

Prosecution Witness: Pol.Cap. Tawat Saensukri

Prosecutor: The witness was an investigation officer at Kratumbaen District Samutprakorn Province, where 5 defendants in this case (Wimut, Wanta, Tongluer, Narin and Promma) were arrested. The witness interrogated Promma and Wanta once. According to the witness, the books and documents seized were about communism.

Cross-examination: The witness could not remember whether he had informed the arrested about their rights to meet and consult with their lawyers before giving a statement. Neither did he remember that the five were denied their rights to have visitors, receive bail or meet their lawyers (Infact they were denied all these legal rights). The witness also accepted that he had not read any of the seized books and documents, but he knew that they were all communist books from the titles on the covers. However, he had not seen the cover of every book piled up at the police station. Finally he accepted that in fact he did not know what the majority of the books and documents were about.

The witness also said that after his enquiry he did not think that the five arrested in Kratumbaen District would have anything in concern with those arrested in Nakornpathom Province (i.e. the other four defendants in this case who were students: Supap, Pisit, Nipapan and Sa-nguansri)

July 19th, 1978: There was no hearing as it was a religious holiday.

July 26th, 1978

Before the trial began the defendants asked the court to order the prison custodians to unchain their handcuffs, claiming that leg shackles should be enough. (All the defendants in this case have from the beginning had their legs shackled, although they are merely unconvicted prisoners). The custodians refused. The defendants claimed that they could not take notes of the hearings with handcuffs and after all the court had originally said that the defendants need not be chained in court. After some argument the custodians gave up and unchained them. (But still they have the leg shackles).

Prosecutor Witness: Pol.Cap. Apirak

Prosecutor: The witness has worked at the Special Security Police for 6 years. In this case he was one of "more than 40 officers" who continued to investigate the case after the local inquiry officers had completed their work. He had interrogated Nipapan, Sa-nguansri, Promma and Narin.

Cross-examination: Pol.Cap. Apirak said that after all the inquiries he had made, there was nothing to indicate that Nipapan and Sa-nguansri were communists. He did not know what the purpose of the inquiries were either.

August 2nd, 1978: The trial was postponed as the judge was busy and had no time for the hearings.

August 9th, 1978

Prosecution Witness: Pol.Lt. Wasan Mibanchong

Prosecutor: The witness has the responsibility of finding information about the political movement of the people and workers. During 1974-1976 he carried out this duty in Samutsakorn Province where there were many workers movements. He knew the Samutsakorn Texttile Labour Union where Supap and Pisit worked as advisors. He had been to many strikes in that area to find information and reported about these to his superiors, both orally and in writing.

He was also an inquiry officer in this case. During his inquiries he had a quarrel with the defendants.

Cross-examination: Only he and one other junior policeman had the responsibility of finding political information in Samutsakorn at that time. In his opinion, the workers movement to stage strikes or make some demands on their employers were non-political but he had to find information about them to stop any further action that might be taken.

The Samutsakorn Texttile Labour Union was legally registered. The Union aimed at protecting the legal rights of the workers. It also provided the workers with representatives to negotiate with their employers whenever they needed.

August 16th, 1978

Prosecution Witness: Pol.Lt. Wasan Mibanchong

Cross-examination: The witness accepted that some information which he got from various sources, both among the employers and workers, were not true; for example, there had once been news that the Onnoi workers would all dress themselves in green colour and join a mass demonstration at Thammasart University, which turned out to be false.

The Samutsakorn Texttile Labour Union had once brought biographies of some communist prisoners for the workers to read, which he thought was a way of propagating communism among the workers.

Prosecution Witness: Pol.Lt.Col. Viriya Tumornsuntorn

Prosecutor: During 1972-1977 the witness was a police inspector in charge of the local police station at Kratumbaen District of Samutsakorn Province, where four defendants in this case were arrested. His Testimony about the strikes in that region was quite similar to those already given by former witnesses.

August 23rd, 1978

Prosecution Witness: Pol.Lt.Col. Wiriya Tumornsuntorn

Prosecutor: During 1972-1977 the witness was a Police Inspector in charge of Kratumbaen district police station. The police inspector claimed that the workers' strikes after the October 14th, 1973 incident were very different from those before the incident. Before Oct. 14th, 1973 the strikers and employers could come to an agreement within 3 days since the workers staged strikes by themselves without interference from outsiders who were not workers, and policemen could go into the factory or stand guard outside. But after October 1973 the strikes were prolonged since there was interference by the NSCT (National Student Center of Thailand), the strikers often barricaded the factory gate, not allowing the factory's owners or the policemen to enter the factory, they threatened to burn down the factory, and even ran the machines and sold the products by themselves. Their demands also changed. For example, in the big strike from June 7th - 14th, 1974 at the Petkasem 1 factory which workers from many other factories in Onnoi and later from other provinces (such as Samutprakarn and Montaburi) also joined, the workers made demands to the government, not to the employers, to increase the minimum wages and to be more concerned with the workers' problems. As a result of this the government had to increase the minimum wage to 20 baht per day and the employers had to pay compensation to workers who were fired from their work without due cause.

In later strikes there was violence, such as at the strike at Watana Vinile Tile Factory in June-July 1975, where there was a clash between strikers and police which ended with the death of one female worker, with eight others being wounded. One policeman also died. The police did not arrest the workers for fear that the workers would make further propaganda which might lead to disorder in the country.

Five Workers Refused Bail

In early 1978 CGRS ran a campaign to raise bail money for the defendants in the Omnoi (or Supap Pasa-ong case). At that time a sum of 30,316 Baht cash was donated by people in Thailand from all walks of life to rent a land title deeds to be used for the bail. After facing considerable difficulties in finding a land owner who would be willing to rent his title deeds for the bail and even greater difficulties in finding some persons who would be willing to guarantee the bail, CGRS finally managed to get everything in order and to request to the court to grant bails to 5 workers in the case with 1,500,000 Baht of rented land title deeds, paying a rent of 20,000 Baht for these deeds.

On August 24th the bail request was refused by the court because of "orders from higher up" and because the case was being considered at a "high policy level".

It has been decided by seven defendants in this case that the money donated from the people should be given to their lawyers to be used for their legal defence. It had been suggested that some of the money should be used to help poor workers, but the defendants argued against this suggestion giving as reason that "the money will not lessen the permanent poverty of our peasant families." The seven defendants have also expressed their gratitude to everyone who tried to help them, even though unsuccessfully.

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 Nakornsrithammarat Province and charged with being communists, attacking military camp, arson and killing Village Defence Volunteers. Detained for over two years with no bail, their trial proceeds very slowly at the rate of one day every two months.

There have been no hearings in this case since April 18th, because of the frequent postponements, until August 4th, when the hearing was held in the far southern province of Nakornsrithammarat. The witness who gave evidence there was a doctor who made an autopsy on the VDV who died during the attack. No defendants in this case appeared in court during this last hearing held in their native town, for fear of the local influence.

2. Royal Pavilion Bombing Suspects Plead Not Guilty

Four suspects arrested in connection with the bomb explosion near a ceremony being presided over by Their Majesties in Yala in September 1977 were brought before the court on June 31, 1978 to hear the charges filed against them by the Public Prosecutor of Yala Province.

The four suspects-Abdul Romae Harong (19), Lornin Sa-i (16), Dorha Samae (18) and Mae Pachu (22)-pleaded innocent. They were charged with illegal possession of explosives for military use, membership in an illegal organisation, possessing illegal firearms, treason, attempted murder and attempted assassination of their Majesties the King and Queen of Thailand. The maximum penalty for these charges is death.

There are other accused who are still at large, Hayee Masae or Hasae Hayesama-ae and Abdul Romae Pakistan. The six were accused of planting bombs which later exploded at Changpuak Lawn in Muang District of Yala Province on September 22nd, 1977 when His Majesty the King was giving flags to village scouts. Several persons were injured by the explosion. At the time this incident was widely used to embarrass the Tanin government, particularly the interior minister Samak Sundaravej.

In mid August this year the case was transferred from Yala Provincial Court to the High Military Court in Bangkok following the Yala Police authorities who feared interference of the trial by the Pattani United Liberation Organization (PULO)

D. Communist Charges

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

The two brothers 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.

After six postponements, their first trial hearings, earlier scheduled for January 9th, 1978, really began on June 6th, 1978. Below is a summary of the second hearings.

July 24th, 1978

Prosecution Witness: Pol.Lt.Col.Nitat Sawettanan (continued)

The witness is a police inspector in charge of Patumwan Police Station in Bangkok. He arrested Somboon when he came from Ubon province to visit his brother Vichai in Bangkok.

1. Cross-examination: The witness was cross-examined on two points; firstly on his concept on communism and democracy and secondly on the incriminating documents seized from Vichai's house.

According to the witness, although the NARC had after the October 6th coup abolished the constitution and the Parliament and introduced Martial Law, Thailand was still under democracy as it still had a monarchy. When asked whether a dictatorial regime could still be a democracy, he said he had not studied about this.

The witness said that he did not know much about communism, although he accepted, after some resistance, that he had been involved in filing communist charges on the two defendants.

As for the documents, he had been informed that Somboon was coming to Bangkok to "destroy the documents" at Vichai's house. He suspected that the red piece of cloth would be used to make a flag as "communist flags are always red". But he had no real evidence about the cloth; nor had he asked the brothers about this. As for the documents urging the government to arrest the assassins of peasant leaders, protesting dictatorial power and promoting democracy, and protesting against war, the witness accepted that such protests were justified.

He finally accepted that before Oct 6th, 1976 all the incriminating documents in this case were not illegal, and that from Oct 6th, 1976 to the day of the arrest, there was no evidence that the defendants had carried out any action that might cause any riot in the country.

Prosecutor: The reasons for the arrest of the two were the documents and also the fact that both had faith in, and desire to propagate communism. There was also evidences from up-country.

The next hearings were scheduled for September 8th, 1978.

2. Three Death Sentenced Communist Prisoners Appealed to Supreme Court

On June 23rd, 1976 a group of 30 policemen raided the house of Mr.Amnuai Songtip, village-headman of Ban Moo 8, Ban Nongpai, Tambon Ra-ngaeng, Srikorapum District, Surin Province after having been informed that communist guerrillas had hidden some firearms there. After an exchange of fire and bombing, Pol.Col.Prasop Kasemsiri, the leader of the policemen, was shot dead, and three other policemen were injured. One person in the house, Mr.Tongdaeng Saitipprachan was also killed, whilst four others were injured and arrested. Mr.Amnuai, the owner of the house, fled. On the way to the provincial capital, one woman amongst the group of arrested (Miss Pensri Chulari) was tortured to death. The other three, Mr.Tongchan Sriprual, Mr.Sao Saokaew and Miss Bunrurung Sri-Udom (who was pregnant) were detained at the Central Prison of Surin Province and were charged with illegal

possession of firearms and intentionally killing government officials whilst they were on duty. The three confessed their guilt during the police inquiry.

On June 15th, 1977, the Court of First Instance handed down a death penalty to the three. The three immediately appealed to the Appeal Court.

On 13 & 16 June 1978, the Appeal Court confirmed the death penalty on the three. On July 17th, 1978 the three again appealed to the Supreme Court.

In their appeal to the Supreme Court, the three defendants claimed that they had not given their statements during the police inquiry freely, but were forced to make a confession by being tortured in different ways. They also claimed that during the trial proceedings, their court-appointed lawyer had, instead of revealing the truth about their torture confession or trying to prove their innocence, suggest that they make the same confession in court again. He had also tried to make the prosecution case more complete and logical (see the three defendants' appeal attached). The three defendants have thus asked the Supreme Court that they be given a chance to change their statements and have a new trial hearing. They also appealed to the Bar Association on July 17th, 1978 to investigate the malpractice of their lawyer Mr. Chaiyasit Yamsri.

At present the three are waiting for the final judgement of the Supreme Court. Thongchan and Sao are now being detained at Bangkwang Central Prison, and Bunrurung at Women's Prison Lad Yao. As for Bunrurung, Thongchan's wife, she gave birth to a baby in prison. With considerable difficulties she took care of her daughter in prison until May 1978, when the baby became very ill, so she decided to send it out to be taken care of by her mother.

ANNEX: Profile of Prisoners

1. Bunrurung Sri-udom

Age: 23

Sex: Female

Religion: Buddhist

Born at: Ban Kang Khong, Amphur Sriphoraphum, Surin Province

Address prior to arrest: Ban Yang Tia, Amphur Sriphoraphum

Profession: farmer

Relatives: 9 brothers and sisters. Her parents are still alive. All very poor.

