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HUMAN RIGHTS IN THAILAND REPORT

9.21.9

Vol. 7 No. 3 - 4 July - December 1983



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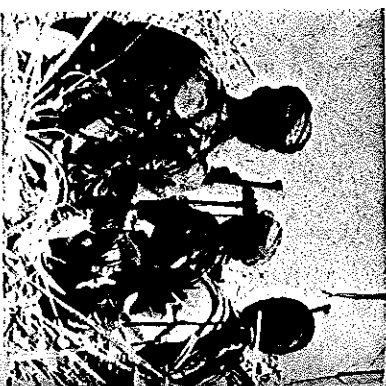
*Human Rights in Thailand Report is a quarterly publication of the Coordinating Group
for Religion in Society.*

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The human rights situation

The revival of political extreme-rightism made itself felt with the annual military reshuffle last October, when Army Commander-in-Chief Gen. Arthit Kamlang-ek concurrently became the Supreme Commander of the Thai Armed Forces. With his military colleagues and confidants already occupying major commanding posts in the Army, the new Supreme Commander has since his promotion become the most important military figure of Thailand today, and of the passing decade (1973-1983) in which the military establishment has still played a dominant role in Thai politics.

On October 2, 1983, two days after taking his new office, Gen. Arthit announced to the public the necessity of an urgent mobilization of all anti-communist mass-based organizations, with a view to countering communist infiltrations both in rural and urban areas which characterizes, Gen. Arthit argued, the new strategy of the Communist Party of Thailand (CPT) to operate more and more in the lowlands and the cities. This statement was later responded to and reaffirmed by the newly promoted Special Police Branch Chief, Pol. Maj. Gen. Kasem Saengmitr, who stated that a number of the CPT Central Committee and party members had been carrying out their activities in Bangkok and neighbouring provinces. According to him, their important target groups are workers, university students, democratic-minded people and organizations - of which they will make use, by their infiltration, to create a fighting current for, and raise the banner of, social justice and democracy. This declaration was made when university students, academics, labour unions and other democratic-minded groups were planning in full swing the grand 10th anniversary of the October 14, 1973 events - during which an uprising of university stu-



dents and people in Bangkok who fought for the restoration of democratic rights, led to the downfall of the so-called "Tyrannical Trio", Pol. Maj. Gen. Kasem's statement, therefore, should be viewed also as directly official of the plan to commemorate the October 14 events.

Suspicion of and strong reaction to the activities undertaken by university students, democratic-minded people and organizations, exposed themselves in the incident on October 14 this year, when a group of 12 policemen intruded into the Ramkhamhaeng University and demanded from a group of students a list of organizers of the "Remember 14 October" exhibition, but to no avail. They also asked the students who supervised the exhibition to follow them to the police station. Again the students refused to comply on the

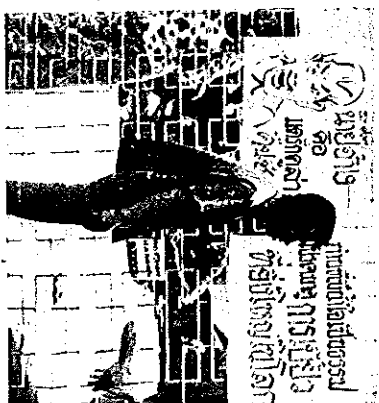
grounds that their activities were not illegal and were undertaken on the campus. Aside from this threat against the students, they widely distributed a number of leaflets produced by an unknown group. These leaflets aimed at tarnishing the image of some academics and defense lawyers viewed as "leftist" and "democratic" under signed by "The Mother People", attacked the Coordinating Group for Religion in Society (CGRS) and Union for Civil Liberties (UCL) as groups detrimental to the nation, endangering the monarchy and as cover organizations of the CPT. The ending part went so far as to discredit CGRS and UCL as "Soviet henchmen". According to a Thai language weekly, some Interior Ministry high-ranking officials were behind this leaflet.

Also noteworthy is the nomination of Mr. Chamman Photchana to the post of Director of the Labour Department. He was transferred from the governorship of the Khonkaen Province, and was well-known for his extreme-right stand last year, for example, he ordered an armed police force to invade the Khonkaen campus to break up the student strike against the University administration. He also mobilized thousands of people into the heart of the city district to counter the student strikers' demands. These incidents almost culminated in an uncontrollable crisis.

Taking into account the fact that Mr. Chamman had not been known as active in labour affairs, his nomination to the directorship of the Labour Department could be seen as an attempt to prevent workers' demands likely to be provoked by the worsening and increasingly tense labour situation. In October, soon after taking his new post, Mr. Chamman announced to the press that he agreed to the idea of placing the state enterprises out of the protection of the labour laws - a still unsuccessful policy pursued unalterably by some high level officials and politicians since the time of National Administrative Reform Council (1976-1977). Mr. Chamman justified his

stand by asserting later that "because of the particular nature of the state enterprises, that is: the employer and the arbiter are one and the same person - the Government, they cannot be covered by the existing labour laws". If such a change occurred, it would be tantamount to dividing the labour movement. At present, state enterprise trade unions play a most active role in leading the labour movement and in supporting the struggle of the still feeble private sector trade unions. If such a policy were executed, it would amount to the virtual dissolution of all state enterprise labour unions. Even though these unions were allowed to transform themselves into clubs, for example, they would not be able, by definition, to defend their interests nor have their demands met since they would lack bargaining power.

Such a move provoked a widespread reaction from all state enterprise labour unions which requested the government to reconsider the issue on November 8, 1983. Despite a denial in the same month by the government of any intention to execute such a policy, the idea itself is most likely to linger on since the state enterprise labour unions' leading role in the workers' movement is still considered by the employers and even by the government as a 'Democles' sword suspended over their head.





