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Thailand: Government fails to provide justice for the victims of Tak Bai killings

A ruling by Thailand's Supreme Court shows how the authorities have failed to provide justice for 85 people that died at the hands of the security forces in Tak Bai, Amnesty International said.

"Today's ruling ignores the actions of security forces and officials involved in events that led to deaths of 85 people. Their actions were either intentional or negligent and therefore those involved should be brought to court. Families have been waiting for more than eight years for justice," said Isabelle Arradon, Amnesty International's Deputy Asia Pacific Director.

On 25 October 2004 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 suffocated or crushed to death in army vans transporting them to a military detention camp. Some 1,200 people were also held in military custody for days without medical attention, many of whom were severely injured.

The Supreme Court today upheld previous court rulings on the incident, saying that despite the deaths, security personnel were blameless and had only been performing their duties.

"State impunity is rife in Thailand, in particular in the southern provinces. Today's ruling by the Court will do nothing to ensure that these incidents cannot simply happen again. The authorities have a duty under international law to bring those responsible to justice, and provide full reparations to those affected – the truth of what happened in Tak Bai must be acknowledged," said Isabelle Arradon.

Thailand's three southernmost provinces have been ruled by an emergency decree since 2005, which was renewed again by the government in June 2013.

The decree prevents security forces from being held to account for human rights violations.

"There is a continual problem of violence in the three southern-most provinces," said Arradon. "Measures to bring about peace in the region must go hand in hand with a real and sustained effort to bring perpetrators of past human rights violations to justice and ensure that victims can receive reparations. The Thai government should, as a very first step, repeal the Emergency Decree."

Background

In 2009, following the result of an inquest into the 78 deaths in Tak Bai, the Songkla Provincial Court in the South of Thailand ruled that the deaths were caused by suffocation, but did not elaborate on the manner of death as required by law. Relatives of the victims subsequently challenged the Provincial Court's ruling at the Central Criminal Court, the Appeal Court and later at the Supreme Court.

Today's ruling by the Supreme Court stated that the relatives should submit their challenge to the Songkla Provincial Court, not to the Central Criminal Court. The consequence of this decision is to uphold the previous court ruling of Songkla Provincial Court, which stated that the 78 died only from suffocation and that security personnel were blameless and had only been performing their duty.

More information

["Thailand: Death of 85 protesters must not go unpunished"](#), Amnesty International Press Release, 25 October 2012.

["Thailand: Torture in the southern counter-insurgency"](#), Amnesty International Report, 13 January 2009.