Family: Married to Thongchan with 1 daughter who was born in the prison and at present stays with her grandmother. She is detained at the women's prison Lad Yao, and has to sew pupil's uniforms

It was written in the three defendants' appeal to the Supreme Court: "We three defendants would like to state to the Supreme Court that we did not give our first statement as shown in Document D18-20 freely, we were threatened, forced and tortured to an extent that we could not and had to give those statements. Particularly, the second defendant as evidenced by Document D15 (a doctor's report confirming wounds), "a rib bone broken, though no important organ in the belly hurt, all the wounds needing approximately 100 days to be cured. Evidently, wounds were not caused by bullets, but by collision with hard object or crashing force. Honestly, we three defendants would like to state to the Supreme Court that each one of us was brutally tortured in different ways, although the wounds did not show up. For example, we were tied with a rope and then dropped in the air, shot at testis with elastic in the ribs and belly with a gunstock and so on"

every day. (except Saturday and Sunday)

Detention situation and nutrition: average, unchained
Health: normal

2. Tongchao Sribnal

Age: 23 Sex: Male Religion: Buddhist
Born at: Ban Kang Khong, Amphur Srikhoraphum, Surin Province
Address prior to arrest: Ban Yang Tia, Amphur Srikhoraphum
Profession: farmer
Family: already married (see above)
Detention Situation: being chained and detained nearly the whole day in his cell (which is about 9x5 metres). Together with about 14 other prisoners sentenced to execution. He has no work to do, and can come out of the cell only for food and washing.

Health: stomachache

3. Sao Saokaew

Age: 23 Sex: Male Religion: Buddhist
Born at: Ban Kang Khong, Amphur Srikhoraphum, Surin Province
Address prior to arrest: Ban Yang Tia, Amphur Srikhoraphum
Profession: farmer
Family: simple
Detention Situation: Similar to Thongchang's (as they are imprisoned together)
Health: Has been severely beaten up, one of his eyes is blurred and sometimes is painful. In addition, he is also in pain from a pain one of his elbow bones which was shot by the police.

E. Endangering Society

1. Endangering Society Prisoner Appeal for Habeas Corpus

a. Mr. Prapan Patikapan

Mr. Prapan Patikapan (21) a mail clerk in Seni Pramroj (the former Prime Minister) Law Office who was arrested under endangering society charges (for having an immoral profession and being gangster) appealed to the Appeal Court of Bangkok on June 23, 1978 for Habeas Corpus.

Prapan claimed that he was arrested on May 8th, 1978 when he visited his friend who was detained at Samranrat Police Station in Bangkok, and had been detained there ever since, although he had done nothing wrong, Pol. Maj. Chatchai Pinudom, Samranrat investigation superintendent claimed that Prapan was guilty of stealing and had been sought by police for a long time.

On July 25th, 1978 the judge acquitted Prapan from all charges and ordered his immediate release as it was proved in court that Prapan was innocent and the detention was illegal.

In addition, Mr. Charoon Patikapan, the prisoner's relative had before this appeal brought an action against Pol. Maj. Chatchai and Pol. Sg. Amporn Chanrod at the Criminal Court for having incorrectly carried out their duty in arresting Prapan. This latter hearing is yet to be held.

b. Mr. Thom and Mr. Sanom Kanhakiew

Mr. Thom and Mr. Sanom Kanhakiew were arrested for murder on February 17th, 1978 in Kaengkraw District, Chaiyapoom. On the following day another charge of endangering society was filed against them. After having been detained at the police station for 30 days they were sent to the Vocational Training Centre at Nakornrajsima Province where endangering society prisoners in the NE are held.

On March 26th, 1978 their parents had a lawyer make an appeal to the provincial court for Habeas Corpus, claiming that although the two persons were charged with murder, they were not guilty of endangering society. On June 23rd the judge acquitted the two from endangering society charges. One part of his judgement read: "the NARC Decree 22 is a decree that cuts off the rights of the people. Before charging anybody with this charge, the police officer has to have enough evidence and has to consider the case thoroughly until there is no suspicion or unjust detention".

After Thom and Sanom were acquitted from the endangering society charge, the police officer requested further remand from the court for further investigation on murder charges. But his request was refused, as the court felt that the pre-trial detention period under the power of the investigation officer was over. Consequently, the investigation officer had to file the case quickly in court.

E. Mother and Son Sue Police

A mother and son, Mrs. Penkae and Mr. Pairat Sadudeeshivin, asked the Criminal Court to take legal action against two senior police officers of Bangrak Police Station who arrested and detained them without sufficient evidence.

The two plaintiffs said that they were arrested by two police officers, Pol. Maj. Vudhikrai Sriwattana-vudhi, Bangrak investigation superintendent and his deputy Pol. Sub-Lt Vorachart Noppakhun, from their house and were charged with endangering society. They had been detained in Bangrak Police Station from the day of the arrest on November 30th, 1977 until their release on January 3rd, 1978.

At present the case is still being considered by the court.

F. Danger to the Security of the State

1. Mr. Surin Suanpan

Mr. Surin Suanpan, a former member of the Socialist Party of Thailand was arrested under endangering society charges in July 1977 while he was carrying a paper bag full of leaflets against the government and US imperialism. He was released from endangering society charge on January 7th, 1978 but was immediately rearrested and detained under the charge of being a danger to the security of the state.

The first trial hearing, originally scheduled on January 17th, 1978, only finally began on July 14th, 1978.

First Prosecution Witness: Pol. Sgt. Boonchuai Kongkanag

Prosecutor: The witness arrested Surin while he was distributing the leaflets to the passerbys at Petburi Road. He was travelling to in an official car but was wearing plainclothes when he saw a crowd of about 20 people gathering there. He got off and saw Surin distributing the leaflets. He then said that he was a policeman and arrested Surin. There were 8 catagories of leaflets, all of which attacked the government. Later, he searched Surin's house and found more documents there.

The cross-examination will be held in the next hearing, on September 19th, 1978.

3. Letters from Prisoners and Ex-Prisoners

Every week CGRS receives large numbers of letters from prisoners released prisoners, and their relatives. Most of these letters come from up-country, as writing letters is the only way CGRS can keep regular contact with up-country prisoners. Most of the letters received are

normal letters, received in response to letters sent by CCRS, and are a part of a continuing correspondence designed to make the prisoners feel that they are not forgotten. Sometimes they ask for specific assistance, or express thanks for assistance received, or request some action be taken to overcome a particular injustice.

In what follows we have translated three examples of different types of letters received during the past month or so.

Ayudhya Vocational Training Centre
17th, July 1978

Dear Brother Chaiwat,

Today I have already listened to Thawee read your letter. You said at the end of the letter that you wanted me to write you some letters too. I myself would be very pleased and willing to do so, but I am sad to tell you that I can't read or write. This is one reason why I feel so inferior which makes me such a quiet person. This is the first time in my life that I have been a long way from home for a long time. Having only worked in the rubber plantations and being interested in nothing, I've known only a little about the outside society, which seems very large to me. Most people in my village always say that I am a foolish one, but all of you at CCRS are not like them. This is the first time I have begun to believe that such words are not at all true. I gratefully thank all of you, who always give me mercy and encouragement. Unfortunately I can't find anything to give back to you as my present. I'll remember your good and sincere acts of kindness throughout my life.

Yours sincerely,
Sanan Khukaew

Sanan Klankaew is an endangering society prisoners, is being detained at Ayudhya Vocational Training Centre.

Nakornsri Thammarat
August 10, 1978

Dear brother,

I have already bought the equipment for the shadow puppet show (except for the big drum which is very expensive at 2,700 baht, I think I'll hire one to use and will buy one later). In preparing my show I have to spend 3 months writing the script and studying it until I am well rehearsed. I'll write to you when the first show will be performed. During this time I have hardly stayed at home because I always have to go to visit my friends in other provinces in order to ask them for advice about the story for my shadow puppet show. In addition to my own story, I think I'll play Manora on some occasions. (I can't do it regularly because it costs a lot of money and requires experienced players) I think I have a good opportunity to perform Manora because now I know a Manora group named "Khana Preeya Daresilpa" which has all the necessary equipments. Its standard of performance is quite good. I invited this group to perform at a wedding party near my sister's house on August 3rd. The people liked it very much. I also played with other players. I danced in the style of ancient Manora as well as singing about my background, including being imprisoned and the accusation of the officials. The song was about how I tried to appeal for justice for the people, but my doing so went against selfish benefits of the minority. I think you would have been so pleased if you had seen my dance and listened to my song. The people liked it so

much that they gave me more than 100 baht as a reward. In addition this group wants me to join it in its normal performances and in writing their stories. I see that this is a good opportunity for me to continue a role in a Manora show without spending any money. I'll write only the stories which are useful for ordinary people, and will join in the performances. I also think that if we have enough money I will take it to show here too. However I am not ready at this moment because I have not written any stories yet. I am writing one, but it has to be rehearsed before it can be played. If you want to see it, please send me some information about your trip south many days in advance.

Hoping that within 3 months I'll be able to take my own groups of shadow puppets to perform for the general people. Also hoping that my life will be better by not getting hindered by the officials. Finally I hope that my shadow show will be useful to the majority of people.

I wish that all of you are well. I am well too.

Sincerely yours,
Julie Klomchit

Julie Klomchit was arrested on March 28th 1978, from events resulting in the burning of the Governor of Nakornsri Thammarat's house in January 1975. He was bailed out by CGRS in July 5th, 1978, and helped in setting himself up as a shadow puppet performer. (See May-June report, pages 42-43)

Central Prison of Nakornsri Thammarat
August 14, 1978

Dear friend,

Thank you very much for your letter and advice which was quite useful to me, especially the news that there will be elections. I've heard this news before. The news spread throughout the prison rather quickly because the prisoners hope that they may be freed after the election. Usually when there are official ceremonies both in the royal family and in the government, prisoners hope they will be granted amnesty by the government. Therefore they are very cheerful when they hear that the election will take place soon. They only think of their freedom, and how to get out of jail. They are not even interested in the type the constitution. They don't understand what real democracy and what real freedom means. They don't know that the new constitution is only the crust of a dictatorship, it is a disguised democracy. I myself have been very bored by elections because they indirectly destroy the economic system of the country.

On August 11st I had met a new political prisoner who had just been sent here. After living together and discussing with each other for a while, I think he is a person who has fought for justice in this society. He is such a good man. He told me that firstly when he went to prison he could not see how to fight for his case. I later explained to him that the CGRS in Bangkok has a policy to give help to the political detainees. Then he seemed more at ease and wanted to meet a lawyer or any other representative from CGRS to give him assistance that he would have assistance. He is now 45 years old and has been married more than 10 years without any children. His name is Sakorn Wongnoon whose house is at mu 5, Tambon Thachi, Amphur Na Eon, Suratthani. The following includes some information of why was arrested.

Ban Thache is a village under the influence of the CPT. Its people always face savage waves of arresting and assassinations from officials. For example, Sakorn himself is a person whom the villagers believed and respected. The official arrested him with many accusations, such as he had joined his friends to kill others, behaved or joined other to behave like a communist, endangered the internal and external security of the state, tried to kill officials and had war weapons with ammunition.

I think he should have a lawyer from the CGRS to help him in the court. Now he is being tried by the military court.

I'll write to you again when I have an opportunity. Answer this letter about Sakorn, please.

Yours sincerely,
Ratom Banjongchuay

Ratom was arrested in Nakornsriathammarat under murder and communist charges. On August 22, 1978 he was acquitted and released after having been detained for three years.

Part Two: The Human Rights Situation

1. Misuse of Government Power

A. The People War: An Antibiotic for Communist Suppression

During the Vietnam war, many attempts were made by the US Army to "Vietnamise" the conflict (i.e. persuade the Vietnamese to kill each other). One of the most famous of these was Phoenix. This was an attempt to arm the general population, and get the people themselves to fight against, and kill communist guerrillas. Unfortunately Thailand seems unable to learn from the mistakes committed in Vietnam (e.g. with the "Strategic Hamlets" described in our March-April report), and has organised various different projects, with different names and forms, similar to the Phoenix projects which failed so miserably in Vietnam.

Before providing some information on the attempts being made to involve ordinary civilians in communist suppression activities, we would like to emphasise that the reason we are against such schemes is because we feel that every attempt should be made to minimise the hate and killing of Thais by Thais, and that no group of whatever political hue should manipulate another group for their own ends.

