

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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THAILAND: SIX YEARS AFTER BILLY DISAPPEARED, AUTHORITIES MUST PROVIDE JUSTICE AND PROTECT HIS COMMUNITY'S RIGHTS

The family of Pholachi “Billy” Rakchongcharoen, a Karen human rights defender, last saw him six years ago. On 17 April 2014, he disappeared after being taken into state custody by National Park officials in Kaeng Krachan National Park.

After a year that saw the Thai government make unprecedented progress in the investigation of his case - only then for prosecutors to dismiss serious charges against suspects in January 2020 - his family are still waiting for justice.

On the anniversary of his disappearance Amnesty International again renews calls on authorities to ensure that Billy's family learn the truth of what happened to him after he was last seen in the custody of Kaeng Krachan National Park officials on 17 April 2014. His death should not go unpunished.

Lack of justice for Billy's disappearance strongly highlights his family's struggle with a cycle of violations, from forced eviction and destruction of their property in 2010 and 2011; death threats for seeking redress for these violations; his disappearance in 2014, and failure to provide his family with redress. Authorities need to do more to remove obstacles his family have faced seeking justice – whether for redress for violations against his community, or for his disappearance. There is an urgent need for authorities to make enforced disappearance a crime under national law.

In September 2019 the Department of Special Investigation (DSI) - a specialist investigative unit – found breakthrough evidence, in the form of charred bone fragments discovered with an oil drum underwater in the park where Billy disappeared. DNA matches to Billy's mother appeared to confirm Billy's death. Two months later the DSI raised charges of premeditated murder, illegal confinement, and concealing the victim's body against four suspects – including the then-National Park chief Chaiwat Limlikit-Aksorn who had taken him into custody and two other state officials.

However, hopes for justice for Billy's family's loss were set back when in January 2020, the State Prosecutor dropped all but one charge – of official misconduct – citing lack of evidence that Billy had died.

At the time of his enforced disappearance, Billy, a Karen environmental and community rights defender, was working with fellow villagers and activists in Kaeng Krachan Park to challenge human rights violations against Karen people, including his family members, who had faced forced eviction and arson. He had told his wife, Pinnapa “Mueno” Prueksapan at the time that “The people involved in this aren't happy with me. They say that if they find me they'll kill me. If I do disappear, don't come looking for me. Don't wonder where I've gone. They'll probably have killed me.”

Since his disappearance, the court ruled in 2018 on the case he had been gathering evidence for at the time of his disappearance. They confirmed that state park officials had acted unlawfully by burning villagers' homes and property – including that of Billy's grandfather. In 2019 the UNESCO Heritage Committee postponed any decision on awarding World Heritage status to Kaeng Krachan National Park, citing concerns about human rights violations. Billy's community is among groups who have complained that new legislation on national parks will further limit their rights. The 2019 National Parks Act gives National Park officials increased powers to determine communities' ability to access park lands. It gives official powers to search and destroy without court orders, which could lead to further forced evictions and destruction of their property – the very violations Billy was challenging when he disappeared.