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Thailand: Human rights must be central to government's actions

At the end of her visit to Thailand, Amnesty International's Secretary General, Irene Khan, acknowledged progress on human rights in the country over the past decade but also pointed to major deficiencies that must be addressed urgently.

"The adoption of a progressive Constitution, the ratification of human rights treaties, the creation of national institutions and other measures to protect human rights are important achievements, but their effectiveness is being undermined by a climate of impunity that allows human rights violations to continue," said Ms Khan.

"Human rights guarantees must be translated into concrete action to deliver justice for all."

Amnesty International has worked closely with Thai civil society, human rights organizations and victims of human rights violations in Thailand for many years. Irene Khan said: "We echo their concerns in calling for accountability, protection of activists, and respect for human rights in promoting law and order and social policies."

Amnesty International called on the government to take decisive action to hold officials to account for past and present human rights violations.

Over the last three years 16 activists have been killed or "disappeared", and restrictions have been placed on the right to protest and freedom of expression. Reports of torture and ill-treatment, and allegations of unlawful killings and "disappearances" have also been made in the context of the war on drugs last year, and the current unrest in the South.

Amnesty International acknowledges that the government has the duty to ensure security. However, any action taken by the government must be in full conformity with the human rights obligations that it has freely accepted as a sovereign state.

"In the difficult situation currently prevailing in Yala, Songkla, Pattani and Narathiwat Provinces, human rights must be protected with special vigilance," said Ms Khan.

"It is the government's obligation to ensure that justice is done, regardless of whether state officials or non-state actors are responsible. It is also in the government's interest to ensure that its own law enforcement and security officials are beyond suspicion. This can only be achieved if allegations into human rights violations are fully, independently and impartially investigated and the perpetrators brought to justice" said Ms Khan.

"The right to information is an essential attribute of democracy. Truth and justice go hand in hand -- and both are under a shadow in Thailand today."

The government has established several committees to investigate the killings in the war on drugs and a commission to enquire into the events of 28 April 2004. However, the lack of independence, impartiality and transparency in the process to date risks compromising the findings and the recommendations.

There are reports that the use of "blacklists" of suspects in the war on drugs and the unrest in the South has led to extortion and abuse, and created a sense of insecurity. The government has a responsibility to safeguard against any violations of human rights in the context of such lists.

"It is no excuse that those on the lists are possible suspects. The government must protect the rights of the guilty, otherwise it endangers the rights of the innocent," said Ms Khan.

"It is not enough to address abuses after they have occurred. The government must also integrate human rights principles and approaches into its social and law and order policies," said Ms Khan.

"We do not underestimate the challenges in terms of the country's serious drugs problem, the unrest in the South and the HIV/AIDS epidemic. In each case, an approach that respects and upholds the human rights of all individuals offers the best sustainable strategy. A tough, "quick fix" approach may be tempting and popular, but experience shows that it is untenable in the long run."

Ms Khan welcomed the measures put in place by the authorities, such as the creation of a National Human Rights Commission and the establishment of the Rights and Liberties Protection Department in the Ministry of Justice.

Amnesty International also welcomed penal reform initiatives to reduce the severe overcrowding in prisons by emphasizing rehabilitation of drug offenders and alternatives to prison for juveniles.

"Thailand has played a constructive role in the past in promoting human rights in ASEAN -- and it must continue to do so," continued Ms Khan.

The Royal Thai Government has supported the development of an ASEAN human rights mechanism. It must use its influence proactively to make this mechanism a reality. It must also press Myanmar to address grave, long-standing human rights abuses, and encourage Indonesia to allow human rights and humanitarian organizations access to Aceh.

"Our message to the government is a simple one: put human rights at the heart of your domestic and foreign policies," urged Ms Khan.

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