In Thailand the original idea for civilian involvement in communist suppression came from ISCC and was proposed by Gen. Saiyud Kevd-pol, the present chief of the army general staff, who once gave an interview about his scheme saying that, "...In the past we (the government) did not believe that the communists could have succeeded in persuading the farmers to act against us. This was because the Thai farmers, besides their poverty and lack of education, have a tradition of being "domesticated". We thought these were sufficient reasons to ensure that they would not rise up against our orders. However the communists proved after some time that these farmers could be aroused against the government. This made us see how important the farmers are, so we are now trying to draw them back away from the opposition".

The attempts to involve peasants in communist suppression activities was started 3-4 years ago with the creation of Village Defence Volunteers (VDVs). Under this scheme peasants from some sensitive villages were trained for 6 months and then sent back to work under the command of government officials after their training. These peasants are paid 30 Baht a day for their expenses, and thus the original project was quite costly. In addition government did not consider the VDV project by itself to be sufficiently strong to defeat the communists or win the peasants back from the communist camp. Consequently the government decided to expand the VDV project into three new forms each appropriate to the conditions in a particular area.

Details of these three forms are provided in the following table.

Thailand Self Defense Volunteers (TSDV)	Thailand Self Defense Volunteers (TSDV)	Thailand Self Defense Volunteers (TSDV)	Thailand Volunteers for Development and Crime Suppression (TVCS)
<p>1. Area in which Programme is Operative.</p> <p>2. Arms</p> <p>3. Characteristics of trainingees.</p> <p>4. Organisation of Unit</p>	<p><u>Red Areas:</u> A communist infested area where a communist brigade has already been organized at the village and district levels. It is an area where it is difficult for government officials to operate.</p> <p>1. Train villagers to accept the political ideal of democracy under a constitutional monarchy.</p> <p>2. Destroy communist cadres and supporters and replace them with government forces organized to further train other villagers.</p> <p>3. Operate as a major and strong para-military unit, to help soldiers and policemen in fighting the guerrillas.</p>	<p><u>Black Areas:</u> A communist infested area where a communist brigade still has not yet definitely been established. It is an area where it is difficult for government forces to operate except in strength.</p> <p>1. Train villagers to accept the political ideal of democracy under a constitutional monarchy.</p> <p>2. Train villagers to be able to use arms as required by a para military unit.</p>	<p><u>White Areas:</u> An area, not yet affected by, or infested by communists.</p> <p>1. Train villagers to accept the political ideal of democracy under a constitutional monarchy</p> <p>2. Train villagers to be able to use arms whenever necessary.</p>
	As with TSDV	As with TSDV	As with TSVD
	As with TSDV	As with TSVD	As with TSVD

	TSDV	CSDV	FVDS
5. Training	10 days training provided by the regional army.	5 days training carried out by JSOC in conjunction with the Ministry of Interior.	5 days training carried out by the province.
6. Control	Directly under the local communist suppression officials.	Under the district officer, Governor and ultimately the Minister of Interior.	Under government officials or policemen.
7. Activities	<ol style="list-style-type: none"> 1. Under the control of officials to help them prevent on expansion of communist support, and in fighting the communists. 2. Gather information for the officials. 3. Arresting wrongdoers, with local suppression officials. 4. Any other activities determined by the local commander. 	As with TSDV	As with TSDV
8. Weapons	Everyone operating at the local level will be armed (usually with shotguns), but the officials have the right to withhold these arms.	4 shotguns are provided for each village, and at least 30 bullets for each gun. However the officials have the right to withhold the weapons.	Arms will be given when it is necessary. At such times an official document will be issued to allow FVDS's to hold arms. Officials have the right to withhold these arms. They receive nothing.
9. Financial	All living and other expenses during the training.	<ol style="list-style-type: none"> 1. 30 baht/day for expenses during the training. 2. Assistance according to their entitlement under the Assistance Law if they are wounded whilst assisting the officials in their duty. <p>The peasant's voice.</p>	Village Scouts.
10. Other projects with similar aims but different names.	Civilian Volunteers for Self Development and Defence. Civilian Volunteers trained under the Bang Rachan Project.		

11. Number	TSDV	CIDV	IWDG
(Only started in March 1977, figures up to April 1978) <u>North-east</u> Total 8,951 persons; it is likely that this number will double in the near future. <u>North</u> (began in 1975) Total 36,111 persons. <u>South</u> Number uncertain, but more than in other regions as the power of the volunteers is used more often because the suppression operations are more serious than in any other part of the country.	Training only started in May 1978 <u>North-east</u> 250 persons for each of 9 important provinces, a Total 2,250 persons. <u>North</u> 250 people in each of 4 provinces, Loei, Chiangmai, Nan, and Fisanulok. Total 1,000 persons <u>Central</u> only at Tak, total 250 persons.	No reliable data is available. However there are 2.8 million of the less tightly structured and controlled <u>Village Scouts</u> .	

The main reason that persuaded the government to organise such projects was in order to use the people as the front line in fighting against the communists. It is a combination of physical warfare and armed struggle. However, a very important point is to use the minimum budget possible, and to avoid having to spend money on the salary or allowances for peasants or to be responsible for when they are wounded or killed. From the origin of the 3 projects until now training related to the projects has taken place all over the country. It is estimated by reliable sources that not including village scouts, about 200,000 people have already passed through trainings of one kind or another. A former ISOC official implied that the projects were not so popular or successful in an article in Thai Mikorn as follows: ".....my opinion is that the army and the police seem dissatisfied with such projects because they are in reality outside their control. Since many volunteers have a lot of war weapons strong feeling against the communists, since this will cause Thai people kill each other. It is also unreasonable to create that these are very wicked projects. The people's duty is to help develop the country and produce, not to hold guns to kill each other". In answer to the criticism that these volunteer forces were not effectively controlled, on July 2 1978, Gen. Prem Tinsulanon (former commander of 2nd regional army (north-eastern region) and now Deputy Minister of the Interior) decided that all the different volunteer groups should be more closely coordinated, and thus ordered all the various volunteers, (more than 200,000 people) to be joined together under the name of Thai Volunteers for Protecting the Nation". The overall duty of this group being to develop and to protect villages, under the overall control of Ministry of Interior, but with training provided by the appropriate regional army.

In conclusion we would like to again emphasise that we are against these volunteer schemes for two main reasons. Firstly because the tendency to militarise the Thai population, train them for an armed struggle, and encourage them to hate and kill other Thais is not only contrary to the principles of all religions, but also will only

lead to greater conflict in the society. Secondly these volunteers, because the government does not fully trust them, and wants to control them, are most likely to be pawns manipulated by influential groups, rather than people participating in their self development and struggling for their own interests.

The future of the country can only be ensured through greater trust, cooperation, participation, conciliation and non-violence. These projects aiming at increasing manipulation, conflict, and confrontation can only lead to a deteriorating situation.

B. Increasing Use of Article 27 of the Interim Constitution

In the May-June issue "Human Rights in Thailand" pages 28-29, we expressed concern over the increasing use of the "catch all" article of the Interim Constitution - article 27. During that period 30 people had been sentenced under that article. Unfortunately the government seems determined to make increasing use of article 27, for during the period covered by this report (July-August) 51 people have been sentenced including two to death.

For all these concerned with justice it is extremely worrying that such widescale use should be made of extra-judicial processes, and that this use should be increasing (70% higher during the past two months than in the previous two months). It should also be noted that it is not only with article 27 that there is increasing use of extra-judicial processes, but also with Decree 22 of the now defunct National Administration Reform Council, where arrests and detentions have been taking place at about 150 people per month.

What is most worrying about these uses of extra-judicial processes, is that they are being used for normal criminal cases, for which there is adequate provision in the penal code. It seems that these processes are used to bypass established legal methods, and thus there cannot but be a suspicion in the minds of people who are aware of the widespread dishonesty and corruption of police and government officials, that very often these processes are used for cases where there is insufficient evidence, or where personal interests are involved. In this respect it should be noted that neither the Thai police nor the prosecutors are renowned for the strength of the cases they present to normal criminal courts, since between 50% and 75% of these cases are acquitted by the courts because of insufficient evidence. For these reasons the denial of the basic right to a trial (Universal Declaration of Human Rights - article 10) has a very much more serious implications in a country such as Thailand than in other countries where police and prosecutors evidence are stronger, and officials less corrupt.

This increasing use of article 27 is fortunately beginning to provoke international concern, particularly when people are summarily sentenced to death. For example on the 4th of August the International Commission of Jurists protested to the Prime Minister about the summary execution of two alleged drug peddlers.

The following is a list of the cases where article 27 has been used over the period July-August 1978. It should be noted that though each case is supposed to be considered by a special three man committee, the National Policy Council, the Cabinet, and the Prime Minister, before sentence is passed, decisions are based only on the police investigators report, and none of the accused have any chance to defend themselves:-

4th July 1978 8 suspected log poachers were ordered detained for a further 90 days to give police time to complete their investigations. Police were also empowered to make any other arrests they deemed necessary. However since all were out on bail, none of the eight were immediately detained as they could not be found.

6th July 1978 Four persons were sentenced from 5-15 years imprisonment for illegal logging. (three of the four escaped arrest).

17th July 1978 Two people were sentenced to 25 years imprisonment each, for drug trafficking.

18th July 1978 One sawmill owner was sentenced to 40 years imprisonment for illegal logging.

24th July 1978 One owner of a tapioca exporting firm was sentenced to life imprisonment, his assistant to 25 years in jail, and the company fined 2 million baht for adulterating tapioca for export.

On the same day 15 people were sentenced to 5-25 years imprisonment for illegal logging (three managed to escape arrest).

3rd August 1978 Two alleged heroin producers were sentenced to death and executed, despite the protest of the International Commission of Jurists. They were executed within 12 hours of their sentencing.

17th August 1978 Four drug traffickers (including a Special Branch policeman) were sentenced to life imprisonment.

In addition on the same day four alleged log poachers were sentenced to ten years imprisonment, and one to five years imprisonment. (one escaped arrest).

22nd August 1978 Eight persons were sentenced to five years imprisonment each for illegally using dynamite for fishing.

From the first use of article 27 (April 12th, 1978) to the end of August, article 27 has been used to punish 94 people for 23 different kinds of offence. Three people have been executed and 68 are being held in prison for periods ranging from 3 years to life imprisonment. The remainder of those sentenced have escaped arrest.

During the past two months on one memorable day 17 people were sentenced to harsh prison terms, and a company fined 2 million baht, by a busy Cabinet, National Policy Council, and Prime Minister on a wide range of different offences, a record which few courts working full time over a period of months could challenge. This increasing use of article 27, unfortunately enables local officials and police to threaten many people, and thus obtain benefits for themselves. In one case for example a Mr. Mi Chonladet was arrested in Krabi in the South of Thailand, suspected of illegal logging, he was released on bail on 9th August 1978, but the police said they would recommend the use of article 27. On the 14th of August he committed suicide.

It is our view, that this and many other cases indicate that the 51 people sentenced by the Prime Minister under article 27 during the past two months are only the tip of an iceberg of injustice, since almost certainly a much larger proportion of alleged offenders (particularly if they are rich business men) never have their cases considered by the "committee of three", the national policy council, the P.M., or the Narcotic Control Board (which makes recommendations on drug cases), but instead find it wiser to settle with local police and officials, whether they feel they are innocent or guilty.

We certainly do not support drug trafficking, profiteering, or the destruction of the environment, but feel that it is essential that everyone, however strong the charges against them, should be given the chance to defend themselves. Only if the rule of law is upheld can gross misuses of power of government and police officials be prevented. We do not believe that the window dressing attempts to create a further juridical system (in addition to the normal criminal and military court systems) through the establishment of the "committee of 3", or the consideration of drug cases by the "Narcotics Control Board", can help in any way ensure that real justice is done, as this is impossible if the accused has no chance to defend himself, and sentences are passed by busy men in a few short minutes on the basis of police reports only. The increasing use of this article should cause justice loving people in and outside the country growing concern.

C. Other Misuses of Government Power

Since the November/December report, we have been reporting on the general serious misuses of power by policemen, and government officials. We had hoped that by divulging and disseminating such stories in the press, police and officials would become more careful and responsible, and the frequency of the cases would reduce. Unfortunately this has not happened as can be seen with the following reports. The phenomena is not one restricted to any particular part of the country, or any particular rank of official or policeman, but appears to be generalised and widespread, and certainly we have the feeling that the cases we report on are only the tip of a much larger iceberg.

We feel that the rot has set in so deeply, that only through a thorough reeducation, at least of all policemen, combined with effective and just prosecution of all cases, is there a chance of improving the situation.

