

# HUMAN RIGHTS IN THAILAND REPORT

Next Issue :

Human Rights Situation 1983

New Press Act : Rights of the Press  
Still Under Control

*Coordinating Group for Religion in Society:  
493/44 Soi Yoo - on-och, Jaran - samitwong 40 Road,  
Bangkok 10700, Thailand*

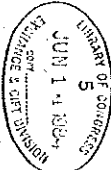
Library of Congress Office  
American Embassy  
Karamless Road  
Bangkok 10500

*DB*

AIR MAIL  
PRINTED MATTER

# HUMAN RIGHTS IN THAILAND REPORT

VOL. 8 NO. 1 January - March 1984



## In this issue

The Human Rights Situation  
The Human Rights Situation in Thailand 1983  
Malpractice of the Police  
Five Prostitutes Burned Alive in Phuket  
Report on Eviction of Nakhon Sawan Villagers  
Human Rights Movement in Thailand  
News from Thailand  
Activities of CCRS

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

*Address : 493/44 Soi Yoo - on-och, Jaran - samitwong 40 Road, Bangkok 10700, Thailand*

# The human rights situation



In March last year, the Senate rejected a bill on the rights of the accused. Under this bill an accused person can have his defense lawyer attend his interrogation by the police, can have a proper medical treatment when ill, and can receive visitors everyday when and if appropriate. The senators and the Police Director objected to the fact that a defense lawyer's participation would delay the investigative process. They reaffirmed that there were no beatings of the accused as alleged. A special committee, chaired by the Police Director, also rejected in August last year, a similar request to have public prosecutors participate in the interrogation of the accused, on the grounds that this would disrupt a certain equilibrium established within the judiciary system. As a matter of fact, there occur beatings of the accused everyday which has been largely reported in the press.

On 10 January 1984, the Minister of Interior issued an order to police commanders throughout the country strictly to see to it that any beatings of the accused or any harassment of the innocent people would no longer be tolerated. Later, on 22 February, the Police Director was instructed by the Minister of Interior to punish and charge all police officers, involved in any beating of any accused person, with criminal offences and breach of discipline. If these officers were put on trial, they would be suspended

from their office and dismissed immediately. Punishment would also be meted out to police superiors if they were found to have neglected or covered up all cases relating to beatings of the accused by their subordinates.

However, at least nine cases of police beatings were reported in the past three months. In which three persons died. On 11 January 1984, Mr. Sunin Ninkanit (23 years) was beaten by police because he had allegedly refused to stop for a car check near the Sathorn Bridge in Bangkok. He lost one of his toes, his nose was broken, he was badly wounded. On 16 January, Mr. Samichai Knoch-rungsri (22 years) was hit in his stomach and was forced to confess that he had been involved in drug-trafficking in connection with two more persons facing the same

charge. He was caught while passing by the two accused persons who were being chased by police at the Prachin Market in Bangkok. Later, when the two men confirmed that Mr. Samichai was innocent, he was released after having been detained for four hours. On 18 January, Mr. Luen Saeng (48 years) was beaten by seven policemen attached to the Pakkred District police station, Nonthaburi Province in the vicinity of Bangkok. He was cut in his eyebrows, and lost some teeth. The incident took place in a restaurant due to personal grudges, having reported the incident to the Crime Suppression Branch in Bangkok after the local police station refused to register his complaints. He was threatened with reprisals. On 3 February, Mr. Khamphong Kralongse (22 years) was arrested during his visit to his hometown in the Northeastern province of Udonachai. The police officers attached to the City District police station in Udonachai accused him of stealing a car and detained him for three days during which he was beaten until he fainted. When he recovered his senses, his sex organ was burned and marked with scars. When the real culprit was arrested Mr. Khamphong was released but threatened with reprisals if he ever dared to report the incident to the authorities. On 17 February, Mr. Somphorn Phengsarn (27 years) was arrested together with his two relatives in Phichai District, Uthradit Province, north Thailand, and was accused of causing a row in a public place. He was beaten and badly wounded by police, and was later sent to the hospital where he died on 19 February. Again on 17 February, Mr. Khomsakdi Yuangmanit (27 years), a truck driver, was beaten by patrol policemen until he fainted. The incident took place near Don Muang Airport in Bangkok. He had allegedly refused to stop for a check. On 25 February, policemen attached to the Tapoun police station in Bangkok beat Mr. Thawatchai Manchal until he died. He had been arrested with Mr. Wallop Saengsak and charged with robbing a taxi-driver.

During his interrogation, Mr. Thawatchai was badly beaten until his liver burst out, his ribs were broken and his inner organs seriously wounded. He died the day after. Mr. Wallop, his co-defendant, did not dare to single out the policemen who had beaten and killed Mr. Thawatchai.

On March 14, Mr. Suchin Nondkhampha, 20, a villager of Ban Klong Khan Thung, Tha Kasem sub-district, Sakae district, Prachinburi, was shot seriously by 4 policemen of Sakae police station in the evening while walking through a wooded area to see a film in a nearby village together with his mother and 10 neighbours. A policeman put a gun into Suchin's hand and recorded that he struggled with the police while being arrested. That policeman also beat Suchin's head with his gun while bringing him to the police station.

On March 16, Mr. Bancha Saengsak, 16, was arrested at about 9 p.m. by 3 policemen of Phibulungkarn district police station, Ubon Ratchathani province and brought from his residence to be questioned. His arrest followed a brawl between Bancha and a gang of youngsters in another village during a ceremony in the evening. His employer and



other defendants in the police station reportedly said that they saw Bancha being beaten after his arrest and brought from the station. The following morning he was found being burned with some tyres. The corpse was identified by his parents by the unburned remainings. The police claimed that they had released Bancha on the night of his arrest. The policemen were alleged to have broken Bancha's skull before bringing his corpse to burn, since there were two rifts in his skull from the operation.

Aside from beatings of the accused, the police was in some other cases accused of abuse of authority. For instance, Mr. Surint Phothisawan (46 years) reported to the police station of Wang-namyon District, Prachinburi Province, east Thailand, that he and his son (14 years) were shot by a group of policeman and armed volunteers. He lost one of his finger, and his son was seriously wounded in his hip. They had been accused of possession of poached logs. The shooting incident took place in late January this year in Wang-namyon District. In another case, the Rangers attached to the Surasi Unit in the southern province of Prachuabkhirikham, were charged in connection with the disappearance of three policemen of the Pramburi District police station. The latter's relatives alleged that the three entered those Rangers' "Sunson" Camp to enquire about some people's missing cars believed to be stolen by these Rangers and disappeared.

On February 14, Mr. Yoy Khongthi, 56, head of a tobacco planters group disappeared from the Sisamrong police station, Sukhothai province where he had gone to visit and bail out his son arrested in the morning. Another defendant who was also arrested together with his son was later released and reportedly said he saw police throwing a sack from the room where Mr. Yoy consulted with the police. In the evening his relatives found the remaining of

his bones and clothes at the edge of the district. Before the incident he had had conflicts with a local influential person on the price of tobacco and a piece of land and had been shot 4 times.

Other cases of police misdeeds were also denounced by some members of the Cultural and Social Commission of the House of Representatives, who charged some police officers, among other things, with negligence of duties which in one case led to an inhuman detention of prostitutes by a brothel owner in the southern province of Phuket, and to a subsequent tragedy in which five detained prostitutes were burned alive when a fire broke out in that brothel in late January this year.

It is reported that a number of parliamentarians and the administration will submit several bills on restriction of democratic rights to the Parliament during its annual session to be convened in May this year. They are, among others, a new bill on national security covering all kinds of action detrimental to a democratic rule with the King as the Head of the State, a controversial new press bill, most criticized by the Confederation of Thai Journalists and other concerned circles under which publishing editors must register with the Press Officer (the Police Director or Provincial Governors), and newspapers publishing news "detrimental to national security" are to be dealt with most strictly. This new press bill is the most authoritative rain which has ever been drafted, that the Confederation of Thai Journalists called a major meeting on February 25, 1984 to demonstrate a common will to oppose the new Press Bill. Another important move which is gaining momentum is the one for constitutional changes with a view to allowing civil servants and military officers who are senators to hold cabinet posts. Col. Boonlert Lertpittaya, a leading member of a big political party claims that a powerful circle which has instigated the move for constitutional amendment

is in search of a pretext to dissolve the House; this pretext may be derived either from a rejection of an important bill by the majority of the House, or from the ongoing divisions within major political parties composing the present coalition government.

In early February this year, a group of all leading military figures showed their force by rendering a "warlike" visit to Prime Minister Gen. Prem Tinsulanonda at his residence, a move in response to a

mock parliamentary session, organized by the biggest opposition party in Bangkok during which the Prem Government was "overthrown" by a vote of no confidence. More mock sessions were later planned for different provinces but failed to materialize following the Supreme Commander's "appeal" to the opposition party against such a plan.

The military establishment has proved once more that it prevails over other social forces in the Thai political arena.

## The Human Rights Situation

### In Thailand 1983

The human rights situation in Thailand in 1983 was in many ways improved, especially the legal rights of the accused persons. There were some attempts by some quarters to change or to reduce the political rights of the people. There remain some unjust laws and illegal practices that need to be abolished or changed, such as the Communist Activities Prevention and Suppression Act, laws on publications, a number of orders of the National Administrative Reform Group which deny the right of appeal to defendants tried by the Military Court. Moreover, there were political arrests, threats and assassinations of those who had sought for the rights of their groups and for the good cause of society, such as workers and journalists.

#### Legal amendments and moves affecting human rights

##### 1. Promulgation of laws and orders promoting human rights

###### 1.1 The bill to adjust prison terms

On February 25, 1983, the House of Representatives passed a bill changing many provisions in the Criminal Code. Following which, the duration of imprisonment under the Criminal Code was reduced altogether by about a thousand years. From now on, the punishment meted out to any convict will not increased up to death penalty life imprisonment, and to a duration of imprisonment

ment exceeding 50 years. On the other hand, the duration of maximum imprisonment of convicts on various charges was increased from three and ten to ten, twenty or fifty years, respectively.

#### 1.2 The bill on re-examination of criminal cases

On March 4, 1983, the Senate passed a bill authorizing the court to re-examine criminal cases. The law has been in effect since April 8, 1983. Under this law, if there is a petition or a new proof that a convict who is serving his term did not commit the charge brought against him or that prosecution witnesses had given false testimonies or that evidence was false, the court is authorized to nullify the old court ruling and to declare the convict innocent and his rights restored. The affected person or any of his heirs is also entitled to compensation.

#### 1.3 The Police Director's order to streamline the system of bailing out those arrested on criminal charges

On September 9, 1983, the Police Director issued an order to streamline the bail system, under which an accused person or his relatives can deposit some things other than title deeds and cash, to bail him out. The police must communicate the outcome of their consideration to the person concerned within 24 hours. The responsible officers under this order are police commanders, city police commanders and provincial police chiefs. If these officers are absent, senior police officers are charged with investigating the request to examine the request. A request to bail out a person charged with lese-majeste

or threat against national security or communist activities, will be examined by higher-ranking police officers.

