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**Press Release**

**PI Launching of the Thailand Tour of the Photo Exhibition “For Those Who Died Trying”**

***Enforced Disappearance and Extrajudicial Execution in Thailand***

***Remembering those who keep inspiring us on how to make “never again” a reality***

Protection International is honored to be part of this Thailand touring photo exhibition sponsored by the Canadian Fund for Local Initiatives and in collaboration with photographer Luke Duggleby, and is grateful for the support received by the Thai National Human Rights Commission sub-committee on civil and political rights

This is the Thailand tour of the international photo exhibition already featured in Geneva at the UN Palais de Nations, Switzerland (May 11-13 2016) in conjunction with the Review of UPR on Thailand, as well as at European parliament in Brussels, Belgium (September 26-30th 2016), 17-23 October - Pamplona, Spain and 14-20 January in Dordrecht, Netherland with the participation of Canada's Ambassador to Thailand and Angkhana Neelaphaijit, WHRDs and National Human Rights Commissioner.

Protection International presents the photographs of 37 murdered or abducted human rights defenders (HRDs) in Thailand. The project looks to remember those who died defending human rights and protecting the environment by placing a portrait of the human rights defender, where possible, at the exact place he or she was murdered or abducted.

It is vital, for the victims and their families, that their death is not forgotten and left un-recognised. Ultimately, those responsible must be brought to justice. Recognizing those who died trying as HRDs and a better administration of justice are critical steps to end these killings.

Enforced disappearance is sadly still a reality in modern Thai society, even if one not often brought to the public attention. We wanted to find some space for this topic to be discussed more openly and for us all to address the important issue of access to justice and redress, and equally important, prevention.

Our researched did not stop with these portraits. In Thailand Protection, International recorded more than 500 incidents of violence against environmental defenders over the period from 2011 to 2016. We recorded that the killings of environmental and land rights activists in Thailand has reached over

59 during the past two decades. As we know five of those assassinated were women HRDs. In these killings, the parties allegedly responsible are yet to be held accountable.

It is very rare that such cases are brought to justice. Implementation of Art 44 of the Interim Constitution severely hampers the justice system's capacity for adjudicating cases in an open and impartial manner. In their current climate crimes committed against HRDs are frequently delayed or remain incomplete. As a result those responsible for acts of harassment, physical attacks and even the killing of HRDs are rarely brought to justice as evidenced by the case of the murder of members of the Southern Peasants' Federation of Thailand (SPFT).

Physical attacks and harassment is an ongoing risk HRDs face. For SPFT this resulted in the murder of four of their members, portrayed at this Photo Exhibition. A fifth was shot at in April last year and miraculously survived to his bullets. No one has been charged for these crimes yet. The case is currently under review by the court of first instance in Surathani province.

A rather weak record.

Way too often lack of evidence is called upon to silence such cases of disappeared or killed activists.

The enforced disappearance constituted a continuous crime that occurs until the whereabouts of disappeared persons is clarified.

This is a pivotal step for families in the healing and reparation process. All actions undertaken must promote the ethical and legal recognition of the victims and their families as rights holders, fostering their informed participation in all stages of the process. In reality the families are often left out and feel disempowered and abandoned.

Under international law, states have the explicit obligation to investigate enforced disappearances and extrajudicial executions. The duty to investigate becomes particularly compelling and important in view of the seriousness of the crimes committed and the nature of the rights wronged.

Thailand made several commitments aimed at addressing enforced disappearances. As promised, the Thai government signed the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) in January 2012. To date, it has still not been ratified and no visible progress has been made towards ratification. Moreover the Thailand draft law on the suppression of Torture and Enforced Disappearance currently under review presents serious definitional inconsistencies and shortages that we very much hope will be duly addressed and rectified before final adoption.

On 30 January 2017, [the Department of Special Investigation \(DSI\) revealed](#) that it will not investigate the enforced disappearance of Porlajee 'Billy' Rakchongcharoen, a Karen human rights and community rights activist. The decision of the DSI is a further setback for efforts to bring justice to Porlajee's family, by removing the possibility of an expedited investigation. The case is now solely in the hands of regular police.

More needs to be done on all levels, and much more fine-tuned mechanisms guaranteed, from the government and security forces sides, the judiciary and the technical and psychological experts.

There is also need in Thailand to strengthen forensic investigation. Forensic investigation in human rights cases should guarantee independence and autonomy, even more so when the State and the agents are involved in such violations.

This photo exhibition with Bangkok based photographer Luke Duggleby who initiated the project, is a visual statement of our commitment and the ones of the HRDs' families to determine the whole truth, and to push for the use all available resources and tools, including education, awareness raising and reform, to make sure that an end is immediately put to this alarming trend.

These portraits are examples of strength and determination set forth for us all. Their courageous initiatives and the music written by Canadian composer Frank Horvat continue to support us in our struggle.

We are thankful to our distant but close friend Frank, who graciously composed the music for the Photo Exhibition. "The Thailand HRDs, 2016-2017 – for string quartet – 8:00 (2 mins/mvt)" is currently a 4-movement string quartet inspired by the photo essay by Luke Duggleby. These are the first 4 movements of what will be a 35-movement work, one for each photo in the essay.

The music is not intended to be purely melancholic but also have a tinge of defiance that the memory of these heroes still lives on. The music themes for each movement are derived from the musical pitches found in the names of the victims, like a sort of musical DNA implanted in each movement. <http://frankhorvat.com/composition/the-thailand-hrds/>

These are notes of hope and expectation to create a more peaceful and just society. With this in mind, these are our recommendations to the Thai competent authorities:

- Authorities must cease the persecution, surveillance and all other forms of harassment and intimidations of HRDs Authorities must implement measures aimed at preventing violence and crimes against HRD's Violations committed against HRDs must be fully investigated promptly and impartially. Perpetrators are to be held accountable and victims obtain appropriate remedies.