Three villagers were arrested and disappeared

On July 6th, 1978 while Mr. Pon Sa-nguansai (66), Mr. Thong-di Sa-nguansai (26) and Mr. Somwang Kaewkaem (20) were working on their farm in Panomtuan District, Kanchanaburi Province, a group of policemen led by Pol.Lt.Col. Akorn Kantadara came to the farm and began to beat up the three severely before taking them away in the police van.

Later, Somwang's son went to the provincial police station to ask about the arrest and the charges on his father and brother. Police informed him that no charges had been filed on the three and that they had already been released on the day after their arrest i.e. on July 7th. He waited for his father and brother for almost one month, but they did not return home, so finally on August 1st he made a petition to the Police Operation Headquarters in Bangkok about the disappearance of his father and brother. The outcome of the police investigation is still unknown.

Policeman hired gunmen to kill 3 villagers

Pol.Sub.Lt. Kanchai Roipromma hired 6 gunmen to kill 3 villagers who opposed his intrusion upon a big public swamp in Tambon Koksi of Konkhaen Province.

Mr. Wan Wongkoksi, a Ban Koksi Village-headman, and Mr. Witoon Datumma, were shot dead on June 18th, 1978 and 2 days later Mr. Sank Roita was similarly shot dead by 6 gunmen. Policemen later arrested the 6 gunmen on July 26th and charged them with murder. The six confessed, but also claimed that Pol.Sub.Lt. Kanchai and the former Koksi Tambon-headman had hired them for 15,000 Baht to kill the 3 villagers. The two however did not pay them the money as promised and in addition had hired another gunman to kill the six to cover the case. Feeling angry with this deception, the six made a confession to the policemen. Pol.Sub.Lt. Kanchai was later arrested. The charges and outcome of the case are still unavailable.

A Drunken Police Inspector Hangs Two Children

Two villagers from Konkhaen Province appealed to the Commander of the Police of the 2nd Precinct that their children aged 12 and 13, who had been arrested for stealing money were tortured by the Police Inspector in charge of Nang-rue Police Station, Pol. Maj. Tawee Lurng-arum, on August 4th, 1978.

On that day Police Major Tawee came back to the police station, drunken, at 11 pm. and called the two newly arrested schoolboys, Boonchu Suithong (12) and Suthep Praniraksa from the jail. He tied a nylon rope around the neck of the two boys and hung them from a branch of a tree, threatening them that if they did not confess they would be killed. The two boys could not stand the pain and finally confessed that they had stolen the money. In addition, one of the boys (Suthep) was beaten by the policeman until his face bled.

The commander of the police second precinct accepted the appeal and promised that there would be an investigation on this case, claiming that such actions of a high-rank police officer would only further worsen the bad image of Thai policemen.

Police Sergeant Shoots Dead a Civilian

Mr. Wichai Tongsirir who lived at Nonsa-ad District of Udonthani Province was shot dead by Pol.Sg. Sutham Mairae after a personal conflict on August 4th, 1978. Before being shot dead, Wichai had a quarrel with the policeman in a restaurant where they both have dinner. After the quarrel, the policeman who was still angry, followed him to the railway station and arrested Wichai. Wichai resisted, saying that he was not guilty of anything and would go to the police station by himself on the next day. The policeman then shot him with his .38 gun. Wichai died immediately.

Three Villagers Killed by Policemen

On July 23th, 1978 three persons were found dead with their bodies burnt, in Tambon Makamong, Danchang District, Supanburi Province; the hands of two of them were cut off. Policemen at Danchang District said they could not identify the three dead men because their bodies had been burnt. There were however some villagers who saw the murder but they dared not speak about it.

The incident finally came to light when a woman whose nephew had disappeared, took the picture of her nephew to a doctor at Tambon Takamong. The doctor insisted that her nephew, Boonting Muangwong, was one of the three who had been murdered. Before going to see the doctor, the woman had asked a police officer at Danchang about the pictures and clothes of the three dead men, but was informed that those things were unavailable at the police station.

Feeling sure that she could not rely on the officer at Danchang, she appealed to the Police Operations Deputy Commander, who began investigate the case. It was finally disclosed that the killers were policemen at Danchang police station, Pol.Sgt Banchong Suwan and Pol.Sgt Nirut Saikantaeng. These policemen had also taken part in the log poaching and illegal log selling.

The two policemen were finally arrested. It was only after their arrest that the villagers dared to disclosed their mistreatment. The villagers claimed that anyone who spoke about the deeds of the two would had their lives threatenned; were tortured or even killed. The three persons murdered were an example of this.

The case is now under investigation.

A villager Arrested and Tortured to Death in Jail

The case was disclosed by the wife of a man killed by policeman. She appealed to the press in July that her husband, Mr. Somnuk Chaiyarit and his friend Noppadol (last name unknown), who were accused of stealing a motor cycle, were tortured by 3 policemen until her husband died. On May 30th, 1978, the three policemen kicked and beat up the two persons until they fainted after accusing them of stealing. The two were later brought to the central district police station of Kamangpet District. Noppadol was kept in jail while Somnuk was tied up under the police station and charged with stealing and offences against officials. On that night taff Sergeant Chairat Koedyindi and other policemen tortured Somnuk to death.

Somnuk's relatives appealed about this to the police officer there, but he did not accept the appeal and threatened them not to cause disorder. In addition, Samnuk's wife and other eyewitnesses had their lives threatened by the sergeant if they gave evidence in this case. Some of the eyewitnesses have decided to sell their homes and land to flee from the influence of these police.

Former Deputy Village-Headman Arrested and Killed

Mr. Sanit Kongkam, former deputy village-headman of Moo 2, Tambon Pruyai, Central District of Nakornrajsima was arrested on July 18th, 1978 by three uniformed policemen who said that the police wanted to question him. However, when his wife visited him at the police station, Sanit was not detained there. Later the police inspector in charge of the police station said to the reporter who asked about Sanit's disappearance that he was not sure whether the three persons in police uniform who had arrested him were policemen or not.

On July 17th, 1978 Sanit's body was found dead in a swamp, his legs and hands tied together. After some investigation, Pol.Sg. Wichien Napkasem was arrested for having taken part in the illegal arrest and murder. There is still no further report about the names of the other two policemen involved or the outcome of the case.

A. Arrest and Releases

Arrests

South:

31-5-78 Two communists, Mr. Sawat Kaokong (46) and Mr. Pon Saengthong (30) were arrested in Trang Province after the government had discovered that there were communist guerrillas coming to Yantakao market regularly to buy food and other commodities. The two confessed that their camp was on Bantad Mountain and the food would be sent to Pa-lien District and perhaps even further. After their arrest they were sent to the Fourth Army HQ's in Songkla Province. (Thairat 1-6-78)

1-7-78 Two members of FULO (Pattani United Liberation Organization) separatist movement, Mr. Yakoh Direk (23) and Abdul Lohtohlong or Tapungna (23) were arrested from their hiding place in Tambon Raman, Yala Province. (Deo Siam, Nation 3-7-78)

4-7-78 One member of CPM (Communist Party of Malaya) Mr. Ho-nguan Sae-Tiew (17) surrendered to the Thai government forces since he could not stand the strong suppression of the joint suppression forces. His home was in Ya-hor State, Malaysia. (Chaotai 7-7-78)

11-7-78 Two students, Miss Benchawan Chotrakam (21) and Miss Chuenchit Sri-kaew (21) were arrested in Ban Donsak District, Suratthani Province when they came to town to buy food and commodities. The two confessed that they worked in a production unit at B.5 camp in Ban Frupi, Ban Nasan District, Suratthani. Before joining the communist guerrillas, Benchawan was a second year student of Suan Dusit Teacher college, Bangkok and Chuenchit a first year student of the Law Faculty, Ramhamhaeng University, Bangkok. (Deo Siam 14-7-78) (Bangkok Post 13-7-78 reported that the two had surrendered as they could not stand the hard life in the jungle).

15-7-78 One member of CPM, Mr. Daw-law Bin-iso (22), surrendered to the headman of Tambon Lao-jud, Waeng District, Narathivat Province as he could not stand the starvation in the jungle. He confessed that he had joined the CPM, on Feb. 22nd, 1976. (Tawan Siam 19-7-78)

22-7-78 A former Bangkok school girl, Miss Wannee Charuchana (19), was arrested on a southern train from Chumphon to Hadyai while it stopped at Tambon Frupi, Nasan District, Suratthani, with 375 bullets and a package of medicine. The police assumed that she was bringing the ammunition and the medicine to the guerrillas in Frupi region. Wannee denied the accusation and was sent to the Military Information Center at Nakornsrithammarat. (Nation, Bangkok Post 24-7-78).

1-31-7-78 According to official report, during July 1978, 12 communist guerrillas had surrendered themselves to the government and 35 were killed in the South of Thailand. (Nation 11-8-78)

13-8-78 A villager suspected to be the brain of the PULO, Mr. Korde Dara-choa (45) was arrested at a checkpoint in Moo 6, Tambon Taluwoa-Nuer, Central District, Narathivat, when the officials found some documents on him about a plan to kidnap government officials and hold them as hostages. His home was at Tambon Yalang, Pattani. (Tawan Siam 16-8-78)

14-8-78 Four members of PULO were arrested in a house at Moo 4, Tambon Nongrad, Ya-ring district, Pattani where they were gathering to hold a religious ceremony. Three other persons were killed during the arrest. The four are identified as Mr. Ya Pute, Mr. Cheharon Sulaiman, Mr. Dawhao Hama and Mr. Samang Wachi.

Mr. Hayi Paochu and his wife, Daunriyau, were also arrested for giving shelter to the four PULO members.

North:

3-7-78 Five villagers from Tambon Huai-Kaew, Sankampaeng District, Chienmai were arrested, accused of being involved in communist activities. They are identified as Mr. Yuen Taratta (36), Mr. Somboon Puag-inlang (31), Mr. Chamnong Inda (31), and Mr. Ma Payainsiyang. Police had discovered that there were some communist guerrillas who were spying on government forces, supporting communist troops with food, and propagating communism in Doi Lan, Tambon Kuai-kaew. They therefore arrested the five. (Tawan Siam 12-7-78)

23,24-7-78 Nine communists in Serm-ngam District, Lampang Province surrendered to the government, Mr. Ying Ud-soi (20) and Mr. Boon or Nipon Srivichai (22) surrendered on 23-7-78 and earlier Mrs. Daorueng Boontem (22) and Sompong Boonthem (25) who were reported to have received training in Laos also surrendered. On 24-7-78 Mr. Boonyang Pootue (24), Mr. Tongsak Ung-ping (22), Mr. Chantip Chaikamwang (23), Mr. Charoen Chaikamwang (21) and Mr. Wira Sosaina or Supachan (24) of the same district surrendered. The nine were sent to the Military Information Center at Chiangmai. (Sieng-nuer 4-8-78)

25(or 27)-7-78 Two villagers, Mr. Boonying Bootsai (20), and Mr. Boonnipon Srivichai (22) were arrested for supporting the communist guerrillas with food and commodities and were later sent to the ISOC information centre (karonyathep) in Chiangmai. The two were villagers of Tambon Mae-rieng, Serm-ngam District, Chiangmai. (Nation 2-8-78)

25-7-78 Four communist guerrillas working in Serm-ngam District, Lampang, and Li District, Lamphoon surrendered to the government. The four are identified as Mr. Boonyang Punieng (24), Mr. Thongsak Ung-ping (22), Mr. Chantip Chaikam-wong (23), and Mr. Charoen Chaikamwong (22). (Nation 2-8-78)

27-7-78 A communist guerrilla, Mr. Wira Sutchan (24) who worked in Serm-ngam District, Lampang, surrendered to the government. (Nation 2-8-78)

North-East:

7-7-78 A communist guerrilla, Mr. Totsakan Montrai (16) surrendered to the government. According to his confession, he used to work at Suan Kwang Mountain, an area joining Udorn and Kon Kaen Provinces. Before surrendering he was going to move to Pupan mountain in Sakornhakorn Province. (Sieng Saeb 10-20-7-78)

1-31-7-78 According to official report, during July 1978, 19 communist guerrillas had surrendered themselves to the government, 7 were arrested and 14 were killed in the North-East of Thailand. (Nation 11-8-78)

16-8-78 Two communist guerrillas, Mr. Udom Muengkhol (24) and Mr. Berd Sonachan (22) surrendered to the government. They used to work with the guerrillas in Amnatcharoen District, Ubonrajthani after having been trained in Laos. (Bangkok Post 17-8-78)