#### 1.4 The new order on minimum wage

On October 1, 1983, a new order on the minimum daily wage was issued under which the wage in Bangkok, seven neighbouring provinces and a southern province was increased from 64 baht to 66 baht; in four big northern provinces, the North-East and the East from 61 to 63 baht; and in the remaining 60 provinces from 52 to 56 baht.



#### 2. Unsuccessful legal amendments and other legal moves affecting the rights of the people

##### 2.1 The abortive constitutional amendment move

In January 1983, there was a move by the army and some politicians - in response to a call

of Army Commander-in-Chief Gen. Arthit Kamlang-ek who at present holds the concurrent post of Supreme Commander-to extend the provisional section of the present Constitution, promulgated in 1978, with a view to maintaining the prerogatives of the Senate, to allowing civil servants and military officers to continue to hold Cabinet posts, and to maintaining the multi-constituency voting system. This proposal was supposed to be examined by a special parliamentary session to be convened for this purpose. One army general had gone so far as to threaten to "conduct exercises" if the wave failed to materialize. The wave for constitutional changes and the accompanying threat met with a strong opposition from different quarters, that viewed this controversial proposal as an attempt at restricting democratic rights, at increasing the power of the military to dominate the administration and the political scene, and as disrespectful of public opinion. The constitutional amendment bill was at long last rejected by the Parliament at the end of its third reading on March 16, 1983. However, the military did not give up. They put pressure to bear on the Prime Minister, who finally dissolved the House and fixed a new election day before the expiry of the provisional section of the Constitution. Pressure to amend the Constitution has continued until this day.

##### 2.2 The Communist Activities Prevention and Suppression Act

In January 1983, the Internal Security Operation Command (ISOC) and the Army drafted a new bill on national security to cover all forms of terrorism and all unspecified "dangerous" po-



litical ideas. The bill would replace the Communist Activities Prevention and Suppression Act, which in the ISOC's thinking, had outlined its usefulness, and would constitute a means to get rid of communism once and for all - mainly by forcing the Communist Party of Thailand (CPT) to end its armed struggle and to adapt a peaceful form of parliamentary struggle. The examination of this bill has been suspended by the National Security Council, which had been opposed to it since the beginning and had instead proposed, not to abolish, but to render the Act more repressive. In its present form the authority granted to the responsible officers is already extensive under this Act, which authorized among other things - a detention of any communist suspect up to 480 days (the duration authorized by the Criminal Code being 91 days) without any need to pay compensation. No autopsy is needed either. This Act has done much

harm to the people.

2.3 The Senate rejected a bill allowing defense lawyers to attend the interrogation of their clients.

On March 11, 1983, an amendment bill to the Criminal Code Procedures was submitted to the Senate, authorizing defense lawyers to meet accused people in private and to attend the interrogation of their clients by the police. The bill also authorizes the accused to be visited every day as appropriate, and to receive immediate treatment when sick. The Senate as well as the Police Director were opposed to the bill, reasoning that the accused might misuse the bill to delay the investigative process on the grounds that they could not find any defense lawyer. In some serious criminal cases, the investigative process would, moreover, run the risk of being obstructed. A gunman, for example, conceivably would not reveal the identity of his employer in the presence of the latter's lawyer. There would also be some cases, related to national security in which a third person, even a defense lawyer, should be barred from attending the interrogation of the accused. Finally, even though the Senate unanimously approved the bill in principle and instructed its Government Affairs Committee to review it within seven days, this technically amounted to rejecting the bill since it could not be and actually was not resubmitted to the Senate before the end of the special session.

The proposed rights of the accused continued to draw the attention of the prosecutors. On August 8, 1983, the Prosecution Department Director reported to the press that one of the main recommendations of the recently

held national meeting of prosecutors was the latter's desire to participate in the investigative process with an aim to ensure justice to the accused, that is to prevent their ill treatment by the police. However, this was not approved by a special committee set up to review the prosecutors' recommendations. The main objection was that the prosecutors' participation in the investigative process would disrupt the established balance of power among the police, the prosecution and the court, three components of the judiciary system.

2.4 The bills on publications

On June 16, 1983, members of two political parties submitted two bills on publications to the House of Representatives, which if approved, would replace the 1941 Press Law and the National Administrative Reform Group's Order No. 42 (issued on October 21, 1976), that both authorize the Press Officer-the Police Director-to close down any newspaper which publishes articles in contravention of the rules and affecting public morality. The two bills also proposed the creation of a press council to strengthen the professional ethics of its members. The government asked to defer consideration of the bills for four months on the grounds that it needed time to examine carefully their provisions. This amounted to their rejection, for the two bills were not re-submitted for discussion before the end of the parliamentary session in 1983. In the meantime, the government proposed another press bill for discussion. This new press bill was even more undemocratic since, for example, it stipulated that the editor must have a B.A. degree or the equivalent, and that he must renew his licence every year. The government, however,

had to redraft the bill in the face of sharp and widespread criticism by all press associations. The redrafted bill still met with a strong opposition in press circles and from the Press Confederation of Thailand-and because of maintaining the Press Officer's power to close down any newspaper, it further authorized the Press Officer and other responsible officers to make a search, to seize and even destroy any publication as appropriate. Other strict measures were also envisaged by the bill. For example, the publisher must register himself either with the Press Officer or the Press Council, of which government officials would also be members. Both the Press Officer and the Press Council could thus reserve their exclusive right to accept or not to accept any publisher as they would deem appropriate.

2.5 Military Court

In December last year, the Senate Committee on "Park Inflation and Power Suppression" recommended the government consider granting the right to appeal of defendants tried by the Military Court. No follow up to this recommendation was known at the time of this report.



II. Political trials and arrests

In 1983, there were 20 reported political trials and arrests, involving 57 people, with the following breakdown.

1. Six communist cases-19 persons

- 1.1 The case of Mr. Damri Ruengsutham and Prachob Thongthueang.
- 1.2 The case of Mr. Adul Boontueang.
- 1.3 The case of Mrs. Winol Phichumdee and Mr. Channachai Chamsadachannatee.
- 1.4 The case of Messrs. Surachai Sae Can, Wali Sakhorn, Pravit Pancharoen. (See details of 1.1-1.4 in HRR, Vol.6, No.3)
- 1.5 The case of Mr. Damai Inthatham and Mrs. Thongsak who were both arrested in the northeastern province of Nakhon Phanom in November 1983, and were later sent to the Kamuntaythep Rehabilitation Centre; and
- 1.6 The case of nine more communist suspects arrested in the northern province of Nan. Their fate is still unknown.

2. One separatist case - 6 persons

All six persons, Mr. Samak Maseng and friends were students of Ramkhamhaeng University in Bangkok. (See details of this case in HRR, Vol.6, No.3)

3. Five Cases of lese-majeste - 8 persons

3.1 The case of Mr. Rattana Uthaphant, arrested on October 21, 1983, and charged with lese-majeste. He had submitted a petition to the King asking him to abdicate and become head of the government with an aim to bringing an end to the decade of the country. He pleaded guilty and was sentenced to an eight-year imprisonment. His sentence was finally commuted to a six-year term. He is now detained at the Provincial Detention Centre

in Mukdahan Province, northeast Thailand. It should be noted that Mr. Praphol Sae Tan, a friend of his, who was arrested on the same charge on October 22, 1983, was also tried but released by the Bangkok Military Court.

3.2 The case of Pol. Major Anant Senahant. He was arrested for having made two public speeches at two different places about the Queen and the Crown Prince in March 1983. He was tried for both cases. He admitted having made such speeches but asserted that he had done so to mark his respect for the royal family and to prevent anybody from using it to gain power. He was sentenced to a three-year imprisonment in each case and has been serving his term at the Lardyo Central Prison in Bangkok.

3.3 The case of Messrs. Thawal Sangkhamnond, Phongthep Manuphatkphong and Samn Khongsu phol. They were arrested on June 20, July 7 and 8, 1983, respectively, on charge of lese-majesty. They were accused of jointly having published a book slandering the King, the Queen and the Crown Prince, entitled "The Nine Reigns of the Chakri Dynasty", or better known as "The Yellow Paper". Being tried by the Bangkok Military Court, Messrs. Thawal and Phongthep had pleaded guilty and were sentenced to a four-year imprisonment each. Mr. Samn denied the charge and received an eight-year sentence. Mr. Thawal is detained at the Lardyo Central Prison in Bangkok, Mr. Phongthep at the Bangkok Provisional Detention Centre in Bangkok, and Mr. Samn at the Bangkok Prison.

3.4 The case of Mr. Kant Kijkradwan, a Ramkhamhaeng University student. He was arrested on April 10, 1983, on charge of selling cassettes recording the public speeches of Police Major Anant

Senahant who had been charged with lese-majesty (see supra, 3.2). He was tried by the Military Court and on November 14, 1983 was sentenced to a three-year imprisonment. His sentence was, however, commuted to a two-year term and he is now detained at the Lardyo Central Prison in Bangkok.

3.5 The fifth case concerns an ex-police, who was charged with lese majesty on the same event as Mr. Kant.



4. Six criminal cases - 15 persons. They were all arrested for political reasons but charged with criminal offences.

4.1 The case of Mr. Jirawat Khuepanya, former student of the Lampang Teachers' College, north Thailand. He was arrested on September 27, 1980 while he was about to surrender himself.

Later, he was put on trial on charges of killing government officials and extortion of ransom, in connection with Mr. Abdul Boonreung (see supra, 1.2). He was sentenced to death on July 9, 1983 and has been waiting for the outcome of his appeal to the King. He is now detained at the Lardyo Central Prison.

4.2 The case of Mr. Pravit Wangaj and his seven friends. They were arrested on October 22, 1982 in Bangkok, on charge of communist activities. One of them reportedly committed suicide in the cell. On October 5, 1983, the rest of the detainees were ordered to change their cells and charged with illegal possession of firearms. They were convicted and imprisoned on December 9, 1983. Surprisingly, the duration of their imprisonment starts from the day they were charged with illegal possession of firearms, and not from the first day of their detention.

4.3 The case of Mr. Chaleem Baripant, arrested after his surrender in the southern province of Nakhon Si Thammarat, and charged on May 16, 1973 with murder.

4.4 The case of Mr. Phu Onchal who surrendered himself to the authorities in the northeastern province of Mukdahan, in January 1983, and was charged with killing government officials.

4.5 The case of Mr. Lorn Padthalee, another communist refugee. He was later arrested in the district of Amatcharoen, Ubonrathand Province, northeast Thailand, while he was undergoing rehabilitation training under the Participation in the Thai Nation Development Program. He was charged with an attempt on the lives of government officials, though it has not been proved that he was present at the scene.

4.6 The case of three more communist insurgents, arrested in the South while on the way to surrender themselves.

There is still an unspecified number of people detained at the Krungthep Detention Centres dispersed in every region, and at various special

detention centres throughout the country.

