

Thailand

The steady erosion of respect for human rights in Thailand that has characterized Prime Minister Thaksin Shinawatra's rule accelerated sharply in 2004. Thai security forces, increasingly able to act with impunity, engaged in brutal crackdowns against insurgents in the south and against alleged drug dealers and users.

The military crackdown against a steadily escalating insurgency in the country's predominantly Muslim southern provinces, site of long-simmering resentments due to economic and political marginalization, culminated in the death of eighty-six protesters at the hands of security forces in October 2004 and a retaliatory spate of bombings and beheadings of locally prominent Buddhists, apparently by Muslim insurgent groups.

The government's war on drugs resulted in some 2,500 extrajudicial killings, and seriously hampered efforts to provide HIV/AIDS treatment to injection drug users. The Prime Minister tried to restrict criticism by purging dissenting voices in the government bureaucracy and using government and private means to tighten control of the media.

Violence in the South

2004 witnessed some of the worst violence in the recent history of Thailand's southern provinces. The area's residents, who are predominantly Muslim and ethnically distinct from the mostly Buddhist Thai, have long complained about being marginalized economically and politically from the rest of the country. Since the area was placed under martial law in January, at least 550 people have been killed, some apparently by insurgent groups, some at the hands of military and paramilitary forces.

Nearly two hundred people were killed by military forces during two particularly violent incidents. On October 25, 2004, during the Muslim holy month of Ramadan, security forces killed at least eighty-six demonstrators in the Tak Bai district of Narathiwat province; six were shot by security forces and some eighty detainees died of suffocation during transit. The detainees' hands had been tied behind their backs and, still breathing, they were laid on top of one another in military trucks, in some cases stacked four deep.

In apparent retaliation for this incident, there have been several small bomb attacks and some thirty murders of Buddhists in the south, with at least three victims beheaded.

Prime Minister Thaksin, who had championed a tougher response to the insurgency in the south, appointed a special committee to investigate the events. At this writing, no prosecutions of security forces involved in the incident had been announced.

On April 28, 2004, lightly armed Islamic groups launched simultaneous pre-dawn attacks on police bases and checkpoints in several districts of Yala, Pattani, and Songkhla provinces in southern Thailand. Thai officials reported that 107 suspected assailants, most between fifteen and twenty years of age, and five security officers were killed after nine hours of violent clashes. Army and police sources unofficially put the number of dead assailants at more than 120. Approximately fifteen people were arrested.

At least thirty militants who had sheltered in the Kruesie Mosque were killed when military forces rushed them using grenades. A government-appointed commission concluded that the level of force and type of weapons used in the attack on the mosque was “disproportionate to the threat posed by the militants.” Despite the commission’s recommendations, there has been no accountability for any of the security forces involved in the attack.

The Brutal War on Drugs

The lack of accountability for the counter-insurgency campaign in the south reflects the growing impunity of Thai security forces. On February 1, 2003, Thaksin launched a national campaign that treated drug offenders as threats to social and national security. Within three months, 2,275 alleged drug offenders had been shot dead in apparent extrajudicial executions. At this writing, no serious government investigation had been conducted into the deaths. On October 3, 2004, Thaksin announced a new phase of the anti-drug campaign, promising “brutal measures” against drug traffickers.

The HIV/AIDS Epidemic

In the past, health experts praised Thailand’s response to the AIDS epidemic; government programs providing condoms and HIV/AIDS information in health clinics and brothels have prevented an estimated 200,000 HIV infections. The war on drugs has reversed some of those gains. Numerous drug users have reported arbitrary arrest, beatings, and detention by police officers. International experience shows that such mistreatment undermines HIV/AIDS programs by driving vulnerable populations into hiding.

Many drug users are coerced by the government to enroll in government-subsidized drug treatment programs. Many do so only after being arbitrarily arrested or threatened with arrest if they do not enroll. And many enroll even though they have never used illicit drugs or have quit using drugs before enrolling in treatment. In some cases, drug users choose not to seek treatment or discontinued it out of fear that identification as a drug user would result in arrest or murder.

Human Rights Defenders

Thailand's once-thriving human rights community has also faced government pressure and intimidation. In one of the most notable and alarming incidents, in March 2004 Somchai Neelapaijit, a prominent Muslim leader and human rights lawyer, was abducted in Bangkok and is presumed dead. Somchai had been repeatedly threatened after alleging police torture of separatist suspects in southern provinces where martial law was enforced and defending two alleged Thai members of the Jemaah Islamiyah, an Islamist group with alleged links to Al-Qaeda.

Restriction on Freedom of Press and Freedom of Assembly

Prime Minister Thaksin, who owes his own standing as one of Thailand's wealthiest citizens to his control of the Shin Corporation (a telecommunications empire now controlled by members of his family), has used government and private channels to mute Thailand's once-vibrant media.