18-8-78 Four members of "Siem Insurgency Organization" surrendered to the government with their automatic rifles. They are Mr. Kongsri Singtothong (23), Mr. Annat Pimanrom (19) and Mr. Boonying Boontiang (23). Before joining the organization the four were farmers in Surin province. (Bangkok Post 20-7-78)

24-8-78 A former village headman of Ban Sanom Village, Sanom District, Surin, Mr. Burengnong (or Kim) Tonchai, was arrested in a minibus at Prakonchai District, Buriram, with food supplies and other necessary commodities. Police suspected that he was carrying them to the communist guerrillas in Lahansai District of that province. His friend, Kem Kingmala, managed to flee. (Nation 26-8-78)

24-8-78 A communist guerrilla, Mr. Tong-on Malitong (25) surrendered to the government and disclosed the location of a secret guerrilla ammunition dump and supply depot in Nakorn Rajsima Province. Soldiers later found a large quantity of weapons and medicines. According to the report, Tong-on claimed that he had been a local communist leader in the province. (Bangkok Post 25-8-78)

Central:

26-8-78 A student, Mr. Klakorn or Pakorn Chantip (17) was arrested in Sena District, Ayudhya with some communist propaganda documents. It was reported that Nakorn had been trained of communism in Samueng jungle in Chiangmai province for one year and came to Ayudhya to propagate communism in Sewa District. Before his arrest he was a student at an agricultural college in Chiangrai province. His home was at Fang District, Chiangmai. (Dao Siam, Daili News 27-8-78)

Releases

22-8-78 Mr. Ratom Banchongchuai was acquitted from murder and communist charges and released from the Central Prison of Nakornsri Thammarat after having been detained there for 3 years. (See Human Rights in Thailand Report: May-June 1978)

31-8-78 Miss Srisamorn Suebboonwong arrested on March 22nd, 1978, under communist charges, was detained at Bangkok Temporary Prison in Bangkok for five months before being released on 31-8-78 because of weak evidence. (She claimed after her release that she had been mistreated by a police officer who took liberties on her during the investigation and tried to take her to a hotel. This case has been reported in May-June issue of Human Rights in Thailand).

3-9-78 Mr. Tawee Vindipot, a taxi driver arrested on March 20, 1978 for possessing illegal documents and later was charged with endangering society, was released from Ayudhya Profession Training Center where he had been detained for 5 months. On the next day he was prosecuted in court for the charge of possessing illegal documents. The judge sentenced him on that day to 6 months imprisonment, but due to his confession the punishment was reduced to 2 months. But seeing that he had already been detained for 5 months already under another charge, the judge set him free.

Endangering Society Prisoners Director General of the Corrections Department, Tawee Choosap announced that the 11th Group of endangering society prisoners would be released on Sunday 3rd of September. A total of 296 persons would be released, 11 from Bangkok (Laad Yao Women's Prison), 81 from the central region (Ayudhya Vocational Training Centre), 56 from the North (Phitsanulok Vocational Training Centre), 36 from the North East (Korat Vocational Training Centre) and 112 from the South (Songkhla Vocational Training Centre). He claimed that 5,183 people have already been released, though our own estimate is much higher at about 8,000.

Before this release there were 907 endangering society prisoners officially being held, 375 more than in May 1978 when the last official announcement was made. After the release 611 persons were still being detained under Decree 22 of MRC in official detention centres, and a further 200-300 in police stations throughout the country.

As was reported in the March-April 1978 issue of "Human Rights in Thailand", the decree 22 of NARC (which allows detention for 30 days in the first instance, and then 60 days renewable, without trial, and without the detainee even being informed of his charge) has over the past year been largely used by the police to arrest and detain people for longer than the legal pre-trial detention periods, when they have insufficient evidence. In very few cases over the past year has it been used for political cases, with most of those arrested being detained either on suspicion of drug, or criminal offences, or over questions relating to the personal benefit of officials (eg. commissions or bribes not being paid, conflicts between groups, etc). Thus it seems that what was originally set up as a way of detaining opponents of the NARC, is now being used by police and other officials to bypass the provisions of the ordinary penal code.

Finally it should be noted that despite the Kriengsak government's efforts to create a positive human rights image for itself, since it took over power last November there has been no reduction in the number of people being held under endangering society charges, and over this past few months, on the contrary, there has been a considerable increase in the number arrested. It is indeed worrying that arrests under endangering society charges, running at at least 150 per month are taking place at a more rapid rate than releases.

3) Report from Ur-Country

A. Report from the North-East

Assassination of Peasants Leaders begins again

"Why do you have to kill each other?", Lt.Col. Chuang Boonyota, chief of Chaiyapoom provincial ISOC asked the villagers of Ban Huai Konta during the funeral of "Grandfather Rod" as if to show that the government officials had nothing to do with his death. But his words have no meaning to the villagers who know where the truth is. "No villager would ever think of killing him. Everybody loved him, not only people in this village or this province, but in the whole north-east region. Only the government officials wanted him dead. He was shot by ^{an} M. 16, and no villager ever used that gun", said one villager angrily, and stared at the senior army officer as if to find out the truth.

"Grandfather Rod" or Rod Thani was shot dead on the dark night of July 5th of this year in a farm hut, 6 km. from Ban Huai Konta village of Nong Bua Dang District, Chaiyapoom Province. He went to stay overnight at the farm hut to look after his rice field with his wife and his nephew. It was around 10 pm. when he heard somebody call his name in the darkness outside. He got up, lifted the mosquito net, and at that moment two M.16 bullets were fired into his body. He died immediately.

The provincial ISOC leaked out the news that Rod Thani was killed by the Communist guerrillas as he was a traitor, and at the same time tried to cover up and stop the news; but it could not close the people's mouths, thus not long after his death the news of the assassination had spread widely. Almost everybody who knew Rod Thani believed that he was killed by the government officials who had kept ^{on} following him for a long time. For example after the assassination of the Northern Peasant Union leader, Intha Sribunrurung, and many other peasant leaders in 1974-1975, Rod Thani had been warned by his friends to take good care of himself, since he was one of the most active and courageous peasant leaders in the N.E. In 1974 he was elected a leader of the North-Eastern Peasant Union and also the deputy-leader of the Peasant Union of Thailand, and had led and joined many struggles of the peasants.

After the October 1976 Coup, Grandfather Rod was arrested without charges and sent to Karunyathep Democracy Training Centre, a reeducation center under ISOC, for surrendered communists or those accused of being communist sympathizers. However, in the official report made after his release from Karunyathep Centre it was written that "Rod Thani is not as accused, (communist??) but merely a justice loving person who likes to help his neighbours". The day he was released hundreds of villagers from his village and the neighbouring villages held a traditional welcoming ceremony for him. During that ceremony, he said, "They accused me of being communist. I asked them what a communist is. I asked them if a person like me, who struggles for the sake of the people and for justice, is a communist? But they have not given me an answer."

Two deaths followed

Not long after the funeral of Grandfather Rod, another man of the same village who had been expected to be chosen as the leader of the peasants after Rod, disappeared from his house. There was only blood stains leading from his house to the field. In the house his wife was found shot dead.

After the death of the three, one villager said, "Now we have realized that Grandfather's question is already answered by the government".

3. Report from the South

Pattalung - The Province of Fear

In 1971/72, as a part of the government's communist suppression activities at that time, there were large scale killings of peasants in Pattalung province. Information about these massacres did not become public until the NSCT (National Student Centre of Thailand) released details to the press, and held a demonstration in Bangkok in 1975. In these NSCT disclosures it came to light that large numbers of villagers were tortured and killed in the most atrocious ways, including being burnt alive in petrol drums, and pushed out of helicopters into the sea or jungle. The allegations of the NSCT were finally accepted as true by a high ranking ISOC official.

Since then news about Pattalung seems to have died out from the press except that from time to time there are reports about armed clashes between communist guerrillas and government forces. However, like other people in the far-southern provinces, those in Pattalung still live a life of great fear and anger, because killing and torturing of villagers still goes on, but in more subtle ways than before. The suppression forces no longer indulge in large scale massacres, but instead use more indirect methods, such as employing "assassination units".

CGRS has recently investigated reports of villagers killed in Pattalung, and have the most comprehensive data on Abdulmani Abdulla.

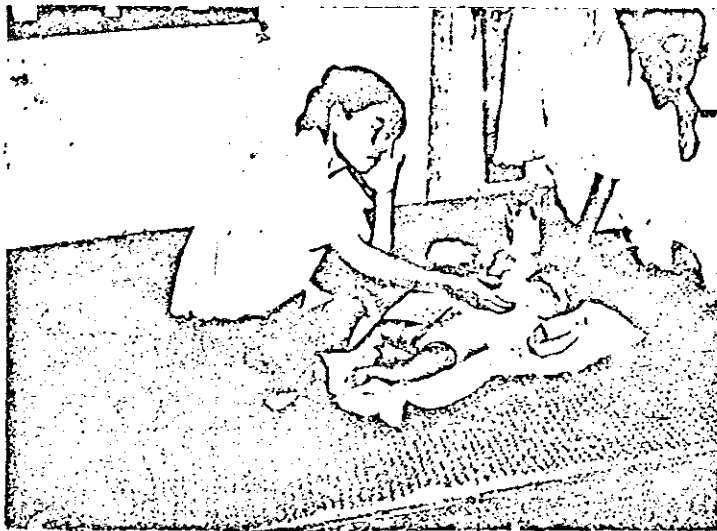
Abdulmani was a muslim leader, who was active in disclosing the "petrol-tank massacres" in his native province mentioned above, was dragged from his house in the afternoon of July 11th, 1978 by a group of policemen, VDV's and BPP, and was later found dead, with two bullets in his chest, his forehead smashed in, and his neck broken to such an extent that his head could be turned right around. On that day at 1 pm., 26 policemen, Village Defence Volunteers and Border Patrol Policemen came to his house at Ban Nong Thong, Tambon Fabon, Pak-payoon District. Three of them asked his wife for water to drink and then dragged Abdulmani from his bed, while seven others searched his house and took a licensed gun and 7,900 Baht cash away with them. They took him to the forest and threatened the villagers not to follow them by shooting their HK rifles in the air.



Abdulmani Abdulla...

His wife and neighbour found him dead in the forest, that evening at 6 pm. Nobody accepted responsibility for his death. However the BPP platoon commander did accept that he had ordered the arrest but claimed that he knew nothing about the murder.

Abdulmani had been an active leader of the muslims in many southern provinces, both in social and religious activities. He used to be one of the first trainers in the Village Scout training programmes in many southern provinces, and used to be a Village Defence Volunteer but resigned after seeing that most of the VDV's were using their power to oppress other villagers. He also used to work for the ISOC but resigned for the same reason. In 1975 he was most active in disclosing the murder of peasants by the government authorities; he had led the students and the journalists to his village to investigate the case and went to Bangkok with 18 other villagers to speak to the demonstrators at Sanam Luang on February 14th, 1975. During that time Abdulmani had his life threatened if he did not stop making disclosures about the massacre. Obviously, only a few of the large number people who had been brutally killed were real communist guerrillas; the majority of them being only common villagers who stood up against influential people of the province who had for example illegally cut down valuable trees in thousands of acres of forest on the Pantad mountain range. Abdulmani's active role in disclosing the killings had caused great anger to both influential people and to the local authorities.



Yod Abdulla, Abdulmani's wife, and her three month old son after Abdulmani's death.

One other reason for Abdulmani's death was an incident which happened only 4 months before he was killed. At that time he joined an Islamic religious ceremony in Muang Takus village, where a BPP camp was situated. At night 4 BPPs went to the house of a widow. One of them told the widow that he was a communist guerrilla and was ordered to kill her, but he could not do that, but would rather take her daughter to the jungle instead. He then went to the girl's room and took liberties with her until the mother could not stand it any longer and cried for

help. Abdulmani and some other villagers rushed to the house; arrested the four and sent them to the district head quarters for punishment. After the four had been bailed out from jail they asked Abdulmani to negotiate with the widow to withdraw the case, but she refused. Finally the four were fined 900 Baht each. This made the BPPs feel very angry with Abdulmani.

Abdulmani was only 48 years old when he was murdered. He was married and had 6 children; the youngest one being only 3 months old. His death has caused great anger among the villagers and the muslims in the south. This is not only because Abdulmani was a much loved leader, but also because this kind of killing and torturing have happened over and over again. Too many innocent people have died. Their friends and relatives knew who the killers are, but they cannot do anything to stop it, or even lodge official complaints about it.

