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Thailand: "Disappearance" verdict leaves unanswered questions

Significant questions remain unanswered in the case of Somchai Neelapaijit, said Amnesty International as the verdict was announced in the trial of five police officers charged in connection with the "disappearance" of the leading human rights lawyer.

"Instead of resolving the 'disappearance' of Somchai, the trial of five police officers has ended with his fate and whereabouts unclarified," said Catherine Baber, Deputy Asia Director at Amnesty International. "The authorities must act to clarify these questions and ensure all suspected perpetrators of his 'disappearance' are brought to justice."

One police officer was sentenced to three years' imprisonment for coercion, while the other four were acquitted. As forced "disappearance" is not a criminal offence under Thai law, the five police officers suspected of involvement in his "disappearance" were charged with lesser offences of theft and coercion.

Somchai Neelapaijit's "disappearance" is an important test case of Thailand's ability to provide redress and remedy for all human rights violations, and to protect those, like him, who have endeavoured to defend human rights in the country.

Thailand must demonstrate its commitment to ending "disappearances" by making forced "disappearances" an offence under Thai criminal law, and supporting the adoption of the UN International Convention for the Protection of all Persons from Enforced Disappearances.

It is paramount that the authorities act to guarantee a climate in which people may report on all alleged violations of human rights by state officials and seek redress without fear of reprisal, including "disappearance". They should ensure that investigations of state officials are carried out independently by a body with the power to recommend prosecution and provide protection to both plaintiffs and witnesses.

Background

Somchai Neelapaijit, 53, the Chairman of the Muslim Lawyers Association and vice chair of the Human Rights Committee of the Lawyers Association of Thailand, "disappeared" after being forced into his car on 12 March 2004 in Bangkok. Before he "disappeared" he had received death threats and been intimidated.

Somchai Neelapaijit had been a prominent critic of the declaration of martial law in Thailand's southern provinces, and was acting on behalf of five individuals detained in connection with violence in the south, who had been tortured by police. The individuals have subsequently been released from detention and no-one is known to have been prosecuted for their torture. Somchai Neelapaijit's wife and family have received threats warning them not to speak out about his "disappearance".

The Thai authorities' past failure to hold anyone to account for human rights violations, including "disappearances" has fostered a climate in which security forces have committed human rights violations such as "disappearances" with impunity.

Public Document

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