- Thai authorities should combat impunity for violations against community based HRDs by ensuring that investigations are promptly and impartially conducted, perpetrators are held accountable, and victims obtain appropriate remedy

- To immediately conduct an impartial, transparent, and independent inquiry into all murder of HRDs and enforced disappearance cases and prosecute those responsible.

- To provide prompt, fair, and adequate compensation for family members of the victims of murdered and enforced disappearance.

- To ratify and implement into national law all international human rights treaties to which Thailand is not yet a party, including the International Convention for the Protection of All Persons from Enforced Disappearance (ICCPED).

- As a matter of priority, to review the draft act on torture and enforced disappearances so that it will be in line with the UN Convention Against Torture (CAT) and the ICCPED, including a definition of the crime of torture according to Article 1(1) of the CAT, non-refoulement (Article 3); punishments commensurate with the gravity of the crime (Art. 4(2) of CAT), universal jurisdiction (Articles 5-9 of the CAT), independent investigations (Articles 12-13 of CAT); no admissibility for statements obtained by

torture (Article 15 of the CAT) and prevention of cruel, inhuman or degrading treatment or punishment (Article 16 of the CAT).

-Call on national authorities to take all necessary measures to protect everyone against violence, threats, retaliation and other abuses because of his or her legitimate work as a human rights defender, in line with the United Nations Declaration on Human Rights Defenders and with the International Covenant on Civil and Political Rights.

PROTECTION INTERNATIONAL is an international non-profit organization that provides protection strategies and tools for security management to human rights defenders who are at risk. [www.protectioninternational.org](http://www.protectioninternational.org)

Thank you for your support

## MESSAGE FROM SPFT

***For all human rights defenders***

***As the people in the frontline to act in defiance of injustices***

***On behalf of victims of violence***

***On behalf of people who have been forced to sacrifice and suffer the trauma***

On behalf of all human rights defenders and member of the Southern Peasant Federation of Thailand (SPFT)

We thank all ladies and gentlemen who are kindly present here at the inauguration of the photo exhibition of human rights defenders. You have done the greatest honor to those fighters who have lost their lives to uphold human rights and dignity.

Let's all remember their high spirit, their bravery, their perseverance, and their immense sacrifice in their fight to protect the rights and freedoms as well as human dignity, sustainable local community and peace for all Thai people.

All human rights defenders who had stood firm in the frontline unto their deaths, they have all devoted themselves to serve their community and society larger than their own community. Day and night, they have offered themselves as service to the society and become an exemplary embodiment of piety and altruism making the most use of their lives for common good.

The slayings of human rights defenders have continued unabated. It is a loss of society as a whole. Such loss is immeasurable. It raises a question as to whether and how much the public is aware of the immense value of such sacrifice and contribution. If the answer is no, it would mean there shall be more human rights defenders who have to sacrifice their lives while the perpetrators enjoy impunity. All the murderers and masterminds would not be held to account.

The killings of human rights defenders who have stood firm to fend off all injustices thus carry a deep meaning and implication. It is a hindrance to the poor participating in political space and an obstacle to the powerless. These human rights defenders have indeed the ploughs that pave the way for in the struggle to achieve rights and freedoms, equality, justice and peace in society.

What can society learn from the killings of these human rights defenders?

1. The deeply entrenched conflict of interest structure which enables the use of legal power and extralegal power to serve vested interest. Such exercise of powers have become a bridge that has

made possible the well strategically and tactically planned actions to attack the poor and the powerless as well as the human rights defenders.

Both powers have been used to perpetuate the violence that upholds the unjust power and to serve the interest of the state and monopolized capitalists.

Such power exists simply because there is room for people to get involved and to hold anyone accountable. And such power is spiraling into heinous forces that permeates all sectors of Thai society.

2. The unfair structure of resource management that has led to dispute and immitigable confrontation has spread far and wide in various areas. It culminates into the murderous violence aimed at human rights defenders. This has been done with the tactic of the powers that be that want to "kill the living forces" to win the battle and to grasp their benefits. As human rights defenders hold steadfastly on nonviolence, the result is their deaths caused by this structural violence. Of course, this would not be the answer all of you want to hear.

3. It shows how inefficient the justice process can be and how the state mechanisms have failed to ensure safety of people's lives and property. Hence, the impunity conveniently enjoyed by many murderers.

In a nutshell, all of this process is hindering social progress. At the same time, it has inflicted more fear. As people's mind is mired with fear, they have become so frightened. Meanwhile, the silence permeates all parts of society stifling all voices just like a black suffocating canvass.

The patronizing culture that protects the criminals and the perpetrators thus continues to grow and takes roots in all social milieu. The network of influential persons are deeply rooted and become a fertile ground based on which the special power of the monopolized capitalism and the power of the state in state can sprout. And such power helps to shield those who have committed the crime and they both thrive quid pro quo. It has then given rise to the gross violation of human rights and the killings of people who dare to raise their voices and to ask for accountability. And the violence keeps on thriving.

On behalf of the human rights defenders, we hope the losses of many human rights defenders along the path of development Thailand shall trigger a signal that raise the people's awareness making them understand the fundamental conundrum that has made impossible progress in society and how detrimental it is toward the standard of human rights.

On behalf of the human rights defenders, we urge all people to join hand to collectively change the unjust structure that has deprived the human rights defenders of their lives, one after another, of those who simply wanted to create a nonviolent society and to uplift human rights standard in this country on par with international community.

**Surapol Songrak** Representative of The Sothern Peasant Federation of Thailand (SPFT)