Abdulmani's murder is not an isolated case. For example three months before Abdulmani's death, San (last name unknown), the village headman of Ban Ku, Kongla Sub-district, was shot dead by a soldier in front of his house in front of many village eye-witness. Again, San was a good man and was loved by the villagers. The military leaked out the news that San was killed by communist guerrillas.

While it is claimed that some villagers are killed by the guerrillas others are accused of being guerrillas and thus their murder is somehow justified. Last year, the village headman of Ban Klong Chaloe village, Pan (last name still unknown) was dragged from a bus at an ID card checkpoint, on his way to the provincial capital, passing Kongla Sub-district, and was shot dead in front of many villagers. Pan had once been arrested under communist charges, partly because the communist guerrillas often came to his village and contacted the villagers including Pan. When the guerrillas come to a village like this, it is very difficult for the villagers to know what they should do, as they cannot go to either of the two sides, as neither can provide them with real protection. However Pan informed the government authorities everytime he was contacted by the guerrillas, for fear of being punished by the government authorities. And yet he was arrested. After his release he became a VDV, but resigned soon afterwards as he could not stand the behavior of his colleagues who oppressed and took advantage from the villagers. According to the villagers, his death resulted mainly from his conflict with other VDV's. Nobody dared protest to higher government officials about the misbehaviour of these subordinates, for fear of being murdered themselves.

To the government authorities in the remote area of Thailand, it seems so easy and simple for them to kill anyone, secretly or publicly, as accusing

someone of being a communist seems always to be a sufficient excuse for any killing. The unarmed villagers are always too afraid to resist the power of these local forces. This is not surprising, given the above cases and the fact that in April last year a group of government officials went to Ban Pood of Kongla Sub-district and called a village meeting. During that meeting they called Mr. Raw-rem Kammurak out and shot him dead in front of the villagers. Further details are unavailable up till now, since the villagers are still too afraid to speak about it.

Not only the villagers, but also teachers, members of the provincial council, and even journalist have been killed if they speak up for the people. For example on August 3rd last year Mr. Ket Ketkaew, member of Patalung provincial council and his brother, Mr. Suttitham Ketkaew, a teacher, who attacked the corruption of the provincial authorities, were shot dead at their home. Two years ago, Mr. Puan Kaewsamli, a journalist of Thairat newspaper was shot dead because he had tried to find information about government officials who had the power to carry out a "secret" policy in suppressing the communists.

We could report on other cases, but feel that the examples given, particularly the well substantiated information on Abdulmani, provide a sufficient indication of the problems faced by people in Pattalung and other southern provinces. The problem is that local police and volunteer forces, in sensitive areas have too much power, and that there is no official or workable mechanism for villagers to safely protest against misuses of power.

We feel that it is essential, that if innocent villagers are to be protected in sensitive areas, and misuses of power reduced throughout the country, that a powerful and independent Ombudsman be established in Bangkok, with Changwat and District branches. This Ombudsman should (as is done in Sweden and New Zealand) have the power to secretly investigate all misuses of government power (with full official protection), report to the highest levels of government, and make public its reports.

Only if local military, police and government officials realise that they can be investigated by an independent organisation outside their control and influence, and only if workers and peasants all over the country realise that there is an organisation which will receive their complaints, without great risk to their lives, will it ever be possible to reduce the types of atrocities that have been happening in Pattalung, Chayapoon and other parts of the country.

CGRS would be more than willing to assist in the establishment and the work of such an Ombudsman, in order to help prevent the senseless killing of Thais by Thais, and to reduce the ever increasing atmosphere of fear and anger that is spreading through the country.

4. The Human Rights Situation of the Workers

In the May-June report of "Human Rights in Thailand" we indicated that at last there seemed to be some unity amongst the workers, since all three main workers organisations had joined together to protest against labour protection law No. 5, that banned holidays in lieu of public holidays that fell on Saturday or Sundays and certain categories of severance pay. This issue along with the question of increasing the minimum wage dominated the labour issue over the past 2 months. Another important issue was the protest from the NLDAB (National Labour Development Advisory Board) protesting the fact that ISOC (Internal Security Operation Command) officials had frequently accused unionists and labour leaders as "loftists" or "communists". Some of these problems were solved without sincerity after the labour councils and leaders protested again and again. However little progress was made on the more fundamental problems such as the disobeying the labour law by employers, harassment of unionists, employees being dismissed without having broken the labour law and without being given severance pay, employees dying on duty without their relatives being given compensation etc. etc.

The Struggle Between Labour Councils and the Government

Although the workers won their battle over the controversial labour protection law on August 3rd, 1978, after all three labour councils (The National Labour Council (NLC) led by Paisarn Thawatchainand, the National Council of Thai Labour (NCTL) led by Sanan Wongsuthee and the Free Labour Council of Thailand (FLCT) led by Preecha Rodmanee) jointly protested to the Prime Minister in his capacity Minister of Interior on July 3rd, the workers gained nothing more than they had before but only stopped what was already rightfully theirs being taken away. It seems that the whole of this issue was merely a game to delay the announcement of the new minimum wage and to improve the image of the Prime Minister since it was he who signed the order cancelling the law and thus gained credit from the workers. The most positive point of this action was the unity of three labour councils. On this protest action it should be noted that the right wing groups got about 30 teenagers to protesting against Paisarn Thawatchainand at Pramain Ground. They accused him, with posters and his pictures (which they burnt) of conduct likely to cause a breach of the peace. This protest took place unhindered despite the existence of martial law. (Dao Siam 5-7-1978).

Another success of the three labour councils was the government announcement of the minimum wage. Before the announcement of the minimum wage on August 30th, the recommendation of the tripartite committee on May 16th, (of 35 Baht per day) was transferred to be considered by the NLDAB, the Ministry of Interior, the Ministry of Finance and the National Economic Development Advisory Council. In the meantime the employers, the Deputy Minister of Interior, and even the PM. had said that the raising of the minimum wage would have many bad effects, despite the fact that other people - civil servants, soldiers and police had already their salary adjusted. With the new announcement, which would come into force on Oct. 1 the new minimum wage would be 35 baht for Bangkok and the five neighbouring provinces; 28 baht for workers in the South and Central regions; 25 baht for workers in the North and Northeast regions. However there would be no guarantee that workers would be paid according to the new rate from Oct. 1st. This is because the Labour Department cannot possibly check every factory. Many labour officials thought that more than half of employers already are not paying the minimum wage. It should also be noted that a week before the announcement the government strongly objected to increasing the minimum wage, saying that it would cause difficulties and injustice to the farmers.

In response to this problem government also agreed to increase the price of paddy, but after this harvest.

There was considerable activity in the FLCT (the Free Labour Council of Thailand) since its chairman was changed from Preecha Rodmanee to Phallob Nai Ranong. Though Phallob had tried to show the FLCT role in fighting for the workers interests by sending petition to the FM. asking for his intervention to halt the introduction of a new housing system by a private company at the Klong Toey Port, in general the FLCT (and particular Thanong Laovanich, one of the FLCT leaders) is more active in trying to divide the workers rather than sticking up and fighting for their rights. For example the FLCT spoke in favour of ISCC, and against the NCDAB, when it protested against General Serm Na Nakorn (army commander in chief) who had publicly accused labour unionists and leaders of being leftists.

Problems Between Workers, Unions and Employers

In July two state enterprise labour unions submitted their demand to employers for better welfare, wages and security. One of the two labour unions - the Union of the National Housing Organization - after submitting its demands, was told by the Labour Department officials that since the labour union committee was not registered with the Labour Department no action on the demands could be taken. In private factories, labour unions faced many difficulties, such as being accused of being a communist organization, and workers threatened not to join the union. In addition, the employers tried another tactic which involved setting up new labour unions which they controlled to compete with the old one controlled by the workers.

There were many cases where labour unions and workers were treated unjustly, such as Thavin Canthavikok chairman of a labour union who after being dismissed because of his involvement in the union, appealed to the Labour Relations Committee. The LRC agreed unanimously that the employers should reinstate Thavin. But employers refused to do so. (Matichon 5-8-78) Another case was that 27 workers dismissed from a metal company owned by foreigners in Phuket because they joined a strike. (Matichon 5-8-78) Another case, involved 115 workers in a glass factory "Wong Feng Long" at Yanawa Bangkok who were dismissed without any severance pay. On this matter the statistics of the Labour Department indicate that over the past 7 months of this year about 150 workers per month appealed about their severance pay and about delays in payment or even lack of payment of wages. (Arthit 16-8-78) There were also statistics in the Department which indicated that the death and injuries ^{on duty} was increasing. These can be summarised as follows: In 1975 there were 237 deaths and 5,600 injuries, in 1976 323 deaths and 8,440 injuries, in 1977 360 death and 13,357 injuries whilst for the first 7 months of this year there were 96 deaths and 4,383 injuries. (Bangkok Post 12-8-78). Although there are laws to protect the workers and warn the employers (with 6 months imprisonment and 20,000 baht or fine 1,000 baht for insufficient factory safety), the employers can avoid the law effectively through using loopholes such as the slow administration of Labour Department officials (any case takes at least 2 months and some as much as 6-12 months). It is extremely difficult to get the employers to pay for their disobedience of the law. Apart from this Labour Department officials have a tendency to side with and compromise with the employers by persuading workers to withdraw the cases. During this period other new issues have surfaced which help provide some hope for exploited workers. For example stevedores in Klong Toey harbour had protested against greater mechanisation at the port, which they claimed would put most of them out of work. In an area such as Klong Toey where there is intense unemployment it seems ridiculous to mechanise. In addition the Anti Slavery Society for Human Rights in London, had made a severe protest to

the Thai Government about the exploitation of children by unscrupulous factory owners, who kept children as young as 7 years old in slave like conditions.

In conclusion, given all the serious problems mentioned above, and with the workers being divided into three councils employers are not forced to obey the law. The government itself has not really tried to actually solve the problems, since politicians tend to use problems as their game in their fight for their own personal benefits. Given these two points the human rights of the workers cannot be easily developed. Significant progress will only be made if the workers (through education, and examples) can be made fully aware of their real situation, and unite to struggle together for more justice and less exploitation.

5. Academic Freedom

4. Freedom of the Press

In the previous issue of "Human Rights in Thailand" report (May-June 1978) page 46-47, we remarked that there were several indications showing that the Prime Minister Kriengsak's "honeymoon with the press" was over and the press were gradually losing their limited freedom of expression. During that entire period newspapers had been warned by the government not to report on several issues that might 'endanger the security of the country', reporters were harassed by official and non-official persons, and one newspaper was closed down for one day and another newspaper editor had his license revoked.

Unfortunately, during the past two months or so (July-August), press freedom continues to be reduced. Three weekly magazines, namely Athit, Thai Nikorn and Loke Mai had their editors and publishers licenses revoked on the same day (27-7-78) and one month later on 28-8-78 the editor's license of Daili News newspaper was similarly withdrawn. These orders were carried out under the provisions of MRC Decree 42 which empowers the Press Officer to withdraw the license of the editor, publisher or proprietor of any newspaper. This decree also disallows the injured person to bring an action in court against the order. Police Chief Gen. Montchai Pankongchuen, in his capacity as Press Officer of Bangkok justified his order against the three magazines because he said their reports could lead to disorder in the country and disunity amongst the people; and particularly Athit magazine had "unclearly attacked the government and published reports which could be interpreted as supporting communism". As a protest that last issue of Athit magazine in July had considerable portions blacked out. As for the Daili News newspaper, it has continuously attacked the Police Department in its week long article entitled "The Cursed Plan of the Bad Devils" (meaning the police), which divulged the degree and extent of malpractices and corruption in the Police Department.

When questioned about the press officers actions FM. Kriengsak told newsmen that he had no intention of closing down any newspaper, but quickly added that he would not hesitate to do so "if the existence of any newspaper is detrimental to national security".

Besides the withdrawal of licenses, the government continued to warn and threaten the press not to sensationalize news that it thought might damage the country's stability and reputation. Newspapers have been warned not to report too much on news about the communist guerrilla attacks, about the starving peasants who robbed a train of rice, or to make a generalized attacks on government officials, or even to report on stories of tourists robbed and killed, etc. Neither should the press, according to the

Prime Minister, carry stories which "run counter" to the government's policy. Also, on 21-8-78 Pm. Kriengsak "jokingly" warned the press that Article 27 could be imposed on newspapers and reporters who ignored his request that the press should think of the country first before publishing anything.