The economic pressure on worker's living conditions has not eased following an increase in minimum daily wage in October this year. This is because the increase was too slight in proportion to be effective. For Bangkok, eight neighbouring provinces as well as some southern provinces where the living cost is high, the minimum wage was merely increased from 64 to 66 baht; for 4 more big provinces from 61 to 64 baht; and for the rest from 52 to 56 baht. On the average, the minimum wage was increased by 3% whereas the living cost increased by 6%.

Apart from the wage pressure, many companies harassed and resorted to laying off a number of workers. For example, at the Lekphatana (Steel Development, Factory) in the course of the negotiation with the management Mr. Sa-nguan Rattana-wong, who led 200 employees (that had been working on a temporary basis for 5-6 years) to demand a permanent status, was arrested on July 17, 1983 on charge of possession of heroin - a surprising charge indeed since Mr. Sa-nguan was never known to be even a cigarette-smoker. Following his arrest, the workers concerned were laid off by the management which stated that those affected could apply anew for their job - which meant that the management would reserve the right to accept or to reject their re-integration. One month later, the Johnson and Johnson Company laid off 50 employees, following which all employees went on strike. Finally, the labour

court ruled that the Company must restate the laid-off workers.

Moreover, the employers often try to avoid paying workers the welfare cost. The method most resorted to is sub-contract. A sub-contractor is commissioned to employ, through one or more job placement companies a number of temporary workers to work - mostly for a six-month period - for the factories. This method is effective in severing a direct link between the factory owners and the workers, the latter being dependent upon the sub-contractor that cannot claim from the former any welfare allowance or any compensation fund - from which, according to the labour laws, only regular, and not temporary, employees can benefit. In "Sahaphanlekhai" (Thai Steel Union) Company, Phra Pradaeng District, Samut-prakan Province (adjacent to Bangkok) among others, is known to have practiced this method since February this year. In protest against which, on August 2, 1983, its 300 workers went on strike.

In addition to threats, unjust practices about wage system, that workers have been risking their own lives due to lack of security measures, negligence and selfishness on the part of their employers. A tragic example is an incident on November 19, this year in which the building of the Asian "Giong Pej" (Diamond Box) Company, situated in Lamluang District, Prachuab-ichan Province, which produces decorative boxes for precious stones, crumpled, it killed and injured a large number of employees and construction workers. It was reported that 29 persons were killed, 46 injured and 44 more buried under the ruins. The tragedy came about when three more storeys were being constructed on the top of the old one - storey building. The company management had engaged a sub-contractor for this construction work without prior approval of either the Industrial Department or the Industrial Department. Since the building and its base were constructed with low quality materials and the areas were low-lying land thus it could not sustain any additional weight. While the high ranking government officials concerned accuse the owner of the factory of violating the construction work law, the law itself and its implementation were raised; how could the owner of the factory order to add more storeys without any interruption from any industrial work inspector? Is it possible that because the factory lies outside the municipal area it could not be inspected?

In another case seven workers of the Thai Shamheng Company, a parquet factory, in the city district of Samut-prakan Province, were burned to death in a fire caused by an accident at night time of November 26, 1983. There reportedly was no fire fighting equipment whatever at the factory.

In the highly tragic case of the Asian "Giong Pej" Company, in which 19 employees were killed and 41 injured, and which shocked the public, the Labour Department promptly intervened to assist the needy by providing medical expenses, cremation and compensation funds. An average sum of over 1,000 baht per month for the duration of 60 months was paid to those affected. This sum is slightly over that of 1,000 baht guaranteed by law. Somehow in this case the workers got assisted more than 4 bystanders and 6 construction

workers who were killed in the incident. The problem was that the employer, i.e. the subcontractor, of these construction workers, was not a juridical person and his employees could not be protected under the regulations of the Compensation Fund which deals only with an enterprise with a minimum number of 20 employees. The relatives of the dead workers were thus given only a small amount of assistance concerned, some government agencies concerned, Any further claim, most likely to be rejected by the Company management since the subcontractor was also crushed to death, must be ruled by the court. However, these poor people could not afford to entangle themselves in any expensive lawsuit. In the case of Thai Shamheng Company workers, since the Company was not a member of the Compensation Fund, their relatives must make a direct claim to the management which could easily argue that the fire broke out after the office hours and that, therefore, no claim for any compensation could be made.

Considering the prevailing working conditions and the "new" thinking of the new Director of the Labour Department, who has the tendency to "put aside" the problems riddled by those who strive for justice, one can hardly see how the workers' living conditions can improve. At the same time, the press which functions as public ears and eyes has constructively been confronted with a formidable pressure not to report some facts embarrassing the ruling circle and influential people. The National Administrative Reform Council's Order no 42 (1976) and the 1941 Press Law have been continuously used to threaten freedom of the press. Despite numerous attempts to propose a new bill to replace that Order no 42 and the Press Law of 1941, as was reported in the last issue of HRIR, the government has taken no time to consider that bill and has never submitted it to the Parliament for consideration. In the meanwhile, the Ministry of Interior submitted its own bill to the Cabinet which approved it in principle.

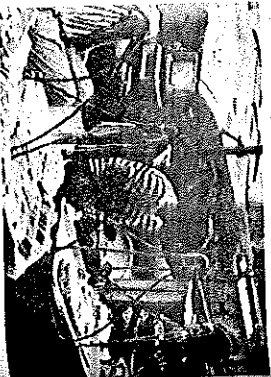
pie. It was stated that this bill would replace the existing, outmoded and unjust press laws. In point of fact, more restrictive clauses have been included in the new bill. Anyhow, the fact that the Thai language news analysis weekly "Thailand" was ordered to be closed down is highly revealing as to the attitude of the regime vis-à-vis freedom of the press. The weekly magazine had published articles highly critical of the way in which the Army was dealing with its own affairs such as the use of the secret fund, annual military promotions and transfers. Such is the fate of a newspaper which simply performed its duty. For reporters who reveal the misdeeds of government officials and influential groups, at times they run the risk of their own lives. The case of three reporters killed for their daring reports since last July was already reported elsewhere. (See News from Thailand)