Over the past three years the Thai Journalists Association and the Thai Broadcasters Association have documented more than twenty cases in which news editors and journalists were dismissed or transferred, or their work tampered with, to appease the government. The authorities have arbitrarily used work permits and visa renewals as effective tools for pressuring foreign journalists.

Most television and radio stations in Thailand are owned in full or in part by government agencies. The government also uses disbursement of corporate and government advertising to reward media outlets, both Thai and international, that follow the government line and to punish those that do not. It uses the withdrawal or termination of operating licenses, or threats of such, to rein in critical private broadcasters.

Media freedom in Thailand has been further undermined by large libel actions against prominent advocates and independent journalists. Shin Corp., for example, is suing editors of the *Thai Post* newspaper and media freedom activist Supinya Klangnarong over a story which charged the government with pursuing policies aimed at boosting interests of the prime minister's business empire.

The government also has clamped down on freedom of assembly, with regular reports of excessive use of force by police against critics of Thaksin's policies. On October 16, 2004, a 1,500-strong combined force of police and volunteer militias violently dispersed about one thousand protesting landless farmers rallying peacefully in Karbi province. The government dismissed findings of the National Human Rights Commission that the level of force and type of tactics used in the crackdown were disproportionate.

Before and during the Asia-Pacific Economic Cooperation (APEC) meeting in Bangkok last October, the government also banned some five hundred human rights and social activists from entering the country and threatened potential organizers of protests that security forces would have to take the "utmost decisive action."

Refugee Protection

In an apparent effort to forge friendship with Burma's military government, Thaksin has abandoned Thailand's longstanding humanitarian stance toward Burmese refugees, threatening the security of hundreds of thousands of such refugees. Under intense pressure from the Thai government, the Office of the United Nations High Commissioner for Refugees (UNHCR) has agreed to move Burmese refugees living in Bangkok and other urban areas to camps along the Thai-Burma border, and has stated that it will terminate financial assistance and cease the renewal of protection certificates for those who do not comply.

On January 1, 2004, UNHCR suspended its screening of new asylum seekers from Burma and the Thai government assumed responsibility for such screening. Because Thailand narrowly restricts its protection and assistance to "people fleeing fighting," the government is likely to reject the applications of Burmese exiles and asylum seekers who are fleeing persecution for their pro-democracy activities in Burma. Those who are rejected would be classified as illegal immigrants and face the risk of being deported to Burma. A June 21, 2003 memorandum of understanding between Burma and Thailand gives the Burmese military junta a greater role in the deportation process, increasing the likelihood that deportees will be persecuted upon their return.

Burmese pro-democracy activists and asylum seekers, many of them holding the UNHCR person of concern status, have been arrested during peaceful demonstrations in Bangkok. In May 2004 more than forty demonstrators at the Burmese Embassy in Bangkok were arrested and threatened with deportation back to Burma, where they could face persecution.

Key International Actors

During Prime Minister Thaksin's tenure, Thailand has lost some of its standing as a regional hub for human rights protection because of increasing restrictions on press freedom and the activity of environmental and human rights activists.

Thailand has increased its already close cooperation with the U.S. as part of the "war on terror," leading President Bush to designate Thailand a Major non-NATO ally in October 2003. U.S. military and police officials cooperate with their Thai counterparts in counter-narcotics operations and border control operations, although both countries deny that the U.S. has any operational role in the increasingly bloody counterinsurgency campaign in southern Thailand. Thailand has enthusiastically pushed for greater counterterrorism cooperation among member states of the Association of Southeast Asian Nations (ASEAN) as well as in the Asia-Pacific Economic Cooperation forum.

In August 2003, Thailand captured Riduan Isamuddin, better known as Hambali, suspected of leading Jemaah Islamiyah and helping to plan the September 11, 2001, terrorist attacks on the United States and a series of bombings targeting civilians in Indonesia. The United States took custody of Hambali and has

kept him in an undisclosed location. The United States has not allowed Indonesian authorities investigating the terrorist attacks there to interview Hambali.

Thailand provided small but symbolically important assistance to the United States campaigns in Afghanistan and in Iraq, where a 450-strong Thai contingent suffered two casualties in December 2003. Thai troops withdrew from Iraq as part of their planned one-year commitment, at least partly in response to strong domestic criticism.

The U.N. special rapporteur on extrajudicial and summary executions has requested a visit to Thailand to complete an investigation into the October 25, 2004 killings of demonstrators in Narathiwat province.

Thailand has developed strong economic and diplomatic links with the brutal military government ruling Burma. Thailand has become a major investor in Burma and has cooperated with the Burmese government in curbing the political activity of Burmese refugees living in Thailand. Thailand has also defended Burma's dismal human rights record in important regional fora such as ASEAN, the Asia-Europe Meeting, and meetings of the Asia-Pacific Economic Cooperation.