Almost all defendants in the above reported cases (1-4) were tried by the Military Court, with out any right to appeal, since their cases were related to national security, communist activities, or lese-majesty as covered by the National Administrative Reform Council Orders No. 1, 8, 14, 29 and 30, which are still in force.

As for communist returnees, or "Participants in the Thai National Development", many of them were charged with criminal offences and seven were reported to have been assassinated, and other threatened. (See details in "Human Rights Situation", HRTP, Vol. 7, No. 2)

### III The situation of social justice fighters

As far as the justice fighters are concerned, they are often accused of instigating chaos and threatening national security. There were two such cases in 1983.

The first case concerns nine peddlers, charged with threatening national security, resisting government officials, and obstructing street circulation. There was a protest gathering of peddlers in October 1983, during which the police intervened to break up the gathering. In 1982, six peddlers were also put on trial on a similar charge of threat against national security.

The second case concerns a woman peasant from the province of Nakhonsawan, Central Thailand, protesting against injustice about her farmland. On April 2, 1983 she was arrested on the charge of obstructing street circulation and breaking the municipal rules about street cleanliness. She had made a similar



protest a year before and it went unheeded.

#### IV. The workers' rights situation

In 1983, there were a large number of cases of violation of workers' rights. The Labour Department reported that there were altogether 114 labour issues. The

another storey on the top of its building. Twenty-nine persons were killed, 46 injured, and 45 more disappeared.

On December 16, two hundred seventy workers of the Phoosaph Iron Company (producing tin-enameled cans), in the Bangkokkhua District, Bangkok, waged a work



employers closed down two factories, there were 16 work stoppages and 40% of workers were not paid a minimum wage. The welfare system, medical treatment and worker safety still left much to be desired, which resulted in a big number of deaths and accidents. Some examples should be given

On May 12, 1983, two hundred woman workers of the Daranait Socks Factory, in Krachumban District, Saensakhorn Province, went on strike to demand the payment of minimum wage. The existing rate was only 35 baht for beginners, and 45 baht for experienced workers. They also demanded social welfare and medical fees.

On November 19, the Asia Diamond Box Factory in the Lamli-ka District, Pathumthani Province, collapsed because of overweight caused by construction of

stoppage protesting the management's lack of care for 20 workers whose fingers were cut off by the machinery. They also complained that they were not paid on sick leave, and that medical fees were automatically deducted from their wage. Furthermore, a labour leader was laid off without any compensation

A number of workers who struggled for justice and their legitimate rights met with an undesirable fate. They were, among other things, laid off, threatened, or even assassinated. Some examples should be cited.

Three workers of the Nakorn Luang Nylon Socks Company in Nakornphaphum Province, Central Thailand, were laid off, and ten more were laid off with compensation in 1983. These measures were

taken most probably to thwart a rapidly developing labour struggle.

On March 21, 1983, Mr. Khun-Poon Wongkham, Assistant Secretary, General of the Iron and Steel Federation of Thailand and also an adviser to many other labour unions, was killed in an ambush.

On October 17, Mr. Sungam Ratamwong who led 200 workers of the Steel Development Company to protest against working conditions, was arrested on the charge of illegal possession of drugs, even though he had not been known even as a cigarette-smoker.

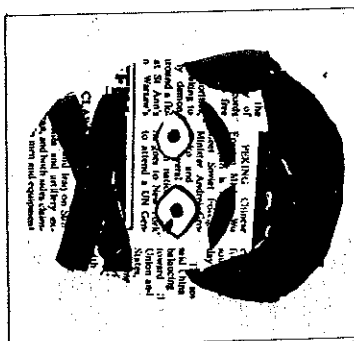
Furthermore, there was a reported move by some anti-labour quarters to place state enterprise labour unions outside the protection of the labour relations law. The Director of the Labour Department also voiced his approval of the proposal which, would result in disintegrating the labour movement, for state enterprise labour unions always play a leading role in any labour issue. All state enterprise workers were united as one in their opposition to the move, so much so that the authorities decided to suspend the matter for a while.

#### V. Assassinations and threats against journalists and freedom of expression

Throughout last year, 15 journalists were assassinated. Of this number, seven were killed simply because they fulfilled their functions by reporting such news as corruption and illicit logging. Five more were threatened and seriously wounded because their reports were damaging to local influential people. In Kamphaeng Phet Province last year, three reporters were assassinated

one after another in a short period of time, because they denounced illicit logging and local officials' misdeeds. The wife of one of them got killed at the same time.

Furthermore, on September 29, 1983, the Police Director, in his capacity as the Press Officer, empowered by the National Administrative Reform Group's Order No. 42, closed down the Thai Language weekly Thailand on the grounds that it had reported false news about the internal affairs of the Army.



#### VI. The misuse of power by government officials

Government officials misuse of power was evident in various forms - assassinations, threats which seriously impaired the morale of the people, especially in the rural areas. Throughout 1983, even if there were only a few instances of the Rangers' misdeeds, they were sensational. The most reported case is the one in which the Rangers carried out the "Surasit Operation" plan by storming two illegal sawmills in Prachubkirkham Province, south Thailand. About ten gunmen on guard

were killed, and the samllis burned down. The Rangers' brutal acts were reported in four more cases affecting 11 people, of whom three were killed. Two more persons were also assassinated, reportedly by the Volunteer Unit forces.

Police misdeeds were also numerous. Colonel Lord Pheungphak, attached to the Secretariat of the Ministry of the Interior, reported to the press that in 1982 most of the petitions to his Ministry concerned police misdeeds. That is 489 out of 1,136 petitions. According to the statistics compiled by CGRS, there were during 1981-1983 more than 80 reported cases of misuse of power by the police, such as assassination, threats, physical assaults, and beatings of the accused to extort confessions. The breakdown is as follows: there were 19 of such cases in 1981, 30 in 1982, and 34 in 1983.

# VII. Those imprisoned by the Prime Minister's special orders and those awaiting deportation

CGRS is pleased to report that the second group of 20 Chinese and Vietnamese, who had been detained in waiting for their deportation at the Bangkok Provincial Detention Centre in Bangkok, were finally released on Nov. 26, 1983. The first group of 186 persons were released in December 1980, following a joint campaign launched by CGRS and several Chinese charity organizations in Thailand.

There remain 27 prisoners awaiting deportation at the present time. These prisoners are aliens who committed minor offenses such as profiting off, illegal immigration, or unauthorized leave from their concentra-

tion areas (especially the Vietnamese). The Thai authorities have been unable to deport them to their motherland since the latter's authorities have not yet decided to accept them.

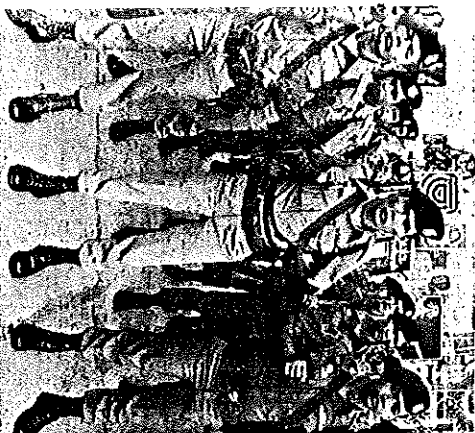
In the meantime, 49 people convicted of threatening national security and of illegal drug-trafficking, by the special orders of successive Prime Ministers empowered by Articles 21, 27 and 200 of the respective Constitutions of 1976, 1977 and 1978, appealed again to the Prime Minister last year either for amnesty or for re-examination of their cases, but to no avail. Their appeal was motivated by the fact that their cases had not been examined through normal process of law, and that their punishment was heavier than that under the law

existing at the time of their crimes. On the occasion of Rattakosin Bicentennial in 1982, whereas prisoners in other categories either were amnestied or had their sentence commuted in one way or another, those in this category did not benefit from any special measures in their favor.

In 1983, 45 convicts in 24 different cases were sentenced to death. Of this number only 17, in seven cases, had their sentence commuted to imprisonment.

The above-reported human rights situation concerns mainly the state of political right in Thailand. The general picture shows a need for reforms if human rights are to be better protected. Injust laws must be abolished or replaced, misdeeds of government officials brought to an end or minimized. The right to appeal should be granted to those detainees tried by the Military Court. Special measures should be envisaged to eliminate government officials' threats against defenseless people and to win the confidence of communist returnees. The returnees must not be tried by the Criminal Court, assassinated or threatened by the authorities, and must be allowed to earn a decent living. Special measures must also be taken to improve working conditions of some groups of the population, especially of the over one million child laborers who remain inhumanly exploited and unprotected from work accidents. Lastly, we must protect a large number of young prostitutes from ill-treatment or from a tragic fate, as has befallen those burned alive in Phuket Province.

## Malpractice of the Police



The Thai Criminal Code mentions 16 rights of an accused person. (1)

Among them the articles 134, 135 are the most important i.e. the right to be willing or not willing to give his testimony to interrogators and the right not to let interrogators use any means, either manipulations, or threats, or promises, to force him to give a testimony on any matter.

In point of fact, these rights are in most cases violated as they are not known to the accused or as the latter are unable to protect them. Mostly there are no arrest warrants, no visits and bail granted, or no proper medical treatment of the accused. The police officers tend to abuse their authorities, and threaten and beat the accused to force them to confess their



crimes during their interrogation. In 1981, there was reportedly a case in which seven accused people were shot dead and burned. There is a loophole in one provision authorizing interrogators to do almost what they like. Article 2 of the Criminal Law Procedures stipulates that "an interrogation means collecting evidence or operating under this Law, with a view to knowing facts, or proving offences and identifying culprits for further legal pursuit of the matters." However, this Law does not contain any other provisions to determine criteria of interrogation or a basis on which it should be conducted, thus having no guarantee that interrogators will not be tempted to use a "short cut" in collecting evidence. This often leads to police beatings of the accused, which is considered as an effective means to force them to confess their crimes. A human rights defense lawyer in the northeastern province of Khon Kaen stated that these beatings are normal during interrogation and those involved could even be identified. In some cases the interrogators have taken an accused person to a solitary place and later made a report that he had escaped; it turns out that the corpse is discovered in a forest the following day.

Even though there have rarely been reports about the beatings of political detainees as the number of those charged with political offences has decreased (-these detainees were often "killed" or simply "disappeared" on independent investigation by CGRS shows that there appear to be such cases of beatings). For example, in 1982, there was a complaint by the people in the northeastern province of Sakonnakorn that a district chief officer had forced a communist suspect to confess his crimes by burying him in the ground up to his neck. Furthermore, interrogations were mostly coupled with psychological threats. For instance, some interrogations were conducted in the night time and lasted many hours on end.

There reportedly were frequent beatings in criminal cases. If it was known to the public, it is because relatives of those beaten had appealed for justice. In some cases relatives and villagers were even assembled in protest at the district office or at the provincial hall.