For the poor people in many Bangkok areas who have had some difficulty in seeking jobs, when at long last they decided to earn their living as hawkers they have experienced a certain bitterness of being chased out of the streets, arrested and fined. Recently some of them have even been beaten up by the police and have been on trial. The conflict has been persistent for years between the police and the hawkers who use Bangkok footpaths to put their goods on sale. A special unit called "Municipal Police" was set up by the authorities to hunt for and arrest hawkers. The harassment was such that on October 13, 1983, over 800 hawkers and street vendors staged a sit-in protest in front of the Government House against the order to ban them once and for all from all Bangkok footpaths. On October 18, a number of hawkers mostly female beaten up by a police force dispatched to break up their protest while on their way to Government House. Many of them were injured and nine arrested on a serious charge of incitement to rebellion. Being released on bail on October 25, they were tried on November 16 before

the military court on a triple charge of gathering more than 10 persons to instigate chaos in the Kingdom, of obstructing the police arrest and of causing a traffic jam with their march. The first hearing is scheduled for December 13, 1983.

Noteworthy during the past six months was the establishment by the Army of "the Special Warfare Command" or better known as "the 5th Army Region", that is with forces and equipment equivalent to those of the four Army Regions. This new Command covers the areas of all the four Army Regions. It supervises all divisions and other support units in charge of non-conventional warfare, placed under its control is also the notorious "Ranger Unit" earlier attached to the Pakhong Chad Camp in Nakhon Rajasima Province. The "Rangers" are to be specially trained and to operate later as support units of other Army Region forces. Other secret or special units formerly attached to the Army Operation Centre have been transferred to this Command as well.

A Thai language weekly magazine observed that this Special Warfare Command was not only created to cope with external threats but also to safeguard internal security, that is to combat communism.... It constitutes a new balancer of forces, "stated the magazine, either to stage or to counter any coup attempts. It will control the movement in all forms of different political groups as well."



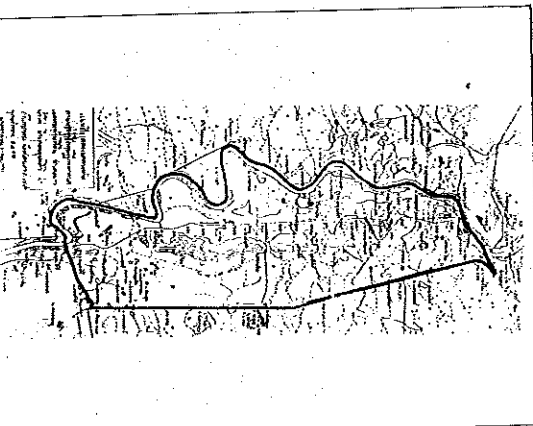
Eviction of 40 Thousand Nakhonsawan Villagers by the Military

On October 21, 1982, several hundred farmers from five villages in Tambon (Sub-District) Yangsam, Krokphra District, Nakhonsawan Province, were summoned to a meeting at the Tambon Council where they received instructions from the 1st Infantry Battalion of the 4th Precinct Army under the jurisdiction of the 3rd Regional Army in Nakhonsawan to evacuate from their ancestral farmlands which the military authorities would transform into military training fields. The deadline was fixed for December 31, 1982, before which the villagers were to dismantle their building structures, evacuate their houses, their temples and schools and take away their properties from the lands. Failing this the army orders reads, "the army will bear no responsibility for damages caused by bullets and explosives during the military exercises."

Aside from the above-mentioned villagers, those from Tambon Yammatsee, Tambon Phayubakarti, Tambon Nermakork, and Tambon Sathale, Phayubakarti District - and those from Tambon Klangd and Tambon Nongplang Tambon Nakhonsawan-ok, the city District, all met with the same fate. All together this affected 42,300 villagers of 6,318 families in 57 villages of 9 Tambon including 21 temples and 30 schools and an area of 23,712 acres.

The army order refers to the 1936 Royal Act which declares the controversial areas in those three districts (of Krokphra, Phayubakarti and the City District of Nakhonsawan Province) "non-cultivable lands" reserved for military use only. The affected villagers had then appealed to the authorities for remaining on the lands on which their ancestors and descendants had been earning their living for over a

hundred years; more than half of them have documents of ownership before the 1936 Royal Act. Following this the authorities did not pursue the matter. Until 1982 the army made no further claim over the lands, the villagers themselves, undisturbed, continued their living in these same areas, and a certain number of them were even granted a paper, e.g. a title deed,



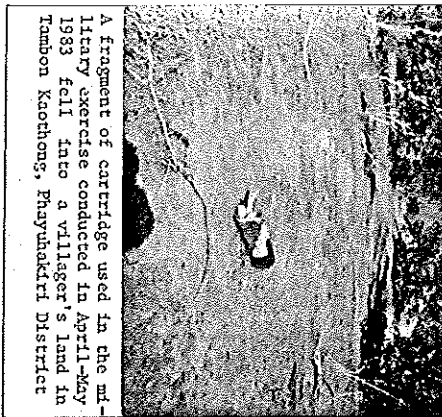
The map of the 1936 Royal Act indicates the "reserved" lands in 3 districts of Nakhonsawan Province. These disputed lands, located only 10 kms from the centre of the province, are paralleled in the eastern side by the northern railway, and along the Chao Phraya River in the western side and the Phakol yothin Road runs through the middle of the lands.

"Nor Sor 3" "Sor Khor 1", with which they could prove their right over the lands.

It should be noted that before the issuance of the afore said evacuation order many quarters such as government officials, businessmen and politicians had been covetous of the controversial lands, which according to the Fifth Five-Year Plan (1982-1986) might be included in the maritime transport system development project for the province of Nakhonsawan.

The maritime transport station with equipment and facilities was planned to be constructed in the vicinity of the Bangprong Island, Nakhonsawan, where the two rivers (Chao Phya and Nam) meet.

