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Thailand: ICJ observes trial associated with disappearance of prominent Muslim lawyer

The International Commission of Jurists (ICJ) today began observing the trial of five police officers accused of robbing prominent Muslim lawyer, Somchai Neelapaijit, on the night of his enforced disappearance in March 2004.

The ICJ's lead observer, Justice Elizabeth Evatt, former expert on the United Nations Human Rights Committee and former Chief Judge of the Family Court of Australia, will be monitoring the trial for compliance with international standards for justice and fair trial.

Although this trial relates to circumstances surrounding the enforced disappearance of Somchai Neelapaijit, there is concern in Thailand and internationally that no-one has been brought to justice for the actual enforced disappearance.

"Just two weeks ago the United Nations Human Rights Committee in Geneva drew the world's attention to the impunity of Thailand's security forces for serious human rights violations," said Nicholas Howen, Secretary-General. "It is vital that the Government properly investigate the disappearance of Somchai Neelapaijit and bring those responsible to justice."

The ICJ will observe the full trial which is expected to conclude in December 2005.

Background

The five police officers, Police Major Ngen Tongasuk, Police Lieutenant Colonel Sinchai Nimbunkampong, Police Lance Corporal Chaiweng Paduang, Police Sergeant Rundorn Sithiket, and Police Lieutenant Colonel Chadchai Leiamsa-ngoun, are on trial on two charges (1) committing robbery and (2) "compelling other persons to act" under the Penal Code of Thailand Section 309 (2), 340 and 340 (ter). All five police officers have pleaded not guilty to the charges.

Somchai Neelapaijit has been missing since 12 March 2004. At the time of his disappearance he was representing five Muslims accused of terrorism related activities. Somchai Neelapaijit had accused security forces of torturing his clients whilst in custody. At the time of his disappearance he was the Chairman of Thailand's Muslim Lawyers Association and Vice-Chairman of the Human Rights Committee of the Law Society of Thailand.

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

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In response to questions of the United Nations Human Rights Committee in July 2005 regarding this case the Government of Thailand stated the following:

“(...) the then Royal Thai Police Commissioner General was transferred to an inactive post until his retirement. However, the 4 police officers have not been charged with a more serious offence because there is no substantial evidence to prove that Mr. Somchai Neelapaijit was dead (...)”¹

(See ICJ press release *Thailand: Disappearance of Human Rights Lawyer*, 22 March 2004.)

**For further information please contact the ICJ on +4122 979 3800 (Geneva).
To arrange an interview with Justice Evatt please call +66 (0)7 984 6804 in Bangkok.**

¹ *Reply of the Kingdom of Thailand on the List of Issues To be taken up by the Human Rights Committee in connection with the consideration of the initial report of Thailand under Article 40 of the International Covenant on Civil and Political Rights*, July 2005