The beatings of male detainees mostly took the forms of kicking, punches, the detainees being handcuffed. Sometimes, they were hit with a hard staff, for instance, with a gun handle. There were some cases in which police tortured them by burning their sex organs. In some cases, police alleged that the accused committed suicide, for example, by hanging themselves to avoid their eventual punishment. It also appeared that police often beat the innocent people. Some are even shot at the spot and burned so that the evidence would be destroyed.

The data collected on beatings and misuse of authority by police and other officers, during 1981-1983, show that the accused were beaten in cases of theft, refusal to stop for a car check, raps, gambling, public row. Some were beaten because of personal conflicts. There were only few cases of beatings of those charged with serious crimes. Many of these accused people were seriously beaten, some died only one day afterwards mostly because of serious injuries to the soft internal organs such as intestines, liver, spleen, urinary bladder -which were so much affected that in some cases they could no longer function normally. For instance, Mr. Saeng Chaisri was beaten until his liver and intestines burst out, and Mr. Vichai Mongsechusaph until his liver was torn and died of clogged blood. Some were killed after being beaten.

Aside from beatings, police reportedly threatened, wounded and killed many people charged with extortion of protection fees, robbery, drunkenness and causing a public row.

The statistics compiled by CGRS gives the following breakdown:

- 1981: - 6 cases of beatings, 8 persons involved, 3 deaths;
- 8 killings and serious crimes;
- 19 persons involved, 12 deaths;
- and
- 5 cases of threats and wounds;
- 7 persons involved.
- 1982: - 11 cases of beatings, 12 persons involved, 2 deaths;
- 8 killings and serious crimes,
- 12 persons involved, 10 deaths;
- and
- 11 threats and wounds,
- 15 persons involved.
- 1983: - 12 beatings, 12 persons involved, 3 deaths;
- 14 killings and serious crimes,
- 16 persons involved, 5 deaths;
- and
- 3 threats, 12 persons involved.

These figures were collected from press clippings for the Bangkok region alone. Taking into account a number of unreported cases in the country side, the number of cases and affected persons should have been higher. (The cases of misuse of power of the police of 1984 were reported in Human Rights Situation.) Some exemplary cases should be noted here.

#### The case of Mr. Saeng Chaisri

Mr. Saeng Chaisri (24 years), son of a duck merchant in the city district of the northeastern province of Khonkaen, was arrested on charge of robbery at about 9.00 p.m. on November 12, 1982, and was badly beaten after being handcuffed, at the entrance of his village. Later, he was detained at the police station, was forbidden to receive visits and to be granted a bail. Next day in the afternoon, his relatives appealed to the police for his medical treatment as his face was all swollen and his conditions serious. He was sent to the hospital in the evening of the same day. The doctor stated that his intestines were torn and his liver badly affected, and that

the patient needed an urgent operation. The latter stayed at the hospital for one month and a half. His relatives later appealed to the Police Director that the police had overacted in this case since Mr. Saeng was not criminal and was unjustly put on trial on a double charge of robbery and resistance to the operations of police officers. (See Annex I.)

#### The case of Mr. Vichai Mongsechusaph

Mr. Vichai Mongsechusaph (25 years) electrician, was arrested at about 9.00 p.m. on July 14, 1983, at the workers' dormitory of a textile factory via Rajburana District, Bangkok. He was charged with illegal possession of drugs. An eyewitness, Mr. Chaiti See Ngo, reported that after his arrest, two policemen kicked and punched Mr. Vichai who was also hit on the head and his right flank with a hard staff believed to be a big-size electric torch, and was taken to the Rajkhalo police station. Next day in the afternoon, Mr. Vichai was still found losing consciousness and his mouth was full of saliva. He was taken to the hospital and died five minutes after. His autopsy revealed that his chest was clogged with blood, the rear parts of both of his lungs were badly affected and his liver was split at five places. The doctor diagnosed that he died of clogged blood.

Mr. Vichai's sister affirmed that her brother had been addicted to drug two years ago and had recovered since then. He had become an electrician and used to work for Mr. Chaiti.

Following a petition to the authorities, an investigative committee was set up to enquire into the matter and ruled that the policemen involved did not "intentionally kill" Mr. Vichai. The latter's relatives will also pursue the case in the Civil Court.

Annex I

Sihan Village, Naimung  
Sub-District, City District,  
Khonkaen Province

March 18, 1983

The Honourable Director of the Police Department,

Subject: Justice for a man beaten by police

I, undersigned, 24 years old, residing at Number 47 of the above-written address, was unjustly seriously injured by some policemen. I would like to submit an account of my story as follows:

On November 12, 1982, at about 9 p.m., I was on my motorcycle on my way back from the City District market where I went to collect money from my clients. When I arrived at the cross-section of Mitrphab Road and Malivan Road, I met two co-villagers who asked for a lift. We headed back home along Mitrphab Road, the two villagers sitting on the back of my motorcycle. All of a sudden, one of them asked me to speed up as they were being chased by police. I had known nothing about all that and stopped in fear at the beginning of the road leading to the Sihan Village to let them get off. When the motorcycle was about to stop, the two jumped off and pushed me forward so hard that the motorcycle turned upside down. The two men had filed when a man on another motorcycle came to me and presented himself as policeman while firing a shot into the air. He charged me with robbery and hand-cuffed me. When I refused to let him search me, he kicked and punched me down to the ground. At that moment, a patrol police car no 44 arrived at the scene. Eight policemen altogether got out of the car, hit me and took me to the City District Police Station, where they put me in a room and asked me to confess my uncommitted crime. When I refused, I was beaten into losing my consciousness many times. Next day in the afternoon I regained my consciousness and saw my parents and many of my co-villagers, who asked to send me to the hospital because I had been seriously injured. The permission was granted. I was sent to the Khonkaen Provincial Hospital at 8 p.m. of that day. November 13, 1982. I learned later that the first policeman who beat me is Pol. Sgt. Sdangdel Klinchu.

I have bruises all over my body. The doctor said that my liver and spleen had burst out, my intestines had been broken, I underwent an intestinal operation. The medical documents are enclosed herewith.

My appeal to His Excellency the Minister of Interior for justice was published by the press (and attached), but to no avail. I thus beg to appeal directly to you for your action as you deem appropriate.

Yours most respectfully,

Swaeng Chaisri

(Mr. Swaeng Chaisri)

Some Cases of Misuse of Power of the Police

I Beatings

27 May 1981

Mr. Rewat Phangchan (15) was arrested on a charge of theft and brought to the City District police station in Mahasarakham province and was tortured to death in custody.

26 June 1981

Mr. Phuan Yoo-sena (26), a worker of Sanyo Company in Bang Nai, Bangkok was invited for questioning by police at the Bang Na police station concerning the case of the motorcycle of his neighbour which was lost. In the evening his relatives were told of his death by the police.

October 1981

Mr. Sang Boonhuwari (27), a driver in Kumpharapoe district, Udonthani province was arrested on a charge of murder and was tortured to confess by the burning of his testicles by lighted cigarettes.

28 March 1982

Mr. Samrong Roeejane-Phasophon (24), a tobacco plantation worker in Loi-Sak district, Petchaboon province was tortured to confess to a charge of theft, by the burning of his testicles by lighted candles, while in the custody of the district police station.

3 April 1982

Mr. Yeang Uthamat (22), a ranger living in Na-Kae district, Nakhon Phanom province was arrested on April 3 on the charge of fleeing military service, and was found dead in the custody of Na-Kae district police on April 8. His father believed he was tortured to death by

2 police, but the police reported that he hanged himself.

5 May 1982

Mr. Boonchai Ek-Chai (25) was tortured at the market of Phan Thong district, Chonburi province after being arrested on a charge of receiving a stolen motorcycle. He died later in the custody of Phan Thong district police. The police claimed that he hanged himself. But his sister believed that he was beaten to death because his body was bruised and his face was swollen.

23 June 1982

Mr. Wisanu Seu-Chaem (17), a student of Thai Suraya Technical College, Nakhon Sawan, was arrested together with his 2 brothers and a friend on charges of raping and killing. He was tortured by 5 police to confess to the charges.

23 July 1983

Mr. Po-Leng Sae Ho was arrested on a charge of being drunk and quarrelling with his wife. He was tortured until his intestines burst out, while in the custody of Wang Nam Yen district police station, Prachinburi province.

2 September 1983

Mr. Preeha Wangnoo (40), head of teachers at Baan Huay Sai Khao in Tha-Sao district, Chumphon province was arrested and sent to district police station, following a brawl with a policeman. He was later found dead in custody the night after his arrest. His relatives believed that he was beaten to death.

October 1983

Mr. Pimool Boonlab (30) who was arrested on a charge of robbery in the City district, Rayong province, was beaten and tortured on his testicles while being questioned at the City police station.

II. Threatening and Wounding

October 1981

Mr. Somphong Jamsat (19), a farmer in Kamphaengsaen district, Nakhon Phanom province was beaten by a patrol policeman of Kamphaengsaen police station until he lost consciousness. The policeman accused him of possessing guns and bombs, but he said he was too poor to afford such weapons. Due to his poverty, he could not afford to be properly treated at hospital. This left him unable to walk, even 3 months after the event and his mother decided to bring him to ask for justice from high ranking police of the province.

2 January 1982

A drunken policeman of the Special Branch of the Police Department beat 3 men on their faces, namely Mr. Praphin Charoengyod, 21, Mr. Som Boonpraserit, 28, Mr. Nit Kiampraserit, 28, with his gun while they were attending an open air theatre in a temple of Sam Phran district Nakhon Phanom province.

22 February 1983

Mr. Surin Kamlangphaet (42), a plantation owner of Ban It sub-district City district, Angkhor province was threatened by 3 policemen who charged him with possessing an illegal car and asked for Baht 50,000 in exchange for his freedom despite the fact that his car was legally purchased. However, he was brave enough to call the local police to arrest them while they went back to get the money.

12 March 1983

Mr. Somchai Neumachan (24), a driver in Ban Sang district, Prachinburi province, was arrested and handcuffed without charges by 4 drunken policemen and beaten until he lost consciousness and was later brought to be detained. He was, however, released.

26 June 1983

Mr. Nivat Lovatanatrakul, 21, a reporter of Sri Raja district, Chonburi province, was beaten by 3 police-

men, who also shot at him, but missed. The police reportedly said that they didn't like Nivat.

### III Murders

4 February 1981

The head of the Chababan police station, Lopburi province with 10 policemen shot dead Mr. Nam Prachumkam, a merchant and 6 others and burned them. The murdered were charged with robbery. The policemen were later sued for murder by the relatives of the victims.

31 March 1981

Mr. Charoen Triporndatsak (47), a merchant, was shot dead by a police man after he refused to give the policeman money in exchange for freely enjoying gambling at a funeral.

11-12 September 1981

Mr. Amphorn Sunthornwiphat, (25) and Mr. Chat Praphan, villagers of Nong Pradu sub-district, Lankuan district, Kamnanaburi province were arrested and later dragged from custody to be shot.