The Thai language monthly Narasam-Khaochang in its July issue this year, reported that the Italian-Thai Company is carrying out this project which, once implemented, will transform Nakhonsawan into a maritime transport centre for North Thailand and one of



A fragment of carriage used in the military exercise conducted in April-May 1983 fell into a villager's land in Tambon Kaechong, Phayubakert District

the most prosperous provinces. Moreover, the location of the controversial lands is made more attractive by several communication routes that already exist i.e. the western side is next to Chao Phraya River where the maritime transport station will be constructed; the eastern side is parallel to the northern railway and the Phloiyothin Road runs through the middle of the land which is only 10 kms, from the centre of the province.

This helps explain an earlier reported move by some politicians and financial businessmen who had proposed to the villagers to buy land estates close to the Chao Phraya River as well as had approached provincial land officers about the possibility of exploiting parts of the provincial mountain with an aim to make use of acquired stones to build dams on the River banks. It was these same interest groups which had brought the pressure to bear on the authorities to transfer two land officers, opposed to their interests, from the province. This sensational affair was widely reported in the Thai language daily Khaoaed of August 17, 1983.

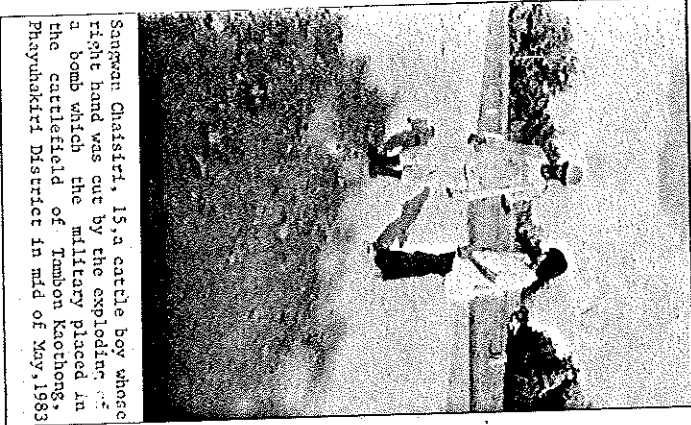
After the army's controversial evacuation order was issued, the affected villagers agreed not to leave their lands and appealed for corrective measures to the district, provincial authorities, as well as to the Prime Minister's Secretariat, in November 1982. No progress has been reported about their appeal. On December 9, 1982, while on an inspection tour at the Chitpravit Camp, the 4th Precinct Army Commander - in - Chief Gen Arthit Kamlang-ek explained to a group of villagers that the land on which they lived in front of the Chitpravit Camp belonged to the 4th Precinct Army and

asked them to leave the land in six months since the army would use it for constructing a hospital. The 4th Precinct Army also took Gen Arthit's statement as measure for the 9 Tambon villagers on the controversial lands. After the military took strong measures against the villagers concerned in April and May 1983, the affected villagers submitted a petition to the King's Secretariat, the Minister of Interior and to Gen. Arthit in September, 1983. The concerned senior army officers all refused to assist the affected people. But in October 1983 the Army in answering the Prime Minister's Secretariat's letter concerning this matter claimed that it has already explained to the villagers and they were consent to leave the land. And the villagers affected would be helped by the Social Welfare Department.

The villagers' petition reads in main parts as follows:

1. They are willing to let soldiers conduct exercises on their farmlands during off-season.
2. They request the military authorities to determine, and they are ready to consider, areas for military use on the condition that these areas would not be extended in the future.
3. They ask for the abrogation of the 1936 Royal Act so that they can continue their living on the farmlands. In addition, the authorities should issue title deeds for those who have none.
4. They request the 4th Precinct Army to pay compensation funds for all damages done to their properties. The violent incident since April this year took place when the 1st Infantry Battalion took harsh measures to chase the villagers out of their lands. These measures were as follows:
 1. The soldiers conducted exercises in the cattlefield, placed explosives in an area they encircled with a sign-board "Do not touch". One illiterate cartboy touched the explosives, was badly injured and lost his left hand. After this explosion other cattle-people were demoralized and did not dare to take their cattle into that field any more.
 2. The soldiers used war weapons to threaten the villagers to stop ploughing their land. These people became unemployed and insolvent since they had no sources of income other than farming to pay the loans obtained from the Bank of Agriculture and Cooperatives. The villagers were thus badly affected.
 3. The soldiers confiscated Mrs. Tew Kumprasant's lands on which they built a temporary army camp and grew forest trees in 10 rai of the land (3.9 acres) and circled it. They did not allow Mrs. Kumprasant to feed her cattle or cultivate there. However, the 20 rai left (7.9 acres) are allowed to be used. Mrs. Kumprasant said that she has cultivated on this land for at least 60 years.
 4. After the soldiers had razed his cornfield on June 13, 1983, Mr. Ploy Sitrakarn, 51 years old, residing at the village group 7, Tambon Yangtarn, Krokprata District, went berserk and did the morning after because he had overdrunk. He had spent over ten thousand baht obtained from the Bank of Agriculture and Cooperatives on his cornfield and had three children under his charge.
 5. The soldiers used army bulldozers to raze Mrs. Talum To-Im sorghum fields on August 12, and the soldiers families came to grow other crop instead.
 6. The soldiers drove into a herd of cattle, and wounded some of the cows. The owners appealed for compensation but to no avail.
 7. The military summoned the villagers who lived on those lands to a meeting where a group of well-armed soldiers surrounded them. The villagers were "tasked" to leave their lands.
 8. Lt. Col. Saphang Kailayamant, the Commander of the 1st Infantry Battalion, threatened "to silence" any villager, either a child or an adult, or to make his whole family disappear in case he obstructed the land confiscation by the army.
 9. On September 8, 1983, Mrs. U-Aree

Manklang, owner of a small block factory, was brought to the court on charges of illegal encroachment on the State land and of infraction of the official order. It was later reported that in December 1982 Mrs. Manklang was told by soldiers from the 4th Precinct Army to make a rental contract for her own land with them. However, she argued that she bought this land of 2 acres in 1972 from her neighbour who owned it since 1932. The same legal action is being taken against Mr. Narong Buchhet, owner of a bread factory, and Mr. Sawit Utrassongkhamwat, also on charge of encroachment on the state land.