In addition to these regular governmental warnings, the more progressive newspapers faced other types of harassments without any chance of protection. On July 17, an editor of Sieng Fet Siam local newspaper, Mr. Boonchu Musri, was shot dead by two assassins, and on September 2nd an editor of Chao Tai local newspaper and vice-president of the Southern Press Association of Thailand, Mr. Suwat Boonthanom, was shot dead by 2 assassins in front of his office. In both cases, police suspected that the reason for the assassinations was because their newspaper had disclosed the corruptions and other mistreatments of some influential people in their provinces.

Early in August, leaflets were sent by an extreme rightwing organisation to many companies threatening them to stop advertising in magazines "which supported and propagated communism", or else the "eye for an eye" policy would be practised against those companies. No legal action was taken against the organization sending out the leaflets.

It is our view that assassinations, warnings, threats and the withdrawal of license, increasingly violates the press's freedom. Press opinion even if it runs counter to the government's policy, does provide government with alternative opinions and should not be taken as a danger to the security of the country. If the government's power to close down papers is not limited by laws or normal democratic freedoms, the press can never feel free to express the opinions of various population groups or report the truth without fearing punishment.

It is not the duty of the press to automatically support either side, in the growing conflict in Thai society. On the contrary, it is its duty to expose and to fight against all injustises and deceptions from which-over side. If the press is forced to always attack the communists by the government, and always to support the government, then the real function of the press is destroyed; it becomes merely a propaganda tool of the government. In the end this will have the effect of closing the eyes and ears of the people so that they are led blindly into a battlefield that they do not want to enter.

Consequently, it is the duty of a responsible government to provide real security for the press so that it can carry out its duty of giving the truth to the people, who are eventually ultimately responsible for the present and the future of their own country, and most of whom do not want to be drawn into a fight against their brothers.

B. The Expanding Struggle for Students' Rights

The general situation in all universities and colleges in all parts of the country is that as university authorities (supported by the State University Bureau and the government) try harder and harder to control students' movements and reduce their power, more and more students are ready to stand up and struggle for the rights they believe to be theirs. The placidity of the students that existed immediately after October 6th is rapidly disappearing, and there are increasing number of meaningful protest in institutions of all types, from Technical Colleges (Tak Technical College), through vocational schools (Protesting over illegally high fees), to universities. Though the authorities do not sit idly by as these activities take place and try to counter them with police searches (Chiangmai University), censorship of political debates or political gathering (any non-academic organisation is always taken as a political movement), censorship of musical shows dealing

with poverty and the country's problems, censorship of books, posters, leaflets etc; the spirit of the students is growing daily. As an example of the action of the authorities, the Thammasat rector banned a panel discussion on: "under the present economic conditions, should there be elections or not", organised by the Economic Affairs Association on July 28th; the ban led to big and continuous protest in the university. Arts students of Chulalongkorn University were called for investigation after they had held a music show on July 22nd. One engineering student representative of Chulalongkorn was temporarily suspended for publishing a progressive book without permission, whilst a book produced by Thammasat law students for lawyers day (August 7th) in honour of the father of Thai law, had the part dealing with the October 6th incident ordered cut out by the university authorities.

- In spite of all the repression, the students' struggle for their basic rights and freedoms has continued bravely and tactfully. Despite attempts at censorship, students are not discouraged nor do they give up trying to hold meaningful debates, exhibitions, musical shows, poetry readings, nor do they stop printing books, student journals and newspapers. The common issue that spearheaded the struggle of students in many universities and colleges during the past 2-3 months has been the struggle for their "self-government" through student unions that are not interfered with by the university authorities.

After the October 6th Coup in 1976, the Thanin government banned all student unions and student organisations, which consequently led to the banning of all student clubs and this stopping of all student activities. Since the beginning of this year, there have been continuous and significant student protests from every university, demanding that they be allowed to control their own student unions. In order to maintain its image and to show as few contradictions as possible, the Kriengsak government finally allowed students to form student unions. (but not student governments which are more democratic and more powerful than student unions). Students can choose their representatives to run the student union, but only through indirect elections. Also the unions must be closely watched by the university authorities. This form of students self-government has been objected to by students from almost every university and college. On July 6th students representatives from four universities in Bangkok tried to hold a debate on "Student Union and Students Self-government" at Thammasat, but the debate was banned by the university authorities. Protesting posters, leaflets were produced and meetings took place widely in many universities and colleges both in Bangkok and upcountry. Perhaps the biggest and longest lasting protest was the one at Thammasat University. The protests started from small group discussions, which took place out door (as auditoriums were not allowed to be used for such purposes and continued with debates and cultural shows satirizing the university authorities and urging greater freedom, thus then led to a march by 200 students to lay a protest wreath on the campus, which was followed by a referendum in which 2,000 students voted the government authorities

to hold open discussions over the matter with students, and finally there was a demonstration of about 1,000 students. However, in spite of all these protests, the university authorities still insisted on keeping their own policy, and never even created a chance for the students to have an open dialogue with them. Though the crucial issues of student self government, and a reduction in censorship have dominated the growing student movement over the past few months, students have also protested against other important issues such as inefficient professors (Srinakharinvirot University Students) inefficient and corrupt administration etc. In conclusion it can be said that certainly, the students struggle for their rights and freedom will continue; because it is becoming increasingly apparent that the repressive rules and orders will never ever stop this struggle.

Part Three: Activities of CGRS, and other Human Rights Groups

1. Activities of CGRS.

During the past two months CGRS. has continued to visit and help political detainees, listen to trials and provide an increasing amount of legal assistance for many more categories and a large number of political prisoners. It has also continued to provide other assistance to prisoners and their families where needed. Since the Non-Violent Training Seminar held in May, CGRS. has gained more support and built up a stronger network amongst progressive religious groups. In addition it is trying to create greater understanding and dialogue between the various religions inside the country and has organized various religious ceremonies to draw attention to social concerns.

A. Visiting, Helping Prisoners and their families

CGRS. continued to visit political prisoners in Bangkok at least once a week at every prison in Bangkok, and on a less regular basis the prisoners up-country, providing the prisoners with moral support, encouragement and all necessary assistance according to their demands and needs. It also provide support to the newly released prisoners with a minimum assistance that would enable them to start a new life and be able to stand on their own legs. For example it has helped Mr. Julie Klomchit in setting himself up as a shadow puppet performer. In addition it provides 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 gathering informations of the trial proceedings of about 21 groups of political prisoners both in Bangkok and up-country. It also provides legal aid to 14 political prisoners and gives financial support for documents, travelling and lodging expenses to the lawyers defending political cases. During the past two months, it has tried to bail out 5 people from the Onnoi case who have been in jail for more than 2 years, but the bail was refused by the court. In addition, it has also helped the three communist prisoners sentenced to death in lodging a petition about the improper advice and assistance provided by their court appointed lawyer.

C. Other Activities of CGRS

1. December 10th Campaign

CGRS is spearheading the preparation of activities in Thailand to commemorate the 30th anniversary of the UN Universal declaration on Human Rights, with the following plans of activities:-

1. Painting competition for children under 16 years old on any topic relating to the Universal Declaration of Human Rights, to be followed by an exhibition on December 10th.
2. Slogan Competition for people at all ages. The slogans must promote some aspect of the Universal Declaration of Human Rights. The winning slogan will be publicised widely.
3. Producing cards (for sale) to be sent to political prisoners in different detention centers (with pictures from the winning paintings). Also cards to be distributed more widely.
4. Producing pamphlets about the 30th Anniversary of the Universal Declaration of Human Rights, plans of campaigns and actions of people in different countries, to inform and encourage people in Thailand in their own action.
5. Producing a Thai Declaration on Human Rights with signatures from as many people as possible, to be released to Newspapers on December 5th.

6. Holding and supporting cultural programs, music shows, theatre shows, poetry readings, slide shows etc., which promote Human Rights or disclose real Human Rights situations in the country.

7. Cooperating with political prisoners and their relatives in producing 10,000 paper flowers with Human Rights promoting slogans, to be distributed widely shortly before December 10th. People are encouraged to reproduce and stick these flowers on December 10th as a sign that they support Human Rights.

Bouquets will also be given to the UNO in Thailand, the Thai government and the Press.

CGRS. hopes to have as many people from as wide a range of groups as possible taking part in this campaign and other activities that they might mount themselves. In order to spread an understanding of the importance of the declaration to build up a good image of what it stands for inside the country, CGRS. finds it very essential that the Thai people are kept well informed of all activities mounted to support this anniversary of the declaration taking place or going to take place all over the world. CGRS. therefore urges all readers to kindly send all informations of all the initiatives and plans of activities that they are aware of in their country or in other countries to it as quickly as possible, so that all such activities can continuously be leaked to the press or printed in CGRS. pamphlets.

2. Buddhist Lent Activities

On 19-7-78, the beginning of Buddhist Lent, CGRS. invited 6 monks from Mahachula Buddhist University to preach and hold a debate on the role of Buddhism and Buddhist monks in solving the slum problems for the people at Klongtoey slum in Bangkok. Later, on 27-7-78 CGRS. in coordination with the monks from that university gathered some dry food and other necessary commodities from many temples in Bangkok and give these to 200 families in the Slum. This was done because at the beginning of Buddhist Lent, or any other religious day the monks receive so much food and other commodities from Buddhists that often these things have to be thrown away, whilst at the same time there are a lot of people starving. We therefore hoped that this activity would draw religion closer to the people and spread the idea of greater social concern amongst Buddhist clergy.

3. Interdenominational Memorial Ceremony for Pope Paul 6th and Blessing Ceremony for Pope John Paul 1st

On September 4th, CGRS. organised a Buddhist memorial ceremony to make merit for Pope Paul 6th and a blessing ceremony for Pope John Paul 1st at Mahathat Temple in Bangkok. About 100 buddhist monks and Catholic priests, including the Papal Nunciature in Thailand, and the secretary of the Bishop's Council of Thailand, were present at the ceremony. In addition priests representing the two religions made speeches. In these speeches, both sides saw the importance of a closer relationship between the two religions, not only in attending each others religious ceremonies but also in working together for greater spirituality and justice in Thai Society.

4. Open Letter to Iang Saray

On 14th July, 1978 CGRS. wrote an open letter to Iang Saray, the deputy Prime Minister of Kampuchea, who visited Thailand, expressing great concern about the information received on the violation of Human Rights and basic religious freedoms in that country, and also asking for permission to visit Kampuchea to investigate reports of Human Rights violation and religious presecution there. No reply has yet been received.

5. Follow-up of Non-Violent Training Seminar

During the last session of the Non-Violent Training Seminar held in May this year organised by CGRS., the participants of the seminar agreed to many follow-up activities. At present a co-ordinating committee as well as working groups for the follow up activities are carrying out the following:-

- A Non-Violent Training Seminar for rural workers up-country is being prepared and is expected to take place in December this year, in the northern province of Chiangmai.
- A documentation has been established on temporary premises and a working group has started to collect and systematically file all the documents on non-violence (theory, tactics, struggles, etc) on rural development, etc, and magazines or newsletter from other religious, non-violent or Human Rights groups inside and outside the country. (The provision such documents by our readers would be most highly appreciated). In addition, this group has produced 2 issues of a newsletter aimed at the participants in the previous training seminar, working groups and other interested persons or groups.
- A study group on non-violent and religion has started meeting with group discussions taking place. Some members of this group have been taken to visit prisoners in some prisons in Bangkok.

II. Activities of Other Human Rights Groups

A. The Lawyers Group

The group of courageous lawyers prepared to defend political cases of all types all over the country, because of their belief in Justice, continue to expand their activities. In order to provide themselves with greater security and protection the possibility of establishing a legal aid foundation, with a high level board is being investigated. This foundation would have three main objectives:-

- To study and disseminate information on the rule of law.
- To promote the use of law to achieve a peaceful society.
- To provide legal assistance to people who are in need of due judicial proceedings (particularly political prisoners).

It will be obviously take some time to establish this foundation, though preliminary steps have already been taken.

B. The Human Rights Research Group

This group, under the chairmanship of Dr. Saneh Chamarik, has obtained a sizable grant from the Ford Foundation for its work, and thus is in the process of starting its activities. This group involving more than 30 intellectuals and academics will carry out research on the following topics, and disseminate their findings :-

- Background (Political, Legal and Juridical) - HR. of consumers
- Human Rights and criminal justice
- Human rights and employees
- Peasants rights
- Communications, Rights and Responsibilities
- Sexual exploitation and the dehumanisation of Thai women

C. Ad Hoc Committee on 30th Anniversary of the UN Declaration of Human Rights

In order to ensure the greatest possible participation in activities relating to the 30th Anniversary of the UN Declaration on HR., an ad-hoc committee composed of intellectuals, journalists, workers, civil servants and others

Part Four: Summary of The News

1. The General Political Situation

The confusing and unstable situation of the last few months has continued, and even intensified over the period covered by this report (July-August 1978). It is of course quite normal that at this time of year, with the military reshuffles and promotions coming up, that there is uncertainty in the air, but this year these uncertainties are even more than usual. General Kriengsak Chamanan is retiring from his position of Supreme Commander, whilst one of his arch opponents Deputy Army Commander in Chief, General Yos Thephasdin is also retiring along with fifty five other generals.