9 December 1981

Mr. Sa-ad Kiatphaw, a farmer of Huay Nam Hom Village, Lard Yao district, Nakhon Sawan province, was shot dead in his village after a group of patrol policemen searched the village and accused the villagers of being communist sympathizers. His corpse was later burned. They also robbed several villagers of their money and valuables. It was reported that the incident was masterminded by a local influential man who wanted the villagers' land and would like to evict them.

10 February 1982

Mr. Decho Daemtriam (19) and Mr. Pratueng Chalayod (60) were beaten and shot dead by 5 policemen of Thanaika police station after they failed to stop the car at Ban Kao Chong check

point, Thanaika district, Kanchanaburi province, since Mr. Decho was afraid of being arrested on the charge of not possessing a car license.

4 April 1982

Mr. Sunthorn Charoensuk, 38, an owner of a prostitution house in Cha choengsu province was shot dead by police of the City district police station, Chachoengsao province. He was an important witness in a case against police of the station charged with threatening and asking for money from owners of brothels.

30 April 1982

Mr. Channan Onklau, 25, of Ban Nern Feuy, Phrayakhet district, Nakhon Sawan province, was shot dead by police of the district police station. The police put a gun in one of his hands and left a motorcycle on the spot of the incident and reported that the victim struggled with the police.

14 August 1982

Mr. Surin Nitchan, 24, and Mr. Ud Rak-sapham, 23, at about 8.30 p.m. were beaten and shot dead while riding on a motorcycle on their way back home from the rubber plantation, following a brawl with policemen of Thanaika police station, Surat Thani province. The two had yelled at the police who shone a torch in their faces.

1 May 1983

At about 10 p.m. Mr. Boonchan Porntan, 35, a villager of Ban Nong Swan, Tha Kok Daeng sub district Saka district, Nong Khai was arrested without charges and forced to leave his house and follow a policeman and a Village Defense Volunteer to the woods nearby. He was found dead the following morning in the woods.

3 April 1983

Mr. Swan Sumanthong, 33, a farmer of Silla Thip sub-district, Chababan district, Lopburi province was shot

dead by a policeman who came to visit and drink with him. The policeman asked for some meat when he was going back home but was refused and came back to shoot Swan.

(1) Defendants' rights. Documents by Lawyer Charn Kaewchusai, from the seminar "People and the Justice Process" organized by the Lawyers Association of Thailand on November 13, 1982

(2) The case of Mr. Mangkorn Seen-Ngarm Seung, who was arrested with his 7 relatives in the evening of April 25, 1980 on the highway to Ban Hua Na Kham, Nong Bua Daeng district, Chaiyaphum province on his way back home from the celebration of his sister's marriage in another village. He was not informed of any charge at first, but was brought to be detained in a temple nearby. However, after midnight he was brought to be questioned and was beaten and forced to sign on a piece of paper. In the morning his face was swollen and his right jaw broken. He was charged with illegally possessing firearms and murdering a village defence volunteer on April 11, 1980 despite the fact that at the time he was witnessed to be helping build a village dam with other neighbours.

(3) A complaint of Mr. Sud Sitmonet to Sakon Nakhon MPs. on July 7, 1982. In October 1981, he was arrested on charges of possessing firearms and being a communist sympathizer and was buried up to his neck in a hole which he himself had dug. Mr. Nophin Mingulir and Dr. Chaiyern Ratanaulian also complained that their brothers disappeared after being brought to be questioned by government officials of Sakon Nakhon province.

In another case 5 men of Baan Nong Nong Hai Village, Kasetsombon district, Chaiyaphum province, Northeast of Thailand were allegedly killed by a group of 40 soldiers while they and other six villagers

who managed to escape death were fleeing in a reserve forest in Phu Khiew on March 21, 1983. According to Mr. Liam Lekachoke, head of Ban Nong Nong Hat Village, relatives of

the deceased were stopped by the military who opened fire into the sky when they walked from their village to Phu Khiew with an intention to retrieve the five corpses.

## Five Prostitutes Burned Alive in Phuket

On January 30, 1984, about noon-time, a fire broke out at a brothel burned by Mr. Leng or Kolang Thien-ngam, on Bangkok Road, in the City District of the southern Province of Phuket. Five young girls by the names of Chakorn Siripha, Khak, Rat, Dao and Phot (the surnames of the last four were not given) - who had been detained for prostitution, were burned alive, and ten more injured. The fire spread to 14 more brothels and a member of houses nearby. Some eye-witnesses reported having seen chains in the area of these burned brothels. OCNS, the Friends of Women Group and the North Solidarity Club (Chomran Chao-nu Sornhan) investigated the incident in Phuket and exchanged facts and views with members of the Cultural and Social Commission of the House of Representatives, also dispatched to enquire into the tragedy on the spot. Information obtained from all sources available presents the following picture.

### Prostitution in Phuket

Prostitution is a booming business in the southern Province of Phuket, the biggest island in Thailand on the Andaman coast. The island is known for its abundance of natural resources such as coconuts, rubber, tin, and also known as one of the most beautiful tourist sites in the Kingdom. Prostitution has developed into a lucrative business since the government first pursued a policy to promote Phuket as the Tourist Centre for the South. Therefore it is not astonishing to learn that there are almost one hundred entertainment clubs with sex-wise girls. Brothels alone number 36.

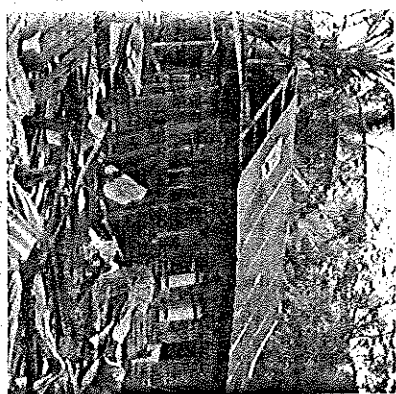
According to a survey conducted by the provincial health bureau, there are altogether 913 service girls at different entertainment clubs in the province. This figure is believed to be well below the real figure since a number of entertainment clubs were not covered by the survey.

Prostitution is a big business. It is reported, for example, that some local influential people loan out bank credits to some brothel owners, who mostly have no difficulty in reimbursing these loans in a short period of time. Some figures in the chain of this business are noteworthy: customers pay each time 70-150 baht (23 baht = 1 US dollar) for the service provided; each prostitute entertains on average 5-10 customers per night, gets for each service rendered 10 baht and will not be given more than 50 baht per week to prevent her from accepting; policemen involved get a protection fee of 50 baht per prostitute per night; and the brothel owner gets the rest, which he spends on constructing rooms, on recruiting prostitutes into his brothel, on some amount for the parents, on a commission for prostitute - recruiters and pimps, and on providing other services for his prostitutes such as medicine and food.

Although prostitution is illegal (under the Prostitution Prevention Law), it is practiced openly. It is reportedly enjoys, among other things, protection from the local police. The brothel owners, in exchange, will pay a handsome sum of money to high ranking police officers who will use it to

entertain their "bosses" from Bangkok and elsewhere when they are in Phuket. As is mentioned above, this sum is based on a protection fee of 50 baht per prostitute per night. It is partly explained why brothel owners can ill-treat their prostitutes as freely as they like.

The connection with the local police is so effective that brothel owners will be informed beforehand about any eventual police raids and, therefore, will remove for a while their prostitutes or will leave behind some "low quality" prostitutes to face the police. If by chance they are caught unaware, they could be bailed out when needed. In July 1982, there was one striking case in which the court asked a young girl who had been forced to prostitution, to so confess in the presence of the local police officers who had refused to take down her testimony. The court finally ruled that the girl be sent to the Pakkret Occupational Training Centre in Bangkok. She was thus saved from any further prostitution. In most cases, prostitutes will be released on bail by public prosecutors or the police and only a few of them will be put on trial. The Chief Judge of Phuket Province stated, for example, that during October 1982-September 1983, out of over 200 prostitutes arrested only seven were tried in the court. In general, the police will allegedly weaken the cases in such a way that no evidence can be produced-the arrested women will be charged not with prostitution, but with "illegal gathering in a brothel"-and that, consequently, no one will be put on trial. If a prostitute forfeits her bail, the court may issue an arrest warrant against that prostitute. The police reportedly will, however, not arrest the person against whom the warrant is out, and will in some cases go so far as to change the name of the prostitutes who are re-arrested. The brothel owners will in most cases deliberately let their prostitutes forfeit their bail to prevent them from being sent to the Occupa-



tional Training Centre in Bangkok, and will prefer to send them for prostitution elsewhere. By these means many young girls will never enjoy any protection from outside and continue to be forced to prostitution.

Even though in some cases some brothel owners are tried and convicted, only slight punishments will be inflicted on them. The police will mostly enforce, not the Penal Code which provides for severe punishments, but the Prostitution Prevention Law under which, for instance, a prostitute-recruiter will be sentenced at the most to a three-month imprisonment or fined 3,000 baht or both, and a brothel owner or supervisor will be sentenced to a maximum one-year imprisonment or fined only 4,000 baht.

Mr. Kolang, owner of the brothel where the fire broke out, had been arrested twice in November last year. Following his first arrest, his case was dropped by the police and never reached the court. In the second case, he was sentenced to a six-month term but had forfeited his bail and the police did not care to re-arrest him. He had been well-known to the police as a broker who constantly bailed out his prostitutes and collected protection fees for the police.

### The day of the tragedy

At noontime of the day of the incident, a gas tank exploded in Mr. Leng's brothel where some people were cooking. A fire broke out and spread to a surrounding row of wooden houses or shop-houses. An investigation on the spot showed that both the front and the rear walls of the brothel were almost blank with only some ventilation openings on the upper part of the walls. The front iron gate was permanently closed and, at some parts, locked. The front doors of the wooden houses had also been sealed up, simply to make believe that these brothels had been closed down following a police round-up. In fact, they remained open since customers went in through the rear entrance. Young girls were detained day in and day out in these dimly-lit brothels. One escapee from Mr. Koleng's brothel stated that most of the girls were asleep at the time of the incident. When one girl saw the fire, she shouted for help and asked the supervisor to unlock the door, but to no avail. The girls were ordered to stay still until the fire was raging and filled the room with smoke. They could not, however, leave the room since its front and rear exits were sealed up by double iron doors. They thus broke open the glass wall used as their show window and escaped. The heat was such that their clothes caught fire, and some girls took them off and ran out of the brothel almost naked. As for the five prostitutes who perished in the fire, three of them had first tried to get up at the call of their friends, but fell asleep again. Some eyewitnesses reported that these girls had been forced to take sleeping pills, thus could not wake up and lost their senses when they were suffocated by the smoke. The other two girls ran off to the front exit, but could not break open the iron doors and started shouting for help but in vain. The brothel was soon fully ablaze, the roof fell down upon them. All the five were trapped and burned to death.