Sangsan Chaisiri, 15, a cattle boy whose right hand was cut by the exploding of a bomb which the military placed in the cattlefield of Tambon Kaotong, Phayuhakiri District in mid of May, 1983

Furthermore, the military authorities asked the Ministry of Interior to instruct the district chief officers

to exempt from taxation those villagers living in "military forbidden areas". These villagers had paid land tax well before 1936. This measure would transform these areas into non-habitable or non-cultivable ones since those occupying them were not paying any land tax for a continuous period of time.

Facing resistance from the villagers, the provincial authorities, namely the provincial public welfare officers, proposed that the villagers be resettled in the two settlements in both Yala and Narathiwat Provinces (in the Muslim-dominated far South of Thailand), and in the preserved forest areas in the three districts of Lantyo, Phaisali and Nongbua, Nakhonratchasima Province. The villagers concerned rejected this proposal.

On June 30, 1983 when the six-month grace period expired, the military proposed the villagers stay on the lands until the end of this year, that is after the harvest. For houses and facilities the owners will receive orders when to leave which will not exceed 30 days and if they fail to act accordingly, they will be sued for encroachment. The 4th Precinct Army, however, announced later a measure which confused the villagers that at present they would deal only with villagers with no legal ownership documents and not the villagers with title deeds.

At present, the villagers are still skeptical about the statement that the authorities will make use of their lands for military training fields. There was a precedent case in which the villagers of two villages in Tambon Yammatsee, Phayuhakiri District, were expelled from their lands on the grounds that the lands were to be used for building an arsenal and other military-related structures. However, once the villagers voluntarily left the areas, it turned out that those building structures were constructed only one part. A part of the land left was for rent by Weaponry Department of Bangprab Camp to people around the

villages which were evacuated and the second part was left non-cultivable.

The tension has increasingly heightened between the military and the villagers in the three districts. The latter have declared to stay put and reportedly are ready to return their identity cards to the authorities if no other outside assistance, especially from the government, is possible. In their opinion, Thai citizenship is meaningless since it does not enable them to preserve their rights usually granted to other Thai people, even the right to preserve or recover their ancestral lands.

At one point in their letter addressed to some human rights organizations, they expressed their deep-seated feeling as Thai citizens as follows:

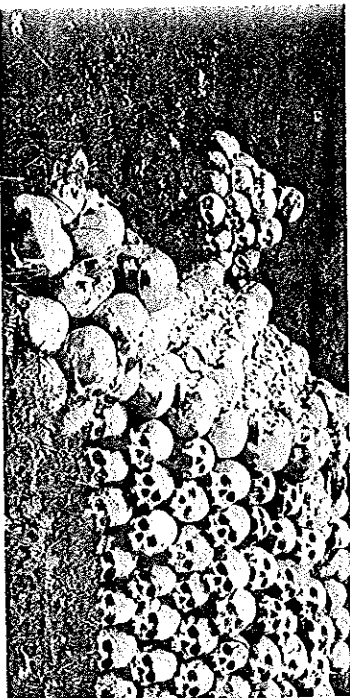
"We want to remain Thai, culturally and nationally, on our soil. When there were still no cars, our forefathers carried the stone landmarks given by the authorities to their own lands. These landmarks show to whom the lands belong. Aren't they ours? Why does the power-that-be act so immorally?"

"We are religious. Why are the temples, the spiritual building centres for Thais, citizens to disappear only because of this power-that-be's immoral acts? Or do they simply want the people to become unreligious since the

temples, as well as other building structures, are to be evacuated or dismantled?"

"And the schools. Our living conditions will be upgraded only if our citizens are educated. We need to develop our human resources, we need our citizens to be of good quality. Is it thus right for the military to instruct us to dismantle our schools on the lands?"

"We desire a Thai citizenship equal to the one common to other Thais in the nation. We desire to be good-hearted, moral, of good quality, and religious. We desire to have children and grandchildren that can become the future forces of the nation. We desire them to be competent, and not a social burden. For this we need to educate them and we need schools. Doesn't all that has happened deny us such alternatives? Doesn't all this create our unemployment, eliminate our legitimate rights, destroy our spiritual moulding centre, deny our children any schooling the absence of which will make them opt for a profession most detrimental to society and the majority of the people? Who creates social problems, for what and for whom? Is it right to have done so?"



News

News from Thailand

Vendors Arrested by Police

On October 13, slightly after 6 p.m. anti-riot policemen clashed with vendors when they tried to forcibly evict 800 of them from a demonstration site in front of the Government House. Several vendors, most of them women, were included in the 10 minute clash. Eight injured vendors and one bystander were arrested on charges of obstructing traffic, harassing police officials and joining the gathering of more than 10 people to incite unrest. The arrested were Mrs. Chawee Bunkaew, (27) Mrs. Srinuan Kaoprasert, (22) Mr. Bua Sukgato, (33) Mr. Tien Lamprunpatanakit, (44) Mr. Charin Sridum, (24) Mr. Virat Bunkleum, (33) Mr. Pravit Klinboon, (30) Mr. Payot Karnburt, (30), bystander.

The vendors began the rally on October 13, demanding a relaxation of the tough government policy which ordered them to stop vending on street pavements on October 19 or face legal action. They decided to march to Government House in the evening of Oct. 18 to protest against the policy. They were released on bail a week after their arrest on Oct 25 and later were tried before the military court on Nov 16, which set the first hearing for Dec. 13.

Reporter Shot Dead and Injured

Mr. Than Ngernthong, 40, a reporter of the Daily News, a well-known daily newspaper in Bangkok, was shot dead in a small restaurant in the Phramkrati market of Phramkrati District in the Northern Province of Kamphaengphet on the morning of July 10, 1983.



