

Report No. 8/2560 on right and liberty to life and body in case of forced disappearance occurred in Na Pradoo Sub-District, Khok Pho District, Pattani Province

Complainant:

Mr. F

The Accused:

Because he used to cooperate with the authority to provide information about terrorists in the southern border provinces to officials, Mr. F being forcibly taken away by three unknown strong men without clear purpose therefore could probably be a case of forced disappearance which is considered to be a serious violation of right and liberty to life and body, a violation of human rights of which Thai state needs to guarantee their protection for the people according to Constitution of the Kingdom of Thailand (Interim) B.E. 2557 (2014). The National Human Rights Commission of Thailand (NHRCT) therefore used its authority according to Section 28 of the National Human Rights Commission Act B.E. 2542 (1999) to come up with measures to solve the problem of human rights violation and recommend them to the Royal Thai Police, the Internal Security Operation Command Region IV and Pattani Provincial Authority.

A complainant submitted a petition to the NHRCT, recorded as petition no. 127/2559 dated 20th February 2016, requesting the commission to investigate a claim that on 24th January 2016 at about 11 am., 3 strong men took Mr. F, a complainant's son, from a school in Khok Pho District of Pattani Province into a black car and drove away. His relatives reported the incidence to police officers at Na Pradoo Police Station, but there had been no progress in the investigation of this case.

The NHRCT took this case into consideration and saw that for this case of which three strong men took away Mr. F by force without known purpose and objectives, an investigation shows Mr. F used to cooperate with the authority, giving information about those who caused unrest to officials, an action that might be related to his forced disappearance. Concerning this case, Na Pradoo Police Station did conduct an investigation to find the disappeared person and offenders according to its authority and responsibilities, but both Mr. F and the offenders had not been found. It therefore concluded the file of investigation that "investigation should be refrained" and proposed this conclusion to Pattani Province State Prosecutor to take into consideration according to its authority. However, actions by a group of persons to forcibly took away Mr. F was serious violation of right and liberty to life and body, a human right violation of which the state had a duty to provide security and protection to its people according to the Constitution of the Kingdom of Thailand (Interim) B.E. 2557 (2014). The NHRCT, using authority provided in Section 28 of the National Human Rights Commission Act B.E. 2542 (1999), therefore came up with measures to solve the problem of human rights violation related to this petition and propose them to related government agencies to take actions within 60 days as follows:

(1) The Royal Thai Police is to consider taking actions according to the National Police Act B.E. 2547 (2004) to monitor and direct inquiry officers to investigate the case of Mr. F's forced disappearance, and to look for evidence and offenders for prosecution according to its authority and duty, so that there would be justice for family of the injured person.

(2) Internal Security Operation Command of the Fourth Region is to provide protection to people who cooperate with the authority, using its authority provided by laws on security to come up with measures to protect and safeguard persons who provide cooperation, giving information or assistances to help doing works that are good for security in the Southern bordered provinces systematically and effectively.

(3) Pattani Provincial Authority is to consider using authority under the Administration Regulations Act B.E. 2550 (2007) to supervise local administrative organizations to check, maintain and repair the government's close-circuit TV cameras and consider install additional cameras in public areas to get wider coverage in order to achieve peace, order and fairness in society.