### The life in the brothel

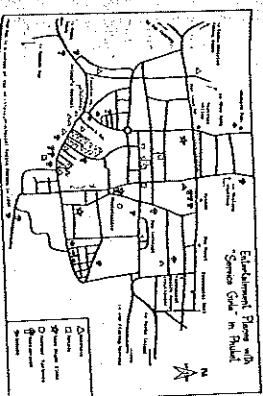
The narrator of the following story is a young girl whose parents were separated. Four or five months ago, she was still a Grade 6 student of the Udonrath Provincial Secondary School, and was staying at a dormitory in the city district of Udonrath Province, northeast Thailand, when she was lured by a man called Don to go to Phuket. She was drugged and, as a result, half asleep all the way, and finally forced to prostitution at Mr. Koleng's brothel. Women were often severely beaten either by a pimp named Mr. Niphol Thongdee or by Mr. Koleng himself. Nobody put up any resistance and they were detained day in and day out within the brothel to prevent their escape. The prostitutes were not given any writing materials lest they should write to their parents for help. At times some customers helped transmit their messages, as in the case of Miss Phot, one of the five young girls who were burned alive, but her parents did not come in time. They were ordered to keep silent in their room, any strange sound would prompt the pimps to hurry in and check if any of them was trying to escape.

The brothel provided two meals a day: a breakfast before they went to bed, and a dinner after they woke up. They mostly went to bed without breakfast because of sleepiness. When they were ill they had to do without proper treatment or took cheap medicine, and continued to cater to customers. Otherwise they would be beaten or forced to take a kind of medicine which was so bitter that they threw up till they were exhausted. If they were seriously ill or suffered from venereal diseases, the brothel owner would merely buy medicine for them and never send for a doctor. One brothel owner in the area put a big group of prostitutes affected by venereal diseases in a truck, as they do to a herd of cattle, and sent them for infection at the provincial health office.

The girl further stated that sometimes she stayed in service from 6 P.M. to 6 A.M. and slept uninterrupted with ten or more customers of any sort, whether they were untidy, stinking, or drunk. She would be beaten if she refused to sleep with any customer. Brothels on the Bangkok road in the city district of Phuket are visited by mine workers and fishermen. If any prostitute became pregnant, an abortionist would be sent for. Two or three days after the abortion, the prostitute would be forced to resume her service. In case of serious diseases, many women were taken to and abandoned in the hospital. If they survived, they would be forced back to prostitution. If they died, the hospital could not contact their parents since it had not been given any address for any urgent correspondence except that their friends from the same village would do so.

### The story of Phot

The mother of Miss Phot, one of the girls who perished in the fire, said weepingly that she had been informed of her daughter's death by one of the survivors. She stated that two months ago Mr. Koleng and friends went to her village in Jomthong District, Chumphon Province, and told the villagers that they were looking for a number of young girls for a special, unspecified, kind of work in Phuket. They very credulously let their daughters go with the visitors since there



ters go with the visitors since there was a native of Chumphon accompanying them. Mr. Koleng gave her and the other two or three girls' parents an advance sum of 6,000 baht. Shortly after that she got a letter from her daughter saying that she had no more future whatsoever, since she had been beaten and forced by Mr. Koleng to prostitute herself. The only way out was to redeem her with a refund of 6,000 baht to Mr. Koleng. The mother had used up the money and had not found the sum when her daughter was burned alive in Phuket.

### Other cases

Among the young girls wounded by the fire was Miss Hongyok Manisang, 15 years old, a native of the northeastern province of Loei. She had been lured to prostitution for a short period of time in the city district of another northeastern province of Udonrath, from where she was sold out to Mr. Koleng at the price of 8,000 baht. In exchange for this, she had to work, or so she was told, to obtain 20,000 baht to redeem herself. She had been informed that she would get 10 baht for one customer entertained, but had been in Mr. Koleng's brothel for four days without having got any sum of money before the tragedy took place.

Dr. Yupa Udomsak, President of the Cultural and Social Commission of the House of Representatives, interviewed a former prostitute from Mr. Koleng's brothel who had been arrested together with Mr. Koleng in November last year, following a police raid in retaliation against the pimp's refusal to let some policemen entertain themselves free of charge. The girl was later ordered by the provincial court of Phuket to be sent for occupational training at the Ban Pakkard Welfare Centre in Nonthaburi Province near Bangkok. She told Dr. Yupa that she had been forced at gunpoint by one of Mr. Koleng's men to prostitute herself, or they would bury her body in a concrete



tube in the backyard. Another girl told Dr. Yupa that she had been at time beaten until she fainted, for the simple fact that she had talked too long with a customer or because she had been found with a pen in her room without any specific reason - the pimp fearing most probably she would write to her parents). The third girl said that once she refused to have an abortion and was about to give birth to a child, Mr. Koleng did not allow her to go to the hospital but instead sent for a midwife. She said very pathetically that she did not even see the child when he was born and immediately taken away from the brothel. She merely learned later that the child had been sold to somebody else.

#### The case of Pol. Sgt. Prasert

A police sergeant called Prasert, whose surname is unknown, attached to the Crime Suppression Bureau in Bangkok, had been asked by Mr. Meun Pokut - who had been informed by a well-wisher that his daughter was detained as a prostitute in Mr. Koleng's brothel - to intervene to get her released. Messrs. Prasert, Meun and Kob Rakhub (the well-wisher), together with one reporter of a Bangkok-based newspaper, subsequently contacted Mr. Koleng who promised to release the girl and pay them 2,000 baht each. After having paid the sum, he went straight to report to the local police station that Mr. Prasert and friends had blackmailed him. The former were arrested and put on trial. The Supreme Court finally convicted Mr. Prasert and the reporter of blackmail and sentenced them to a two-year imprisonment each; the other two defendants, Messrs. Meun and Kob were released. Mr. Prasert and the reporter remain in detention at the Phuket Provincial Detention Centre until this day.

#### The government officials' reaction and the women's groups' recommendations

Immediately after the tragedy, the police arrested Mrs. Mae Thengnam and Mr. Wiphol Thongdee - respectively Mr. Koleng's wife and right-arm

man, the pimp. Other adjacent brothel owners together with their prostitutes had fled to the neighbouring province. An arrest warrant was issued against Mr. Koleng only. The latter surrendered himself on February 3, this year.

In the wake of this sensational incident many high-ranking officials were dispatched to the scene and later issued their respective statements. Some officials tried to defend themselves and their subordinates. In a move to defuse the tense situation created by the tragedy, three high-ranking police officers attached to the city district police station were transferred elsewhere. One of them was the police station chief, who had been absent from Phuket and was having lunch with friends at a commercial centre in Bangkok at the time of the incident. Furthermore, there ensued a series of police raids on different brothels, the owners of which, as earlier mentioned had mostly fled with their prostitutes to other provinces.

On February 11, this year many women's groups jointly organized a panel discussion at Thammasat University in Bangkok, at the end of which they recommended the government pursue the Phuket matter most seriously and, in conjunction with other organizations, look for ways and means to resolve the problem of prostitution, as well as overcome the attitudinal barrier, that is, not to treat prostitutes as "second class citizens" any more.

One question arises from this tragedy: had there not been any young girls perishing in the fire, would the whole incident - like many others have been thrown into oblivion? Would everybody concerned have continued to lead his peaceful life, ignoring entirely whether the fate of other similarly suffering prostitutes would constitute a cause for concern to the government?

## Report on

# Eviction of Nakhonsawan Villagers

Although much effort has been given by the villagers and human rights groups to appeal the eviction case to the government agencies concerned, and to inform the public, through the mass media, little progress has been made. It appears that the villagers will not be given any other choice than to leave their lands and settle in the areas provided for them. Besides, the villagers not only faced threats from government officials, but also psychological intimidation from the military.

On December 9, 1983 nine representatives of the nine sub-districts of Nakhon Sawan province led by Mrs. Kree Sorada went to air their grievances and handed a petition to the Senate Special Committee studying "dark influences and obsolete laws" which create unfairness in society, requesting the abrogation of the decree on the military "reserved" lands of Nakhon Sawan.

In mid December representatives of the villagers and human rights groups visited several political parties and newspapers to appeal the case. They were later informed by a political party that the Committee on Military Affairs of the House of Representatives was going to take up the case. Later on January 16, 2 representatives handed another petition to the Office of the Under-Secretary to the Prime Minister Office, following the suggestion of the Senate Special Committee 3 days before. They were given a positive

response, and told that the office would study the facts and act as a middleman for the villagers. Dr. Pabun Phumprast went to discuss with the provincial officials and visited the areas on February 6, 1984.

On February 23, a team of 7 MPs representing the Committee on Military Affairs of the House of Representatives went fact finding and visited the areas concerned and listened to the complaints of the villagers.

Despite all this activity the villagers still faced some threats from local government officials and psychological intimidation from the military. Before January 14, the day CGRS and the students went to offer money and necessities to the monks in a village temple for a Buddhist ceremony, the district chief and the head of the City district police station had threatened heads of sub-districts and villagers not to organize discussions on the land problem or else they would be arrested. They were also told not to co-operate with outsiders who came to gather information since they could not help the villagers and would create disorders. And on the day of the ceremony, in the morning police were sent to meet the leaders of the villagers and asked them not to create any movement or gathering to express their ideas about their rights to the lands. The military and the provincial officials also came to make an offering for the monks without first informing the village organizers. Thus fear spread among the villagers, so that most of them did not dare show up and participate in the ceremony. Apart from this, Mrs. Kree and other representatives were accused of being communist sympathizers.

Psychological actions of the military were also conducted in the form of musical entertainment and discussions with some groups of villagers. They tried to confirm that the lands with title deeds would not be taken.

However, on March 22, the Third Army called for a meeting among 5



# Human Rights Movement in Thailand

## Seminar on "Human Rights Problems in ASEAN"

On March 3, 1984, the Regional Council on Human Rights in Asia (Thai section) organized a seminar on "Human Rights Problems in ASEAN" at Thammasat University. The seminar, attended by 30 people involved in human rights, i.e., prosecutors, lawyers, lecturers, and human rights activists, presented summary reports on the human rights situation in ASEAN countries and cited examples of violations, e.g., a large number of political prisoners in the Philippines, special power authorized by the National Security Act in Malaysia, the "Death Squads" in Indonesia. Focusing on Thailand, the president of the Thai section, Thongchai Thongsoo, the well-known human rights lawyer - presented his report on 57 political prisoners. (See some of the details in Political Cases, HRTR Vol. 6 No. 3 and Human Rights Situation 1983 and News from Thailand in this issue.) He also discussed the 49 prisoners summarily sentenced by special orders of the Prime Minister of the interim Constitutions 1976, 1977 and 1978 and the 27 prisoners waiting for deportation. He said the government's claim of no political prisoners was untrue. Several people held for political offences were dealt with on criminal



Seminar on Slum Problems

In January a group of squatters from six Bangkok slums held a five-day seminar to discuss the problem of eviction. The seminar, "The Right to Stay in the City: The Poor, the Land and the Law", was organized by the Building Together Association, a non-government self-help housing agency. After four days of discussion, the squatter leaders presented their recommendations. In a meeting with representatives of the National Housing Authority, their proposals included:

- legal aid for squatters, either from the Public Prosecution Department, the Lawyers Association of Thailand or other private agencies;
- government recognition of popularly elected squatter organizations;
- legislation to guarantee squatters their basic rights;
- more coordinated aid from private volunteer groups, and more support for the squatters' own efforts at organization and self-help.