The motive of his murder is believed to be his report on the arrest of more than 20 workers in an illegal sawmill in Phramkrati District on May 18, 1983. The report angered the sawmill owners and the officials involved in the case. Mr. Than, who was also head of the village group 2, Phramkrati District, had 10 children and his wife, Mrs. Thanom was pregnant when the event occurred.

Before this case, 3 reporters in the same province had been murdered this year. Pol. Sgt. Surasak Chudee, a reporter for Mahachulalongkornrajavidyalaya Daily News (Bangkok based) and his wife were killed in Sal Ngam District on January 17, 1983. He was known to have conflicts with the head of the Sal Ngam Police Station. On March 1, Mr. Udom Promphit, a reporter of Man-Na (also a Bangkok based newspaper) was struck between the car and the temple and killed. The

event occurred in Klong Klung District. However, Klong Klung police concluded his case was an accident. On July 14, 1983 the chairman of the Newspaper and Mass Media Association in Kamphaengphet handed a petition on the three cases to the Director General of the Police Department in Bangkok and asked him to urgently re-examine these cases, and also asked for protection for reporters in that province.

Dr. Somsak Saritaphuti, editor of the Wichitman Chien, a local newspaper in the northeastern province of Kalasin, was shot and seriously injured by 2 gunmen in front of his clinic in the City District of Kalasin province, after he had come back from dinner on the evening of August 11. Dr. Somsak, also a dentist, had written article attacking high governmental officials involved in casinos, underground lottery and other corruption issues in that province.

Mr. Somphong Ratanphongsuk, 30, editor of Sang Tham, a local newspaper of the central province of Ayudhya and reporter of Thai Rath (a daily newspaper in Bangkok) was shot dead in his car on his way back from Wiset-chaichan District to his home in the City District, Angthong province on the night of December 3. The gunman in a yellow pick up followed him closely, overtook his car and shot him in a hail of bullets until he lost control of his car and went into a ditch, where he died. The motive behind his death is believed to be his attacks on several influential people in his area.

The New Press Bill Criticized

The new Press Bills proposed by 2 political parties to replace our 2 undemocratic Press Bills, namely the National Administrative Reform Council (NARC) Order No 42 (1976) and the Press Bill of 1941 (which empowered the Press Officers—the Interior Minis-

ter and the General Director of the Police Department to close down newspaper or revoke their licenses) were placed before the National Assembly on June 16, for consideration within 60 days. On September 8, after the expiration of the required 60 days on August 15, the government asked for another 60 days. This is against Assembly procedure, which stipulates that bills cannot be considered for more than 60 days. The government stated that the 2 Bills were composed of several procedures and different opinions which had to be taken into consideration.

In the meantime the Interior Ministry proposed a third new Press Bill to the Cabinet, which was strongly opposed by individuals and several organizations including the Confederation of Thai Journalists (CTJ). The CTJ on August 30, expressed its opposition on grounds that the proposed legislation includes much more stringent restrictions than before e.g. requiring a B.A. as the minimum education level editors and publishers which could amount to direct censorship. Moreover it still retains the "excessive" powers of the Press Officers, similar to those given by the 1941 Press Bill.

"This stops the Press from criticizing the government since they may lose their licenses," said Thongchai Thongso, an outstanding human rights lawyer and a member of the CTJ Executive Committee.

The appeal procedure which allows the appeals to be made to a specially formed committee (comprising government representatives of the Interior Ministry, Police Department, Public Prosecution Department, and Public Relations Department,) and not the court; and the formation of a Press Council without any specific regulations or supervisory system were another 2 points in the government proposed Press Bill attacked by the CTJ.

At last, although the Minister of Interior gave an interview saying that

he would reconsider the Bill, there was no significant change of the restrictions of the Bill, but the clauses on the Press Council were deleted on the grounds that it was against the principles of jurisprudence to have a body with such wide-ranging executive powers.

On November 29, the New Press Bill with a Press Council empowered with wide-ranging authority was submitted to the Cabinet and accepted. The proposed Press Council will be run by a committee comprising 3 representatives from government agencies and 10-16 other members elected from among members (up to three-fourths) and other qualified persons, officials or state enterprise officials who are not members of the Press Council (up to one-fourth).

The Press Council is empowered to remove a journalist from membership, thereby rendering him unqualified as a journalist. In case the journalist whose name is deleted from the Press Council is an editor or publisher of a newspaper, the Press Officer would accordingly revoke his licence.

The latest draft of the Press Bill still empowers the Police Director General and provincial governors to ban publications deemed to run counter to law and order or the people's good moral standards or against national security.

Publishers and editors can appeal to the Minister of the Interior but without the possibility of lessening the punishment or its duration. As a last step they can appeal to the court.

The Minister attached to the Prince Minister's Office reasoned that the draft Bill didn't authorize the court to ban newspapers because it will take the court quite a long time to consider appeals.

30 Aliens Freed

Twenty aliens who had been under detention for 10-14 years pending deportation to their home countries were released on Nov. 26.



The elderly aliens, ranging in age from 50 to 75, had been detained at a temporary prison of Bangkok Police Private School on various charges including drug trafficking and illegal entry. They included 14 Chinese and six Vietnamese. Chief of the Police Deportation Division said 11 of them were sent to Wattana Nivas Housing for the rest chose to stay with their relatives in various provinces including Nakhon Ratchasima and one each in Ang Thong, Phichit and Kancharaburi. They will have to live in the "limited zones" where they have to report to the authorities every month. They are not allowed to move out of the zones unless they seek permission from the authorities, he said.

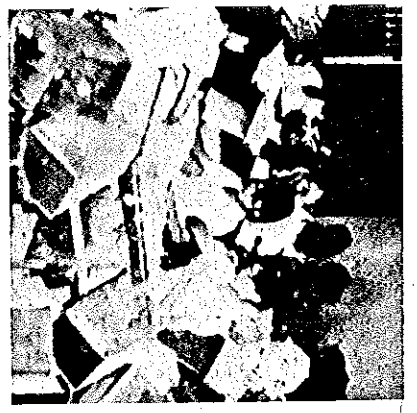
This was the second group of elderly alien inmates released from Bangkok Police Private School after the first group of 186 people was set free

in December 1980. Twenty-three inmates are currently in the prison awaiting deportation.