Given the fact that Prime Minister Kriengsak has no really active supporters in the armed forces, and manages to stay in power largely by keeping his enemies divided, and by creating a positive internal and external public relations image for himself; the forthcoming reshuffle is crucial. If he tries to promote too many of his potential supporters he will provide his enemies with just the type of issue they need to overthrow him, but if he does not promote enough of his friends they will realise that there is little to be gained from supporting him.

In order to strengthen his own hand in the military reshuffle the PM. partially reorganised the cabinet on 12-8-78, moving himself to be Defence Minister and having the previous Defence Minister, General Lek Naewmalee take his position of Interior Minister. In addition in an attempt to weaken Admiral Sangad Chulor-yoo's position he made Admiral Amon Sirikaya (Commander in Chief of the Navy) a Deputy Defence Minister and General Yos Thephasdin another Deputy Defence Minister, in an attempt to "domesticate" him.

The battle for dominance in the military is taking place at many different levels however. One of the most significant is the struggle over the structure of the new constitution. The Prime Minister, who believes he can get a great deal of support from civilian parties after elections, particularly if he is elected himself, is pushing for a bicameral legislature, with the lower house fully elected. Other military groups (including those of Prapass, Sangad, and Yos), would like to have only one Chamber which can be dominated by appointed members (half the total), who either the chairman of the National Policy Council (Admiral Sangad) or some other leader could appoint. At present it seems that Kriengsak will win his battles in the military reshuffles, but lose them in the constitutional redrafting. Though the PM. to a large extent managed to dominate the first draft of the constitution, he does not seem in control of the revisions being made by the assembly.

Given all the various fights that are taking place between the different military cliques, no one has much faith in the present or future political stability of the country. For example on 7-7-78 General Yos Thephasdin did not rule out the possibility of the military "tearing up the constitution". On the same day Deputy PM. Boonchai Bamrunpong announced that the military would not have any more coups, but followed this up by saying a few days later, about the question of the Thannom-Prapass properties, that "if the next government fails to have the matter wrapped up, it may not be able to survive because this group of people wants changes...changes which would bring about a government, that would help them in this regard". General Boonchai's candidness about the tremendous significance of vested interests in the government of the country is interesting, particularly as it is widely claimed that PM.

Kriengsak's greatest problem at the moment, is his difficulty in trying to reduce the vested interests of various military cliques.

After the cabinet reshuffle, given the imminence of the military promotions, the pressures from various vested interests became so strong (particularly over the question of setting up new commercial banks) that the Prime Minister found it necessary to state publicly on 23-8-78 that there would be no coups. At the same time he had to take further preventative action stop the 2.8 million village scouts from being used in any coup attempts, and thus the cabinet meeting of the 23-8-78 brought the village scouts more directly under the Ministry of Interior.

Perhaps one of the Prime Minister's greatest enemies is becoming Admiral Sangad Chalor Yoo, chairman of the National Policy Council. Relationships between him and the PM. have been strained ever since Kriengsak took over the ascendent position after the Oct. 20th, 1977 coup, and reached a point of no return before Sangad went to Europe in April 1978. These relations were made even worse by Kriengsaks refusal to allow the establishment of a new bank that Sangad was involved in, and reached a new low point when the "volvo" scandal involving the younger brother of Sangad - Maj. General Thanom Chalor-yoo broke. This scandal involving a Volvo car illegally smuggled in from Malaysia dominated the papers throughout the second half of July, and led from Sangad's brother to Kittivudho, the CIA monk, who had in the past claimed it was not a sin to kill communists, helped supply arms to the free Khmer forces, and who is generally considered to be the most right wing of all leading monks. (this scandal with threats, insults, etc developed in a most unbuddhistic way).

Towards the end of August PM. Kriengsak seemed to be coming increasingly in favour of elections, and a meaningful legislature. This was mainly because he saw this is the only way of developing his own power base, and thus gaining the strength he needs to overcome the vested interests of his political opponents. At the same time however Sangad was coming out increasingly against elections claiming that he would be "a bloody fool to run in the elections".

This period, July August, has made the main power axis in the military become increasingly clear; with on one side, Yos, Prapass and Sangad and their cliques coming closer together; on the other side Kriengsak, Prem, and various semi-military politicians; with Serm and Thannon helping keep the balance between the two main groups.

In Thai politics of course anything can happen, and many things do. For example on 9th July there was an attempt to blow up the powerful command of the first army, Lt. General Amnart Damrikarn (the first army commander is the next significant person in any coup attempt). On the 22nd of August there was an attempt to discredit the speaker of the national assembly, Air Chief Marshal Harin (who had publicly opposed Kriengsaks attempts to return Prapass's properties), by arresting his brother, and accusing him of drunkenness and resisting arrest.

In addition various groups have continued to try to attack PM. Kriengsak where he is weakest, by making it appear that he cannot keep order in the country. There have for example been large numbers of protests at government house including workers on 14-7-78, three groups on one day on 9-8-78, steredores on 11-8-78 etc etc. In addition the BPF commander claimed that virtually no students had accepted the PM's amnesty offer, and reports were circulated that communist insurgency was increasing rapidly. Also the normal attempts to embarrass the PM. by continuing to provoke Thai-Kampuchea border incidents, despite the visit of Iang Saray, carried on.

In conclusion it can be seen that the PM. continues to hold on to and perhaps even strengthen his position, despite various set backs. This is largely because he still is able to maintain a relatively favourable press image for himself, thus making it impossible for his opponents to find a sufficient issue to combine together to overthrow him. He has proved himself over and over again to be an astute politician (most recently with his secret cabinet reshuffle, and his open support for "democratic" forces), Perhaps however his cleverness is not enough to overcome the complicated jungles of vested interests, so that he can actually start to do something about solving the problems of the country, instead of merely talking about these problems.

2. Arms and the Military Budget

A record 19.3% of the 1978/79 budget of 92,000 million baht has been allocated for national defence. In addition, according to the "Nation Review" there has been a "massive increase in secret fund allocations" by about 75%. The United State has also allocated a large military credit. The scramble for military purchases is thus now on in earnest, with the fat commissions (or bribes?) such purchases normally involve. Already there has been a scandal over the price paid for British Scorpion armoured cars, and this will no doubt be followed by many more similar incidents, as increasingly inappropriate and destructive weapons are bought, weapons such as radar equipped howitzers that can be fired at night, as advocated by General Yos Thephasadin on his return from his recent European arms buying tour.

PM. Kriengsak also reported with some pride that ASEAN countries will soon be starting an arms trade amongst each other (23-8-78) as such trade is "commercial and not military".

The trend for increasing militarisation of Thailand, is one that should be resisted. If savage arms are available, it is likely that they will eventually be used by Thais against Thais. The trade in arms is not a normal trade, but is a commerce of death, and should not be encouraged be anyone.

3. New Anti Communist Guerrilla Strategies

Despite the fact that it is claimed that between January and June 204 communists were killed, 57 guerrillas captured, and 267 surrendered, the National Security Council, and regional military commanders are fortunately becoming increasingly convinced that past communist suppression strategies should be changed. Progressive forces in the military realise that past suppression activities are not leading to any reduction in the number of active guerrillas (estimated by government at between 10,000 and 15,000) and are probably leading to an expansion of the area of influence of the communists. Thus on the 2-7-78 the commander of the 4th Army region (General Pin) decided to drop large scale suppression activities (which tended to alienate villagers) and rely increasingly on small mobile counter guerrilla groups. On the 4th August the National Security Council decided to amend the anti-communist act, and completely revise the governments anti insurgency plans.

On the same day General Prem Tinsulanond made an extremely significant speech in which he said amongst other things that "bloodshed is no cure for communist insurgency ... the real battle against communism is being carried out by those who believe in peaceful methods".

Later the same week (10-8-78) General Prem announced that the designation "of communist infiltrated zones in 38 provinces" would soon be lifted. It is still a question whether the lifting of this designation will provide the people living in these provinces with more basic rights than they have at the moment?

We can only hope (though we are somewhat sceptical) that there really will be a new plan developed to deal in a more humanistic way with "communist infested" areas. General Prem himself said last November that "Communists are also patriots, if a dialogue can be established a lot of lives can be saved". Whether the new plan will involve a dialogue, or the use of the new sophisticated weapons being purchases still remains to be seen. Though we hope it will involve the former, the huge military budget suggests the latter.

We are convinced that the future of the country will not come through violence or "suppression" activities, since violence only tends to produce greater violence and hate. A happy future for the country can only be assured if problems of exploitation, corruption, oppression, misuse of power and inequality can be solved, and solved in a peaceful non-violent way.

4. Reports from the Region The North

An ISCC public relations officer stated that the communist guerrillas movements and attacks in the Northern region were increasing. He estimated that there were about 3,000 guerrillas working in the whole region. (Matichon 14-7-78)

The regional ISCC (3rd region) has organized an armed hill-tribe company (600 persons), with 300 persons in Chiangrai province, 200 persons in Nan province and another 200 in the overlapping areas of 3 northern province. (Siam Rat 14-7-78)

During the past two months there were as usual many guerrilla attacks on strategic road construction units such as on the road between Mae Sod and Um-pang in Tak province where there have been 22 attacks. There have been 33 attacks on the road between Kao Kaw - Na-ngang - Sadaopong in Petchaboon province. At Klowflan Sub-district of Kampaengpet, 5 tractors have been burnt (Nation 26-7-78) and another 13 tractors and lorries were burnt at Nan province. (Thai Rat 31-7-78)

A village-headman in Chiangmai province was shot dead by the guerrillas for being a spy of the government. (Pandin Thai 8-7-78)

Perhaps the news in the north that created the greatest sensation was the escape of a leading communist guerrilla arrested in Chiangmai province. The 2 policemen who were guarding him from the hospital back to the police station were shot dead and the guerrilla managed to escape.

The South

The Deputy Commander of Fourth Army stated that Thailand and Malaysia will continue their joint military operation against communist guerrillas along the border. The Thai-Malaysian joint-operation "Salamat-Sawatdee" started in March this year (after the joint operations "Dao Yai-Mushah I, II" and "Cahayabena") is still in force, and is connected with "Kittitep 2" which covers the areas of Natawee and Sabayoi Districts in Songkla province.

The government forces also adopted the guerrilla hit-and-run tactics to combat the communist forces in the South. And instead of deploying massive forces in offensive operations, small units were posted at strategic locations. These tactics have been proved to be effective in Betong district of Yala province. (Bangkok Post 3-7-78)

So far, some aspects of a link-up between the Communist Party of Thailand (CPT) and the Communist Party of Malaya (CPM) have been confirmed. The CPM members had taught technical details on subjects such as how to make booby traps to the Thai communists whilst a supply of weapons was provided in return by the Thai counterparts. However, the connection between the two parties was described as being only "on a small scale". Since the two hold different ideologies. (nation 19-8-78)

In Betong district of Yala province, a curfew had long been imposed in many villages. Finally in mid July people in five villages in the district were allowed to come out of their houses to tap the rubber trees at night time but had to ask for special permission and may only take with them enough food for one person for one meal. (Chao Tai 16-8-78)

The North-East

An ISCO public relations officer stated that communist guerrilla movements and attacks in the north-eastern region were reducing. (Matichon 14-7-78) However, the BPP Commissioner stated that communist insurgents in the North-East had stepped up their activities, especially in the Southern portion from Ubonrajthani down to Prad province bordering Cambodia. (Bangkok Post 10-8-78)

In early August a considerable amount of CPT leaflets were sent by post to many government offices, banks, hotels and companies, to commemorate August 7th (the day when the CPT first use fire arms in their struggle). (Matichon 10-8-78)

There were significant attacks in various districts of Ubonrajthani, Nakhonpanom, Srisaket, Udorn, Nongkai, Kalosil, Buriram and Nakhonratchasima.

One of the most sensational news of these attacks was on September 1st, when the guerrillas in Pusang mountain in Namsom district, Udorn shot at a group of 5 helicopters flying over the area, and in one of these helicopters was the Crown Prince of Thailand who was taking part in military studies. (Thai Rat 1-9-78)