To date, only five slum communities have successfully fought eviction threats and won the right to their land. Another 84 slum pockets are currently threatened with eviction by public or private owners.

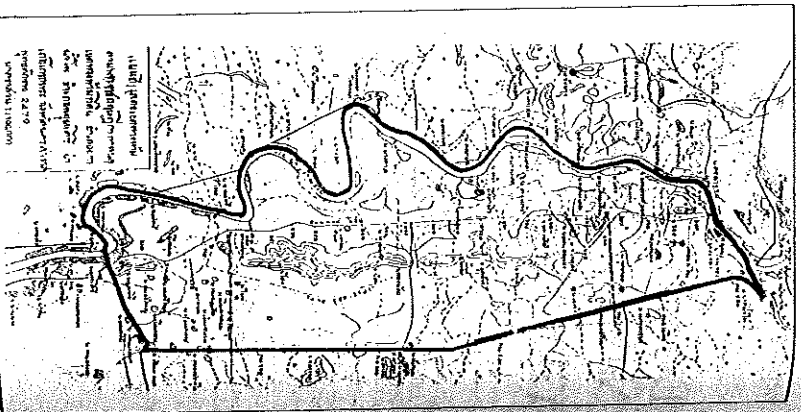


military and government divisions concerned, namely the military (the representative of the Commander-in-Chief, the Third Army Secretary, the Commander of the 4th Precinct Army), the provincial representative (the Governor of Nakhon Sawan), representative of the Office of the Under-Secretary to the Prime Minister Office, a representative of the Land Department and the representative of the Royal Properties Section of the Treasury Department (all governmental lands, according to the law issued in 1975, are owned by this section but may be leased by the Section to the government agencies concerned) and announced for drilling exercise.

At present a large part of the land, most of the eastern part of the road from Khao Khiew to Bang Prab Camp and some part of the western side (this area is indicated in the map with dashes) is urgently wanted for common bombing exercises and permanent battle field exercises in which the soldiers can be trained for real battle in every season. They cited that it would be much more economical to use these areas because the army has no budget for moving troops for exercise and this area also enable the soldier to go back and forth within a day.

The so-called "intruders" would be allowed to stay and cultivate the lands still unwanted by the army. But where the army would like to use the land, the army will request them to leave or provide them with new land. And those who do not have title deeds will have to rent the land from the Royal Property Section, Treasury Department. This confuses the villagers, who wondering why they have to rent their own land. The Army will also ask the villagers in the mentioned area to move to the reserved land in Lard Yao, Tha Tako and Nong Bua districts within this year.

The Third Army, during mid-March to mid-April, also organized several training programmes on "Political Ideas and Development", which recruited a large number of the villagers, including the leaders who struggled



for their lands. They introduced criteria on how to recognize communists and emphasized that they should believe only the government and not any others. Actually this programme is meant especially for the leaders and the villagers who are involved in the struggle over the disputed lands.

The case was also broadcast on the military broadcasting channels, saying that that people should give priority to the national security or else there would be no nation.

charges to avoid criticism. Moreover, an unknown number of political prisoners are also detained in the "rehabilitated" Karnyathap Centres or in some secret houses, he said.

In general, several rights and freedoms mentioned in the Constitution are still not guaranteed by law. Martial law still authorizes cases such as crimes against the state, communist charges, and lese majeste to be tried in military court without rights for further appeals.

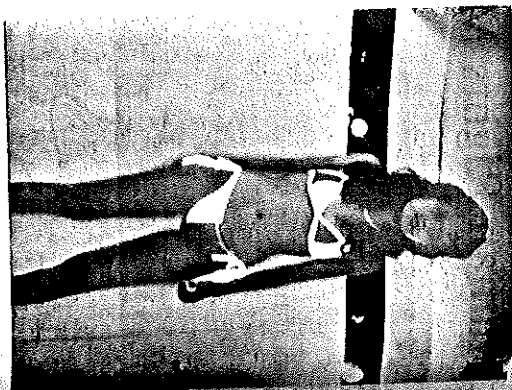
At the conclusion of the seminar, the council agreed to launch campaigns on political prisoners, abrogations of martial law, amnesty for communist defectors and permission for convicts waiting for deportation to have more freedom of movement.

#### Abolition of Prostitution Control Act Proposed

To mark International Women's Day on March 8, women's groups and human rights groups jointly organized a seminar titled "Anti-Flesh Trade" at the State University Bureau.

The seminar is part of their week-long campaign to inform the public about the problem of a large number of Thai women who are lured and forced into slavery. It also aims at pressing the authorities for immediate action against flesh trade operators and a long-term policy to solve rural poverty which has pushed many women into the trade.

The two-day seminar agreed to propose to the government the abolition of the Prostitution Control Act, which imposes punishments only on prostitutes while those exploiting them can avoid legal action. This law can be taken against women who are openly spotted offering themselves for sexual pleasure to men to earn a living, but it cannot control prostitution inside massage parlours, restaurants, hotels, tea-houses, coffee shops and barbers where "prostitution is not obvious."



Participants said the law strictly controls women, and not pimps or procurers—an imposition on the women's human rights.

The seminar also called for an amendment to the Criminal Code to expand the scope of punishments to cover pimps, procurers and brothel owners.

Moreover, the Entertainment Places Control Act should also be amended to provide equal shares of profits between "service girls" and the owners of entertainment places, as well as require owners to provide health services to their "service girls."

Participants agreed that the above mentioned proposed legal measures must be submitted to the government soon. For social measures, the seminar concluded that human rights groups and the government should urgently work together in solving the white slave problems.



"Thailand Night Girls" Group formed

On March 8, Miss Kamolthip Sundornman, secretary general of "Thailand Night Girls" Group, and dozen of "service girls" met the Press and declared its formation. They announced their aims of educating "service girls" on their rights and providing them with occupational training so that they can earn their living from certain skills after they leave the "flesh-trading business."

The recent tragedy of a group of forced prostitutes burned to death in a brothel in Phuket province was cited to be an inspiration for Miss Kamolthip and her colleagues to set up the group.

Fifteen co-founders, comprising university lecturers and social activists, were introduced to the Press after which all of them jointly signed a declaration and vowed to work together for the sake of "service girls" throughout the country.

Mr. Saman Santiya, the president of the group said the fight for the rights of service girls is everybody's duty because "women are human beings and they must enjoy their rights and freedom." He also said further that many women, because of poverty and lack of education, have no alternative but to "sell their service."

Another service girl said the law has been unfair to "service girls" since they alone are arrested and not other involved in prostitution.

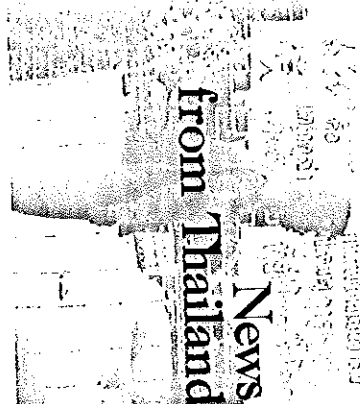
#### Workers' Rights Violations

The Labour Department in March revealed that 27 per cent of 6,000 factories in Bangkok and suburban provinces were violating the minimum wage law.

There also occurred cases of workers facing fatal dangers or unfair treatment from the employers. On Feb. 20, 130 women workers in one of the biggest canned fish factories in the South-Chittav Factory in Songkhla province were injured from the leakage of ammonia and from their injuries when they tried to escape from the second floor since the only gate was locked. One worker died and 12 other were in serious condition. The owner said he would pay 30,000 baht for the dead and 5,000 baht each for the seriously injured and 5,000 baht each for the serious cases.

In another case a male worker and his 3 children were buried alive while they were asleep by the collapse of the sub-standard constructed floor of a hotel building still under construction in Huay Kwang, Bangkok, and his wife was seriously injured on March 1. Unlike the first case, 2 workers were arrested instead of the engineers and the owners on the charge of neglecting their duties.

In the case of 2,000 workers of Bangyikan distillery in Bangkok who staged a strike demanding improved working conditions and salary increases and other benefits according to



the contract the former employers had set on Feb. 27. After three days on March 1, the employers ordered the factory closed and soldiers were brought to surround it, while workers were prohibited from entering. However, on April 5, the Minister of the Interior ordered the employers to reopen the factory from April 12 onwards followed several rounds of negotiations.

#### Militia System for City Slums

Speaking at a seminar of community leaders at the auditorium of the National Housing Authority, Supreme Commander and Army Commander-in-Chief Gen. Arthit Kamlang-ek revealed a security-related development programme for slums in the city, to deter infiltration by communist elements.

The new development concept is "Yuthapattana (Strategic Development) for Crowded Communities Plan." Its general model is to organise masses in "congested areas" under administration of a defence volunteer system to ward off possible communist infiltration among the urban poor, according to Governor of the National Housing Authority, Lt. Gen Yuthasak Klongtratrakke. He said, for instance, the defence volunteer system will be used as the core for the administration of slum people who have been given new housing facilities by the NHA.

The programme will be carried out by the NHA in cooperation with the First Army Region and the Bangkok Metropolitan Administration. The NHA Governor said that the slum people will be divided into groups, about 40 members each, with a leader being assigned to each group. They will elect a chairman and they will try to run their own communities on their own.



The programme was first started up in January 1984 in Wat Pailon, Sephan Kwat, and Baan Krut Nua in Pathumwan area, two among a total 500 slum areas. "We will expand our training courses gradually," said the NHA Governor.

The "Yuthapattana Plan", which is a security-related policy of the Army, not only indicates an attempt to expand the army role to control social mechanisms, but also draws a clear picture about the relationship between the government organisation's officers and the Army.

The security-related development plan has already been carried out in the upcountry areas, but now it is also applied in the "congested areas" to prevent communist infiltration in the urban areas.

#### Arrests

On Feb. 3, 1984, Mr. Bunleu Surirat 56, who ran a well-known monastery "Kae koo Buddhists Association" in Ban Sa-maggi, Hat Kham sub-district, Chai district, Nong Khai province, was arrested by 100 police, village defence volunteers, and ISOC officials on the charge of lese majeste, deceiving people and destroying the national security. Five pots with lists of kings, the Royal Family, the Cabinet, their pictures and their wax puppets for gathering with dirty things under ominous

spells were found buried in the monastery area. He fainted when the officials came to search the monastery. He had 50 followers who would build god statues, Buddha statues or others according to his orders.

