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Prisoners of Conscience

5 March 1991

THAILAND: Dr Bowornsak Uwanno  
Gen (retired) Chatichai Choonhavan  
Gen (retired) Arthit Kamlang-ek  
ex-Senator Phithak Intharawithayaanan  
Anan Anantakuun  
Yongyut Saarasombat

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Amnesty International is concerned that Dr Bowornsak Uwanno, a university professor and lawyer, who was detained during a military coup d'etat in Thailand on 23 February 1991, continues to be held without charge or trial solely for his non-violent political activities and beliefs. An expert on the Thai legal system, Dr Bowornsak was an adviser to General (retired) Chatichai Choonhavan, who was deposed as prime minister during the coup. He was seized by air force security personnel who arrested the prime minister and others on a plane that was taking them to see Thailand's King Bhumibol Adulyadej. According to some reports, the military feared that Dr Bowornsak might be carrying the draft decree to be presented to the King proposing the dismissal of General Sunthorn Khongsomphong, Supreme Commander of the Royal Thai Armed forces. General Sunthorn is the head of the National Peace-keeping Council (NPKC), which carried out the coup d'etat. In addition to detaining Dr Bowornsak, the NPKC has named him as one of nine people who is not allowed to leave Thailand. Observers believe that one of the reasons for Dr Bowornsak's continued detention is that he might help those opposed to the coup d'etat to challenge its legality. Amnesty International urges that he be released immediately and unconditionally.

Amnesty International is also concerned that the deposed prime minister Chatichai Choonhavan and four other political figures who were members of his cabinet and advisers or had been appointed to high civil service posts by him, are also detained without charge or trial. The organization believes at least some of them were originally detained simply because of their political positions at the time of the coup d'etat, and are now held because the NPKC fears they might be able to mobilize non-violent opposition to the coup d'etat in Thailand and internationally. In addition to Chatichai, they include General (retired) Arthit Kamlang-ek, who was Deputy Minister of Defence; Phithak Intharawithayaanan, reportedly a personal friend and financial adviser to Chatichai and a member of the Senate, which was abolished in the coup d'etat; Anan Anantakuun, who was promoted to Permanent Secretary of the Ministry of Interior under the deposed government; and Police Major (retired) Yongyut Saarasombat, who was General-Secretary of the cabinet.

Immediately after the coup d'etat NPKC leaders said they would release Chatichai in a few days, as soon as there was "a very calm situation, a very quiet situation", and that the deposed prime minister would not be tried because he had committed no crime. However, after peaceful student demonstrations on 25 February protesting the coup d'etat, NPKC leaders indicated he would be held for six months or more, and military sources reportedly said he was being kept in custody to ensure that he did not "interfere" in the post-coup d'etat political process. The NPKC is now reportedly suggesting that Chatichai and some of the others still held may have been directly involved in official corruption, which they allege was rampant in his administration.

However, independent observers are reportedly sceptical that the former prime minister and the other people named here were themselves involved in corruption

or other recognizably criminal acts.

While not in a position to evaluate allegations of corruption within the former prime minister's administration, Amnesty International urges that unless Chatichai Choonhavan, Arthit Kamlang-ek and Phithak Intharawithayaanan, Anan Anantakuun and Yongyut Saarasombat are going to be promptly charged in an independent and impartial court of law with recognizably criminal offences and tried according to the full safeguards provided under international standards for a fair trial, they should be immediately released.

#### **BACKGROUND INFORMATION**

On 23 February 1991 Supreme Commander of the Royal Thai Armed Forces, General Sunthorn Khongsomphong, announced the overthrow of the government of Prime Minister General (retired) Chatichai Choonhavan, the abolition of the constitution and parliament, the imposition of martial law, a ban on political gatherings of more than five people, and a ban on activities by political parties. The Supreme Commander heads the NPKC, which also includes the commanders of the army, air force and navy. Prime Minister Chatichai was the head of the Chaat Thai (Thai Nation) Party, which won the largest number of seats in the last general election in 1988. He became Thailand's first elected prime minister since 1976. As prime minister, he had increasingly tense relations with senior military and police officers, and was seen as challenging their influence over the country's political life. In overthrowing the government, the NPKC accused it of corruption. It has now promulgated an interim constitution and appointed an interim civilian prime minister, but martial law and suspensions of civil liberties remain in force.

#### **RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:**

- expressing concern that Dr Bowornsak Uwanno is still detained without charge or trial for his non-violent political beliefs and activities; and urging that he be immediately and unconditionally released;

- expressing concern that former Prime Minister Chatichai Choonhavan, former Deputy Defense Minister Arthit Kamlang-ek, and former Senator Phithak Intharawithayaanan, Anan Anantakuun and Yongyut Saarasombat are still detained without charge or trial, and that this may be simply in order to prevent them from peacefully exercising the internationally-recognized rights of freedom of expression, opinion and assembly;

- urging that unless they are to be promptly charged in an independent and impartial court of law with a recognizably criminal offence and fairly tried, they be released.

#### **APPEALS TO:**

Prime Minister Anand Panyarachun  
Government House  
Nakhorn Pathom Road  
Bangkok 10300, Thailand

**Telegrams: Interim Prime Minister Panyarachun, Bangkok, Thailand**

**Telexes: 87491 INFODEP TH (Ministry of Foreign Affairs)**

**Faxes: + 66 2 224 7095 (Ministry of Foreign Affairs)**

General Sunthorn Khongsomphong  
ACM Kaset Rotchanannin  
National Peacekeeping Command

Suan Runreudii  
Dusit  
Bangkok 10310, Thailand  
**Telexes: 87491 INFODEP TH (Ministry of Foreign Affairs)**  
**Faxes: + 66 2 241 1714; + 66 2 241 5720**

**COPIES TO:**

Thai Nation Party  
325/74-6 Luukluang Road  
Dusit  
Bangkok 10300, Thailand

and to diplomatic representatives of Thailand in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 16 April 1991.