

# URGENT ACTION

## MARTIAL LAW DETAINEES AT RISK OF TORTURE

**Two men in military custody are at risk of torture and other ill-treatment. Four other men, who are now in a civilian prison, have alleged they were tortured in military custody, and need independent medical care.**

Two men, **Surapol lam-suwan** and **Wasu lam-laor** are believed to be in military custody under martial law in connection with a grenade explosion on 7 March 2015 outside a courthouse in Thailand's capital Bangkok. They are at risk of torture and other ill-treatment. Four other men, **Chanwit Chariyanakul**, **Noraphat Luepon**, **Sansern Sriounren** and **Wichai Yusuk**, have said they were tortured and otherwise ill-treated while detained incommunicado, without charge, by the army, between 9 and 15 March. The four are in Bangkok Remand Prison and need independent doctors of their choice to examine and treat their injuries.

The four men have told lawyers from the NGO Thai Lawyers for Human Rights (TLHR) that they were given electric shocks, punched, kicked in the head, chest and back, and threatened with assault during interrogation to extract information. At least one has visible bruises to the chest, and marks apparently left by electric shocks.

They are among an estimated 15 people detained by the army under martial law in undisclosed locations after a hand grenade was detonated in the car park of the Bangkok Criminal Court in the evening of 7 March.

### **Please write immediately in Thai, English or your own language:**

- Express concern to the authorities at reports that Chanwit Chariyanakul, Noraphat Luepon, Sansern Sriounren and Wichai Yusuk have been tortured while detained incommunicado and urge them to ensure that Surapol lam-suwan and Wasu lam-laor are not tortured and are transferred to civilian custody;
- Urge the authorities to order a prompt, impartial, independent and effective investigation by a civilian authority into the reports of torture and other ill-treatment, publish the results and bring anyone found to be responsible to justice, including those with command or other superior responsibility;
- Urge them to grant Chanwit Chariyanakul, Noraphat Luepon, Sansern Sriounren and Wichai Yusuk and all other detainees full and unimpeded access to their families, legal counsel, an independent, civilian court and independent doctors of their choice, and put in place and apply in practice all legal safeguards for those in detention.

### **PLEASE SEND APPEALS BEFORE 31 APRIL 2015 TO:**

General Udomdej Sitabutr,  
Chief of the Armed Forces,  
Royal Thai Armed Forces Headquarters,  
127 Chaeng Watthana Road, Lakxi,  
Bangkok 10210, Thailand  
Fax: +66 2 575 6203

**Salutation: Dear General**

Royal Thai Police Commissioner-  
General  
Gen. Somyot Pumpanmuang  
Royal Thai Police, 1 Building, Floor 7  
Rama 1 Road, Pathumwan, Bangkok  
10330, Thailand  
Fax: +66 2 205 2168

**Salutation: Dear General**

### **And copies to:**

Minister of Justice  
General Paiboon Koomchaya  
120 Moo 3, Building A Road Rd Lak Si,  
Bangkok 10210, Thailand  
Fax: +66 2 953 0503

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Chanwit Chariyanakul, aged 61, Noraphat Luepon, aged 40, Sansern Sriounren, aged 63, and Wichai Yusuk, aged 49, were detained by the Thai army on and following 9 March 2015. They were transferred to police custody on 16 March, by the 11<sup>th</sup> Infantry Regiment, King's Guard.

The four were held under the 1914 Martial Law Act, which has been in force throughout Thailand since the military coup of May 2014, and which authorises the army to detain people for a week without charge in undisclosed locations and without any safeguards. A number of people are believed to have been held beyond the period allowed, and the authorities have also denied that people in their custody had been detained, later saying in some cases that people had been "invited for talks".

A total of 15 people have been detained in connection with a grenade explosion in the car park of the Bangkok Criminal Court on the evening of 7 March, and an alleged plot to detonate explosives elsewhere in Bangkok. Among them is Natthida Miwanopa, a woman who was detained by soldiers on 11 March and held incommunicado in secret detention for six days. Officials publicly denied holding her before transferring her to police custody, where she was charged with committing acts of terrorism and denied bail.

The alleged treatment of Chanwit Chariyanakul and the three other men is similar to previous incidents of torture and other ill-treatment of people detained incommunicado by the army under martial law. The torture has included beatings, death threats, mock executions and attempted asphyxiation. These acts have allegedly taken place while victims were hooded with blindfolds secured by duct tape, with their hands tied and feet restrained for up to a week. In some cases, detainees have been moved between different places of detention with no contact with the outside world.

Torture and other ill-treatment are prohibited absolutely by international law. As a state party to the International Covenant on Civil and Political Rights and the Convention against Torture, Thailand is obliged to prohibit and prevent acts of torture and other ill-treatment in all circumstances. This absolute prohibition cannot be relaxed in times of emergency.

Torture and other ill-treatment have long been a human rights concern in Thailand. Thailand has signalled its commitment to ending it by ratifying the Convention against Torture, but few steps have been taken to put an end to it and the impunity enjoyed by suspected perpetrators. In May 2014, the UN Committee against Torture expressed serious concerns about continuing allegations of the widespread use of torture and other ill-treatment of detainees in Thailand, including those held under the 1914 Martial Law Act, by military as well as police and prison officials. The Committee urged Thailand as a matter of urgency to review and amend security legislation to ensure that detainees held without charge under security law be brought before a court, and are permitted to contact family members, lawyers and independent doctors. It has requested that Thai authorities provide information to the Committee by May 2015 on measures taken to address these and other priority recommendations, which include the recommendation that no one is coerced into testifying against themselves or others or confessing guilt and no such confession is accepted as evidence in court, except against a person accused of torture or other ill-treatment, as evidence that the confession or other statement was made.

Names: Surapol lam-suwan, Wasu lam-laor, Chanwit Chariyanakul, Noraphat Luepon, Sansern Sriounren, Wichai Yusuk  
Gender m/f: m