Another 2 persons namely Mr. Somnuk Kwanit, 46, and Mr. Sai Rajpua were also arrested on the same charges. The three were detained in Nong Khai Provincial Prison.

On Feb. 6, 1984, Mr. Kasem Anukul, 40, head of Ban Pak Klong School, same sub-district, Khapong district, Phum-Nga province; a monk - Phra Kru Kanyathigun - the abbot of Pak Klong temple; together with 7 villagers were abducted by a group of soldiers of 273rd, Civilian-Police-Military Unit-2, Surat Thani province and disappeared. Later a group of teachers and the head of the Primary Department of the district, who went to appeal for help to the director of the Provincial Primary office, reported that the 9 persons were still under investigation. However, they were informed that since Phra Kru Kanyathigun was sick, he would be sent back on Feb. 9.

The 9 persons were suspected of communicating with the Communist movements.

#### Death Sentences

In 1983, another 3 men in 3 cases were sentenced to death:

- Mr. Sunthorn Klinchan, 18, was found guilty of murdering and robbing his former employers on January 1, 1983. He also tried to set fire to a three-storey building in Bangkok, Bangkok where he worked for the couple.

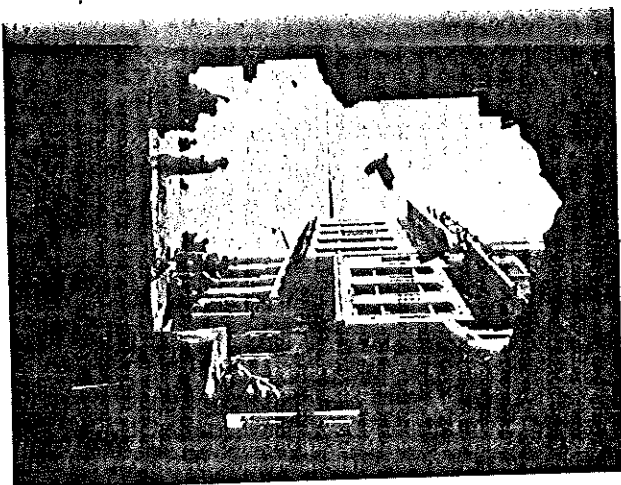
- Mr. Neerasak Sa-nga-ngarm, 26, was found guilty of murdering Miss Loidkew Ramseen, 20, with a knife in a robbery attempt in Phrakhanong area, Bangkok, on February 26, 1983.

- Mr. Chuchiew Dokanaphum was found guilty of murdering and robbing Miss Thipphaya Banngprapha, 36, teacher

in Bangpraphan district, Ayudhya province on September 22, 1981.

Five cases of death sentences involving 12 detainees were reported during January to March 1984. However, 10 of them were commuted to life imprisonment, 50 years or less than 50 years.

- Mrs. Benjawan Namsul, 34, Mrs. Parichart Phumard, 40, Mr. Samteng Nakhom, 32, Mrs. Krong Sukharoon, 49, Mr. Khun Thong Yoo, 52, and Mr. Bovorn Thamm-



manwat, 55, who were found guilty of murdering Miss Kusuma Thammawat, 32, the first, second and sixth defendants' niece who owned a market on Phaholyothin Rd., Don Muang, Bangkok on the

night of Sep-30, 1983. They had conflicts over the ownership of the market. The fourth defendant was released and the rest had their sentences commuted to life imprisonment due to their confessions.

- Pol. Pvt. Pimote Sawadee, 25, Mr. Anond Suksa-ud, 24, Mr. Somnuk Somboon, 20, and Mr. Somchai Wongsiri, 19, were sentenced to death after the court found them guilty of robbing and murdering a mother and her daughter in their shop in Nakhayong sub-district, City district, Chonburi province on Feb. 14, 1983. However, the first two sentences were commuted to life imprisonment due to confessions. The other two prisoners, due to their age, had their sentences commuted to 50 years.

- Mr. Jutha Khantama, Mr. Boonlert Incharai, Mr. Sawas Duengkay and Mr. Mongkorn Phungsaeng were found guilty of trafficking in heroin weighing 44, 880 kgs., together with a colonel of the Northern Anti-drugs Division and another person who are still at large. The four defendants were arrested in a hotel in Bangkok on May 12, 1981. The first defendant was sentenced to death, the second to life imprisonment, the other two to 50 years due to their confessions.

- Mr. Suchat Herraksa was sentenced to death on charges of raping a girl, aged around 12 years old, and killing her in the wood near a village of Kapow sub-district, Kiritrakulm district, Surat Thani, on Oct. 4, 1983. He later hanged the girl to cover his crime and fled the scene. However, he surrendered to the authorities in February 1984 and confessed to every charge, thus his sentence was commuted to life imprisonment.

- Mr. Kiatrak Phanthusa, 28, ex-guard of the Central Prison in Chiang-mai province, was sentenced to death after being found guilty of masterminding a plan in which a man was hired to kill his step parents, so that he could inherit their properties on July 28, 1983.

## Activities of CGRS

### Human Rights Activities

#### 1. Visiting and Helping Prisoners and Providing Legal Aid

In addition to 5 continuing cases left from last year, during the first three months of 1984 CGRS has provided legal aid for 3 cases involving 20 detainees. One is the case of Wai Nonthasarn from Udorn Thani, between 14-19 years old, working in a small 1-shift factory in Bangkok. He was arrested on the charge of collaborating in the murder of their employer, whose dead body was found in a sack dumped in the province of Sam Sakon in August last year. They were detained together with the employer's wife arrested in the same case in Samut Sakon. Thongchai Thongprao, the lawyer defending the case, said some of them were threatened into making confessions, while others were not asked any questions but were made to have their fingerprints taken. The second case concerns Witachai Wongchusap, was beaten to death after being arrested in mid-July, 1983. CGRS has provided assistance to his relatives to see the police and ask for compensation. (See more details in Malpractice of the Police in this issue.) The third one is the case of 11 vendors who were arrested in May, 1983 on charge of raping, robbery and murdering a woman in Samut Songkram province. The case, however, was dropped in May this year.

#### 2. Eviction of Nakhon Sawan Villagers Case

CGRS, collaborating with other groups concerned, has continued to provide assistance and support to the villagers as required. (See more details in Report on Eviction of Nakhon Sawan Villagers in this issue.)

#### 3. Seminar on "Human Rights Promotion in the Northeast"

The rationale for this seminar is that most human rights violations occur up country, where people lack information and access to due process of law. CGRS deems it proper to promote understanding of human rights and find ways to protect the rights of the Northeasterners, as well as to organize a legal aid system. A seminar on "Human Rights Promotion in the Northeast" co-sponsored by the Central Legal Aid Institution, the Lawyers Club in Khon Kaen and CGRS is in its preparatory steps. It will be held during May 5-6 in Khon Kaen. Cases of misuse of power by the authorities especially the police, which were documented by CGRS last year, were summarized and will be presented to the seminar for further discussion.

#### 4. Fact finding on forced prostitution in Phuket

CGRS with groups concerned with women's rights, went on a fact finding trip to Phuket, during Feb. 2-4. Five forced prostitutes were burned to death there when a fire broke-out in a brothel on Jan. 30. A number of people involved in the case were interviewed.

In 1983, CGRS conducted surveys

in 6 model villages in the largest province, Ubonrajthani, which of 16 northeastern provinces, is known to be mostly composed of poor areas. Northern migrants in various places in Bangkok and industrial provinces were interviewed. CGRS also collected documents and research papers to study this problem and sought for cooperation with both public and private institutions concerned with the migration problem and job creation programmes.

In 1984, five small projects have been carried out during the first 3 months, four up country and one in Bangkok.

#### 1. Training Programme for the Youth

Four young people were selected by the villagers of Songkhon village themselves and were sent for training in welding and bicycles repairing techniques. But, only two of them did attend the training programme which started in the beginning of January and lasted for 3 months in 2 local workshops in Ubonrajthani. A small workshop dealing with metal work and bicycle repairs will be set up afterwards in the village, with support from CGRS at the beginning.

#### 2. Nutrition Programme

The nutrition problem in the village was discussed and tackled. 40 children in Songkhon village participated in a nutrition programme organized every Saturday since December 1983. Each child has to contribute 2 baht each time. Their mother also participate in preparing lunch for them.

#### 3. Simple Media Service

In order to disseminate information on social problems and conscientize local people, simple media, e.g. posters, slide series etc., are provided to groups and individuals in Ubonrajthani.

#### 4. Experiment on Production of Fertilizer

During February to March 15, an

experiment in producing fertilizer from water hyacinth was carried out in a province not far from Bangkok as the first step for promoting a local industry.

The Appropriate Technology Association (ATA) was requested to join and cooperate in this project. However, the experiment was not satisfactory because of too much water content which was partly due to the materials. Thus more experiments and survey have to be carried on.

#### 5. Training Programme for Migrants

In order to provide useful information for northeastern migrants, CCRS together with the Thai Interreligious Committee for Development organized a training programme every week and in March in Bangkok. The training programme also aimed at providing an opportunity for them to exchange ideas and experiences and discuss way to help each other and for religious institution namely the monks and temple to

help country people. The information provided to the migrants included agricultural development and cultural adaptation, Labour protection law, health care, an introduction to the activities of some NGOs.

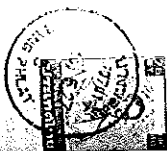
About 30 Northeastern migrants (most of them from Udonrathani) working in Bangkok and nearby industrial provinces attended the programme. The training programme will continue and will be organized according to the requirement of migrants.

#### Religious Activities

An evaluation of the "Buddhism for Youth" Programme was organized during January 13-15 at a temple in Rayong province. Although criticism has been voiced about problems with the audio visual facilities and the lectures were rather difficult to understand. However, most of the participants realized the importance of Buddhism as a way and means for individual and social development. They proposed to continue the programme which will provide opportunities for changing views and Buddhist practice

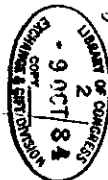
*Coordinating Group for Religion in Society:  
495/44 Soi Yoo - omthi, Jaran - samrong 40 Road,  
Bangkok 10700, Thailand*

Library of Congress Office  
American Embassy  
Wireless Road  
Bangkok



AIR MAIL  
PRINTED MATTER

# HUMAN RIGHTS IN THAILAND REPORT



Vol. 8 No. 2 April - June 1984

In this issue

- The Human Rights Situation
- Cases of Violation of the Labour Law by Employers
- The Role of Trade Union in the Present Situation
- Military Court Judges for High Ranking Officers
- Report from Upcountry: Ten Villagers Massacred in Yasothon Province
- Report on Eviction of Nakonsawan Villagers
- Petition of Human Rights Groups on Press Law
- Human Rights Movement in Thailand
- News from Thailand
- Activities of CCRS
- Messages and Services

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

*Address: 495/44 Soi Yoo - omthi, Jaran - samrong 40 Road, Bangkok 10700, Thailand*

