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Thailand: Death of 85 protesters must not go unpunished

Members of the Thai security forces who are responsible for the deaths of 85 protesters eight years ago today at Tak Bai in southern Thailand must be brought to justice, Amnesty International said.

It was on 25 October 2004 that security forces opened fire on protesters demonstrating outside Tak Bai police station in the southern province of Narathiwat.

Seven were shot dead, and a further 78 were crushed or suffocated to death in army vans transporting them to a military detention camp.

“It is shameful that no one has been brought to justice for these deaths, and that there is virtual impunity for other serious human rights violations in the ongoing internal armed conflict in the south,” said Isabelle Arradon, Director of Amnesty International’s South East Asia Program.

“Unfortunately, this case highlights the serious problem of state impunity that currently prevails in the south and throughout the country.”

A repressive Emergency Decree - which is in force in Thailand’s three southernmost provinces since July 2005 and effectively hands security forces immunity from prosecution - must be immediately repealed or else amended to ensure compliance with Thailand’s human rights obligations.

During 2012, the authorities took the welcome step of providing financial compensation to families of the victims of the Tak Bai protest and to others affected by violations in the south, but this is not enough.

“Simply handing money to victims of human rights violations does not free authorities from their obligation to bring those responsible to justice, and provide full reparations to those affected. Nor does it help to ensure that these types of violations will not happen in the future,” said Arradon.

In June 2012, Thailand’s Court of Appeal denied families of Tak Bai victims another chance at justice, after it blocked an attempt to appeal findings of a 2009 inquest. The inquest had found security officials had just performed their duty in October 2004.

Since 2004, some 5,000 people have died in the armed conflict between the state and Muslim insurgents in Thailand’s three southernmost provinces. Both sides have been responsible for violations of international law – suspected insurgents have targeted civilians in killings, and carried out indiscriminate attacks in which civilians have lost their lives.

“The ongoing violence in southern Thailand is appalling. Attacks aimed at spreading terror among the civilian population have sadly become a feature of daily life. These violations of international humanitarian law present a significant challenge to Thailand’s security apparatus. However, guaranteeing public security must be carried out while respecting human rights, and must not stand in the way of providing justice for human rights abuses committed by both state and insurgent groups,” said Arradon.