Manager of a "Half" Candy Factory sentenced to 4 years imprisonment

Mr. Somchai Karnchanavithist, manager of Vuthisist Limited Partnership in Rajburana District, Bangkok on Oct. 19, 1983 was sentenced to 4 years and 3 months imprisonment and fined 20,000 Baht (US \$ 900) by a military court on charges of confining child labourers until they became crippled or died.

The military court cited that during August 15-October 31, 1978 which was a period under martial law, Mr. Karnchanavithist and his 2 colleagues who managed to flee, had violated the Revolution Order No 103 and the Ministry of Interior Order on the Labour Protection Law. They had employed 64 girls between 8-18 years old from Nussara Private Job Agency for rapping candles under slave conditions, by forcing them to work from 7.00 a.m. to 8 p.m. everyday without holidays and with no payment or overtime. Moreover, they were prohibited from going out of the factory, or from going to the toilet and had to sit in a meditation position (cross-legged). If the employees stretched their legs or failed to obey other orders, they would be punished by someone stepping on their legs or beating. At night they were kept crowded in a small room without enough ventilation and without enough sleeping cushions or blankets. They were given inadequate food and were malnourished. All this caused 2 girls, namely Th Chaklit, and Phan Satchang to die and left 4 girls crippled. The girls were rescued by police on Oct. 31, 1978 and Mr. Karnchanavithist was arrested on the same day.



New Internal Order Operation Command for 34 provinces

General Satiyud Kerdphol, the Supreme Commander, revealed on August 15, 1983 that the Supreme Command would set up the Internal Order Operation Command in 34 provinces where the Internal Security Operation Command (ISOC) has not stationed its officials.

General Satiyud said the formation of the new command would be in line with three bills on national security, suppression and prevention of communist insurgency and internal peace-keeping operations.

He pointed out the role of such a command was to be on alert for any unfavourable incidents that may take place.

The Internal Order Operation Command will, he said, be responsible for civilian security including prevention of disasters, evacuation of people from sensitive areas and prevention of sabotage.

Defectors Arrested on Criminal Charges

The Second Army Region was reported to have asked police in the

Northeast to pay special attention to communist defectors facing legal actions for their criminal offences, to prevent feelings among them that they would be mistreated following their defection.

Their insecure feelings grew after police arrested some of them for alleged criminal offences committed before their affiliation with the Communist Party of Thailand (CPT).

"Our contention is that communist insurgents who surrender to authority to pursue their criminal cases will not be exploited by the authorities," said Pol Lt Col Seri Theamnyaves, Mak Dahan's police chief.

He said further that Mak Dahan's police had been fully cooperative with the Second Army Region in developing guidelines to handle communist defectors facing criminal charges.



Apart from asking communist defectors to report to police for their criminal charges, the provincial administration has also tried to release them on bail for minimum security and to see to it that they would be given justice, Pol Lt Col Seri said.

Military Operations

In the past six months, military offensives have been carried out in the North and South.

Suriyaphong 5 - a military offensive in the Northern province of Kam which started on November 4, to clear out the last communist infiltrated areas in the lower part of the province, namely Mae - Charin District and Santisuk Sub - District. It lasted for more than 3 weeks. 3,000 communist sympathizers, mostly minority peoples, were organized to formally surrender en masse to the government on December 22.

In the South the 4th Army launched a 10 day operation starting on September 20, to wipe out remnants of communist insurgents in an area straddling the 3 southern provinces of Surat Thani-Chumphon-Ranong. On November 7 almost 700 former communist guerrillas and Muslim Terrorists formally surrendered to the government in Patani province. On November 27, the 4th Army launched another operation-Tak Sin 21, to destroy communist insurgency in the areas straddling Phatthalung and Trang provinces.

Col Wichien Sunthornkes, spokesman of the Internal Security Operation Command, in October estimated the nationwide number of armed guerrillas of the Communist Party of Thailand (CPT) at less than 2,000 people.

He said the number represented a reduction by 80% from 1978-1979, when armed communist insurgents were estimated at about 10,000 throughout the country.

Death Sentence

From July to December, 23 persons involved in 11 cases were sentenced to death on serious crimes including robbery and rape. Several cases involved personal conflicts, however, a case of 2 villagers shot by police and another

case of a murdered labour leader involved misuse of government power and political conflicts.

Lt. Udomsak Phumpong, 40 and Staff Sergeant Chan Neerhrom, 30, attached to U-Thong police station, Suraburi Province, were on June 20 found guilty of attempting to kill two villagers they had arrested on charges of being drunk and creating disturbances. The two villagers were led to another province to be shot on July 12, 1981. However, one of them did not die and informed the police.

Mr. Boon Saenchai was sentenced to death on July 11 for killing a manager of film actors in Bangkok on January 3, 1982.

Mr. Phongsak Sitthiprakorn, 19, was on August 8 found guilty of raping, robbing and killing his mistress's employer at the office of the employer's company in Bangkok on November 19, 1980.

Sergeant Chamlong Leungprachaporn, 28, Mr. Sangad Kacwamane, 35, Mr. Sawat Sao-Tiew, 29, and Mr. Somnat Promsiri 31, were found guilty on August 9, of robbing and killing the late Chief Inspector of Ban Khai police station, Rayong Province on August 30, 1979. They were hired by a man who was remanded the killing.

Mr. Ahmad Duangkaew, Mr. Carim Banchara and Mr. Tohad Butlam were on August 11 found guilty of killing a judge and a businessman in the southern province of Phuket in March, 1983.

Staff Sergeant Nuntin Chulapakdi -kamm, 35, was found guilty on August 31, 1983 of killing a woman janitor in the Fire Department in Bangkok who had appealed to his commander about being raped by Sergeant Nuntin on December 9, 1982.

