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Thailand: End Impunity and Ensure Justice for Community under Attack

(Geneva/London/Paris/Brussels, 11 February 2016) - On the first anniversary of the death of land rights activist Chai Bunthonglek, the Asian Forum for Human Rights and Development (FORUM-ASIA), Amnesty International (AI), FIDH and OMCT within the framework of the Observatory for the Protection of Human Rights Defenders and Protection International (PI) renew calls on the Royal Thai government to ensure justice for the crimes against Chai Bunthonglek and other members of the Southern Peasants Federation of Thailand (SPFT) - a community-based land rights organization. We also call on the authorities to protect all human rights defenders at risk of intimidations, forced evictions, killings and other attacks throughout the country.

The first anniversary of Chai Bunthonglek's killing marks another year of fear for SPFT community members, and impunity for perpetrators of crimes, in Klong Sai Pattana village, Chai Buri district Surat Thani, southern Thailand. The community, which has since 2008 been occupying land in Klong Sai Pattana has faced killings, death threats, judicial harassment, intimidation, destruction of property and crops, and threats of eviction. While the Supreme Court in 2014 ordered the Jiew Kang Jue Pattana Ltd palm oil company to vacate land in Chai Buri district, the company is still there.

Chai Bunthonglek, 61, was shot dead by a gunman who arrived on the back of a motorcycle at his relative's home on the outskirts of Klong Sai Pattana community, on 11 February 2015. He is the fourth SPFT member in Klong Sai Pattana to be killed. The body of former motorcycle mechanic Somporn Pattanaphum was found in January 2010 on the village outskirts, riddled with bullet holes. In November 2012, two women human rights defenders, trader Montha Chukaew and manual labourer Pranee Boonrat, were shot dead, while travelling back from a local market. No one has been held accountable for any of these brutal killings.

Police investigating the killing of Chai Bunthonglek submitted evidence to the Public Prosecutor about three suspects, including the suspected gunman, an individual suspected to have employed him and the alleged motorbike driver. Only one suspect – the suspected motorbike driver - has been brought to trial –on charges of murder, jointly premeditated murder and possession of a firearm without permit.

While welcoming official moves to ensure justice, the Asian Forum for Human Rights and Development (FORUM-ASIA), Amnesty International (AI), FIDH and OMCT within the framework of the Observatory for the Protection of Human Rights Defenders and Protection International (PI), remain concerned that only one person has been brought to trial for a crime that appears to have been part of a larger plot, and calls on the authorities to continue investigations to ensure all suspected perpetrators are prosecuted, in fair trials.

“Justice for the death of Chai Bunthonglek is of critical importance, not only for him, his family and SPFT, but also because it would signal a new determination by the police, the prosecution and the courts to ensure that human rights defenders' peaceful activism is fully protected by the law. Ongoing impunity for threats, harassments and the deaths of human rights defenders perpetuates a

deadly environment for human rights defenders who work on land rights and natural resources issues in Thailand” said Evelyn Balais-Serrano, the Executive Director of FORUM-ASIA.

The persecution faced by SPFT members highlight lack of effective mechanisms to protect human rights defenders, particularly those operating in rural areas with limited resources and access to remedies.

Our organisations urge that Thailand follow its support for the 2015 United Nations General Assembly resolution on the protection of human rights defenders with immediate and effective measures. In line with its international human rights obligations ensure that those who attack human rights defenders are held accountable and also to create a safe and enabling environment in which defenders may carry out their work. This includes ensuring that all branches of the Thai state, the executive, legislative and judicial, guided by the Department of Rights and Liberties and the National Human Rights Commission, provide effective protection – in law, policy and practice - for defenders at risk, and ensure remedies for those who have been physically attacked, intimidated or harassed.