

## Thailand: 10 years after Somchai's disappearance, family still awaiting truth and justice

GENEVA (12 March 2014) – A group of United Nations independent experts\* today called on the Government of Thailand to establish the truth and hold criminally responsible the perpetrators of the disappearance of human rights defender Somchai Neelaphaijit. On the 10<sup>th</sup> anniversary of his disappearance, the experts said the investigations on the case remain inconclusive and warned that the authorities may close the legal proceedings.

“Ten years after the disappearance of Somchai Neelaphaijit, his fate and whereabouts remain unknown,” the UN Working Group on enforced or involuntary disappearances said. “We appeal to the Thai Government to continue the investigations on the case, establish his fate and whereabouts, guarantee impartiality during the process, publish the results, and ensure that all perpetrators are held criminally responsible.”

Mr. Somchai Neelaphaijit, a human rights defender and senior member of two lawyers' associations, was allegedly disappeared on 12 March 2004. It is believed that his disappearance is related to his work as a lawyer defending Muslim minorities in southern Thailand. The initial criminal prosecution against five police officers for robbery and coercion, in relation to his abduction, has resulted in their acquittal, though the final outcome is still pending at the Supreme Court.

“While the State has provided some financial compensation to the family of Somchai Neelaphaijit, this by no means exonerates Thailand from its obligation to establish the circumstances of the enforced disappearance and bring justice to the victims of this serious crime,” the experts pointed out. “We call on Thailand to make more efforts to fight impunity for all acts of enforced disappearances.”

“Thailand must criminalize enforced disappearance in its legislation. Acts amounting to enforced disappearance are gross human rights violations which must be sanctioned in light of their extreme gravity,” the five-strong group of experts said, recalling that Thailand signed the Convention for the Protection of All Persons from Enforced Disappearance in 2012.

The Working Group also urged the Thai authorities to guarantee the safety and integrity of the family of Somchai, especially his wife, Ms. Angkhana Neelapaijit, who, “despite the many threats received, has untiringly been seeking justice for her husband and other victims of enforced disappearances in Thailand.”

The Working Group's appeal was endorsed by the UN Special Rapporteur on the situation of human rights defenders, Margaret Sekaggya; the Special Rapporteur on the independence of judges and lawyers, Gabriela Knaul; the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Frank La Rue; and the Special Rapporteur on the rights to freedom of peaceful assembly and of association, Maina Kiai.

(\*) The Working Group is comprised of five independent experts from all regions of the world: Mr. Ariel Dulitzky (Argentina), Chair-Rapporteur; Mr. Osman El-Hajjé (Lebanon), Vice Chairperson; Ms. Jasminka Dzumhur (Bosnia and Herzegovina), Mr. Olivier de Frouville (France); and Mr. Jeremy Sarkin (South Africa).

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