Mr. Seng Chongman, 26, Mr. Prayut Makphon, 40, Mr. Montri Sirignou -thek, 19, and Mr. Aphorn Khamleu, 21, on October 11 were found guilty of raping and killing a 20-year-old girl in February, 1982 in Pathumthani province.



Mr. Thaworn Asavastitinda, 30, was sentenced to death on Oct. 31, after he was found guilty of killing a tycoon in a casino in Bangkok on Feb. 17, 1981.

Mr. Bandit Lekprasert and Mr. Patin Na Wades on November 1, were found guilty of killing a labour leader in Samutprakan province on March 21, 1983 (See further information in ENR Vol. 7 No 2)

Mr. Iert Vorakie 17, Mr. Wutthachai Thongme, 17, and Mr. Charoen Sitkasak, 23, on November 15 were found guilty of murdering Mr. Saokham Khatiya during their dispute over a bar girl in a restaurant in Bangkok on June 21, 1982.

Mr. Sukhana Mongwai, 38, on December 23 was found guilty of raping and murdering a woman in Trang province on December 1, this year.

However, the sentences of 12 defendants in the first 5 cases and in the last case were commuted to life and 50 years imprisonment due to their use of full confessions. In the tenth case the 2 young men's death sentences were reduced to life imprisonment and 37 years due to their age and confessions.

Activities of CGRS

Human Rights Activities

1. Visiting and Helping Prisoners and Providing Legal Aid

These two programmes still continue for 5 cases namely

1. Mrs. Witon Phantamdee (Communist)
2. Mr. Abul Bunrueng (Communist)
3. Mr. Daleng Isma-ae and 5 Muslims (treason)
4. Mr. Charas Srikes (murder)
5. Ms. Sakon Bumhang

Mr. Bun Duangsingh
Mr. Phan Nolkacw
Mr. Mo Srimuang

These four sugarcane farmers were charged with violating a contract with their money lender.

Three cases for which CGRS has provided help were dropped because they came to an end. They are Mr. Prapoi Sae Tam (Lese majeste), a construction worker in Bangkok, and Mr. Gam Sattam (defaming), an Ubon Rajthani farmer, whose cases were acquitted and Mr. Bun-sueb Sangrid, a worker in Nakhon Phanom who was sentenced to 1 year and 2 months imprisonment after he confessed to the robbery charge. Since he had been imprisoned longer than the sentenced jail term, he was thus released. (See more details of the cases in HRTR Vol 1 No 3 and Vol 1 No 2.)

2. Eviction of 40 Thousand Villagers in Nakhon Sawan Case

During the past months CGRS concentrated on the problems of 42,300 villagers of Nakhon Sawan province in the Central Region who face eviction from their land which has been occupied for more than 2 centuries by their ancestors. The military claimers that they have the right to the 23,712 acres of land according to a 1936 Royal Decree.

Since April strong military mea-

asures have been carried out to harass the villagers causing damages to their crops, cattle and even their lives. The activities including information gathering, and legal consultation are carried out together with other organizations concerned e.g. the Union for Civil Liberties, Justice and Peace Commission in Thailand and the Student unions. For further information please see "Eviction of 40 Thousand Nakhonsawan Villagers by the Military"

Rural Development Activities

The campaign for job creation in the rural areas project

In the past months activities have been carried out as follows:

1. Field Work

Surveying and Research - In the target province of Ubon Rajthani 3 more model villages in 3 districts were investigated to find out the incidents of their migration and the problems which occurred during employment. The survey also aimed to inform the villagers of governmental and non-governmental organizations coping with the problems in order that they can contact and get some help according to the labour law. The research will provide information for campaigning among the villagers for better understanding and searching for measures to protect them.

The survey on migration and living conditions of Northeastern people fleeing from Ubon Rajthani migrants also has been conducted in factories and slum areas located in Bangkok.

- Discussing with local groups e.g. teacher groups in order to increase the possibility of forming local groups

port groups to protect these migrants. We received positive response for cooperation.

4. Youngsters are selected to be trained in the second programme. However, the first programme has to be cancelled due to the death of a large number of fish by some diseases.

2. Research Documents and research papers either directly or indirectly concerned with the problem of labour migration were collected and used as basic data extensively to study the problem and its acuity, as well as the feasibility of the job creation programme.

3. Coordination and cooperation contacts and cooperation were sought with both public and private institutions of which the field work or the network covered the job creation in the rural areas, such as the Department of Rural Development, the appropriate Technology Association (ATA).

Religious Activities

Training Programme on Religion

Since July CGRS has organized a training programme on Buddhism "Bud-

dism for Young Men and Women" to provide an opportunity for young development workers and university students to get a better understanding of Buddhism, to realize its roles in helping improve Thai society and to promote the practice of Buddhism and the implementation of Buddhist ideology for developing their lives and society.

The programme consists of lectures and practising. The lectures were given on weekends starting from Nov. 12 to Nov. 27 on the campus of Thammasart University. The main themes are Buddhist Teaching and its implementation for life and society, the roles of Buddhism to Thai society from the past to present and the practising of Buddhism. Lectures on temporary life and Buddhist aesthetics and experiences from social work were also given in this programme.

The practising was organized afterwards in a "forest" temple in the Northeast region between Dec. 2-8. More than 40 young development workers and students participated in the practising programme, while a large number of them turned out to attend the lectures which were more than expected. It was first limited to only 30 members.

We hope from this programme that a group or groups of young people with better understanding of their own religion and culture will be formed and help contribute to social development and justice in this country.



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Human Rights Situation 1983

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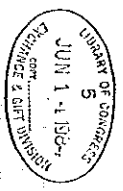
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HUMAN RIGHTS IN THAILAND REPORT

VOL. 8 NO. 1 January - March 1984



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Human Rights in Thailand Report is a quarterly publication of the Coordinating Group
for Religion in Society.
Address : 493/44 Soi Yoo - ornin, Jaran - southwong 40 Road, Bangkok 10700, Thailand