

United Nations Human Rights Council  
27th Regular Session, 8 - 26 September 2014  
General Debate under Item 4

**Oral statement by the Colombian Commission of Jurists,**  
an affiliate of the International Commission of Jurists

**THAILAND: Meaningfully address cases of enforced disappearance**

16 September 2014

Mr President,

Enforced disappearance remains a serious concern in Thailand.

Of the 81 cases transmitted by the Working Group on Enforced or Involuntary Disappearances to the Royal Thai Government between 1980 and 2014, the Government has clarified only two (A/HRC/27/49, 5 August 2014).

Two cases, one over a decade old and the other from just a few months ago, illustrate a culture of impunity and lack of political will.

Somchai Neelapaijit, a lawyer and human rights defender, was last seen on 12 March 2004, being pushed into a car in Bangkok, allegedly by members of the Thai police force. Some of his clients had accused the Police of ill-treatment. The Government compensated his family and recognised Somchai Neelapaijit as “disappeared,” but has failed to clarify his fate or whereabouts or told hold anyone criminally responsible. Its stated commitment to seek justice, or at least the truth, in the case (including before the Committee against Torture in May this year) remains unfulfilled.

Pholachi “Billy” Rakchongcharoen, a Karen minority human rights activist, was apparently subjected to enforced disappearance shortly after he was seen on 17 April 2014 in the custody of a National Park Chief and other Park authorities, with whom he and his community were engaged in a legal dispute. Possible progress in the investigation has been hindered by the reinstatement of the Park Chief (at least temporarily), who had initially been removed pending the investigation, as witnesses again become frightened into silence.

Thailand must effectively investigate all cases and provide victims, including family members, with full remedies and reparation. Enforced disappearance should be a distinct crime in domestic law, with penalties reflecting its extreme seriousness. Thailand should also accept the 30 June 2011 visit request of the Working Group and ratify the Convention for the Protection of All Persons from Enforced Disappearance, which it signed on 9 January 2012.

I thank you.