



human rights *first*

30th
ANNIVERSARY
CELEBRATE
ADVOCATE
PARTICIPATE

April 7, 2009

Abhisit Vejjajiva
Office of the Prime Minister
Government House
Pissanulok Rd., Dusit
Bangkok, 10300
Thailand

Your Excellency:

We, the below-signed 1,169 individuals, join Human Rights First in writing to you on the fifth anniversary of the disappearance of Somchai Neelaphaijit. We are extremely concerned at the continuing failure to determine his whereabouts or to convict anyone for his disappearance.

The January 2006 conviction of Ngern Thonsuk was a small but inadequate step forward. Four of the five defendants were acquitted, and none were charged with offenses sufficiently serious to fit the crimes of enforced disappearance, kidnapping, or even murder. That case has been under appeal since April 2006 with no action, and the one person convicted allegedly disappeared in September 2008 landslide while out on bail.

The case has become a symbol of impunity in Thailand and continues to capture international attention, most recently by the UN Working Group on Enforced and Involuntary Disappearances during its interactive dialogue with member states.

There are indications of high-level involvement in the crime or the cover up, and that not all relevant information has been made public. In 2006 then-Prime Minister Thaksin told Angkhana Neelaphaijit that her husband had been taken to Ratchaburi province. In August 2007, coup-leader Sonthi Boonyaratglin told the press he had received information from investigators that individuals close to Thaksin were behind the disappearance. And in January 2009, a senior police official acknowledged that police had obstructed the investigation.

The case remains under investigation by the Department of Special Investigation (DSI). However, the DSI contains many former members of the Royal Thai Police and appears unable or unwilling to resolve the case.

We are glad to hear that you have ordered the Royal Thai Police and the Ministry of Justice to intensify the investigation in Somchai's disappearance, among a number of other unsolved crimes. We hope that this effort includes new and concrete steps, such as the interview of additional witnesses, including senior officials.

HEADQUARTERS
333 Seventh Avenue
13th Floor
New York, NY 10001
Tel: 212.845.5200
Fax: 212.845.5299

WASHINGTON D.C. OFFICE
100 Maryland Avenue, N.E.
Suite 500
Washington, DC 20002
Tel: 202.547.5692
Fax: 202.543.5999

www.humanrightsfirst.org

In order to resolve the crime, and to prevent future disappearances, we call on you to:

1. Ensure that the investigation by the DSI is carried out vigorously and free from interference by police. Investigators should be willing to call any relevant witnesses, including current and former senior police officers and political leaders.
2. Sign the Convention for the Protection of All Persons from Enforced Disappearance and ensure appropriate domestic legislation, including a provision in the criminal code for enforced disappearances.
3. Promptly lift the application of the Emergency Law and of martial law provisions, which allow detention without charge and without access to lawyers or family members. Such detention conditions are known to encourage torture and disappearances.

Thank you for your attention to this important matter.

CC.

Pol Lt Gen Thawee Sodsong
Head of Department of Special Investigation No. 128, Moo 3, Chaengwattana Rd.
Thungsoonghong, Laksi
Bangkok, 10210
Thailand

Pirapan Salirathavibhaga
Ministry of Justice
Ministry of Justice Building
Chaengwattana Rd., Pakkret
Nonthaburi, 11120
Thailand

Pol Lt Patcharawath Wongsuwan
Police Chief
Royal Thai Police
Rama 1 Rd., Pratumwan
Bangkok, 10330
Thailand

The names of the 1,169 signatories have been removed for reasons of privacy.