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Annual Report 2013

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Thailand

Head of state King Bhumibol Adulyadej
Head of government Yingluck Shinawatra

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The armed conflict continued in the South as insurgents targeted civilians in violent attacks, while security forces enjoyed impunity for human rights violations. The Truth for Reconciliation Commission of Thailand issued its final report, placing responsibility for the 2010 political violence on both sides; however, accountability remained slow in coming. The government continued to use the lese-majesty law and the Computer Crimes Act to restrict freedom of expression. Asylum-seekers and refugees faced possible refoulement to their home countries.

Internal armed conflict

Civilians remained at risk of attacks that resulted in deaths and injuries in the southernmost provinces of Narathiwat, Pattani, Yala and parts of Songkhla. Government teachers and schools viewed as symbols of the state were targeted for attack, resulting in school closures during the latter part of the year. Insurgency leaders accused security forces of extrajudicial executions in Yala province. Impunity continued for most violations committed by security forces in the South.

- On 29 January, government-sponsored paramilitary rangers shot at a group of nine ethnic Malay Muslim civilians travelling in a truck in Nong Chik district, Pattani province. Four of the travellers were killed and four others were injured in the shooting. The rangers claimed they shot the civilians, believing they had links with an insurgent group and were involved in an attack on the rangers' outpost. A Truth Commission set up to investigate the incident found that the civilians had no links to insurgent groups.
- On 21 September, insurgents killed six people, including a local defence volunteer, and injured an estimated 50 after initially opening fire on a gold shop, then detonating a car bomb in a market in Sai Buri District, Pattani province.
- On 30 October, Mahama Ma-ae, a Muslim religious schoolteacher who police suspected of having ties to an insurgency group, was shot dead in Yala province. On 14 November, Abdullateh Todir, a Yala imam who had been targeted in an attack in 2011 that resulted in the death of his daughter, was shot and killed. Insurgency leaders accused government security forces of these killings.
- On 3-4 December, insurgents killed one teacher and injured another in two separate incidents in Narathiwat province. A school administrator and a teacher were also killed in a school attack in Pattani province on 11 December. Following these attacks, schools in Narathiwat, Pattani and Yala provinces closed for several days.

The 2005 Emergency Decree on Public Administration in State of Emergency remained in place throughout the year, with the government renewing its mandate every three months. The decree allows immunity from prosecution for officials who may have committed human rights violations – including torture.

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Accountability for political violence

In September, the Truth for Reconciliation Commission released its final report on the violence surrounding the April-May 2010 anti-government protests in Bangkok, which resulted in 92 deaths. The report placed responsibility on government security forces, including the army, and the so-called "black shirts", a militant armed group embedded with the protesters and linked to the anti-government United Front for Democracy against Dictatorship (UDD), also known as the "red shirts". The report found that government forces had used weapons of war and live ammunition on protesters. It made extensive recommendations, including calling on the government to address abuses committed by all parties, through a fair and impartial justice system, and to provide "reparation and restoration to those affected by violent incidents".

In January, the government agreed to provide financial compensation to victims of the 2010 violence. In May, a National Reconciliation Bill that included an amnesty provision for those involved in the 2010 violence led to more protests. The Bill was put on hold in July. After a court found security forces responsible for the May 2010 killing of UDD protester Phan Khamkong, murder charges were lodged against former Prime Minister Abhisit Vejjajiva and his former deputy Suthep Thaugsuban in December. They were the first officials to be charged in connection with the 2010 political violence. The trials of 24 UDD protest leaders charged with terrorism also started in December.

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Freedom of expression

Freedom of expression continued to be curtailed, primarily through the lese-majesty law (Article 112 of the Criminal Code) and the 2007 Computer Crimes Act, which provide for heavy jail sentences for perceived insults to the monarchy. Efforts to challenge or amend the lese-majesty law in 2012 failed. In October, the Constitutional Court upheld Article 112 as constitutional and in November, Parliament dismissed a bill to amend the law.

- In May, prisoner of conscience Amphon Tangnoppakul, aged in his sixties and known as "Uncle SMS", died of cancer while serving a 20-year prison term for lese-majesty. He was arrested in August 2010 and convicted in November 2011 for sending four SMS text messages deemed insulting to the monarchy. The court denied all eight requests for bail despite his poor health.
- In May, Chiranuch Premchaiporn of the Prachatai online news site was sentenced to one year in prison under the Computer Crimes Act and fined 30,000 baht (US\$979), reduced to a suspended sentence of eight months and a fine of 20,000 baht (US\$653), for failing to promptly remove 10 comments deemed offensive to the monarchy which were posted by others on the Prachatai website between April and November 2008.
- Magazine editor Somyot Prueksakasemsuk remained in detention throughout the year, facing up to 30 years' imprisonment after being charged under the lese-majesty law in April 2011 for publishing two articles in his magazine, Voice of Taksin. The court repeatedly denied his requests for bail.

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Refugees and migrants

Asylum-seekers continued to face the risk of arrest and prolonged detention as well as forced return (refoulement) to countries where they would be at risk of persecution. Following discussions with the Myanmar government, Thailand's National Security Council indicated that the 146,900 Myanmar refugees living in Thailand could return to Myanmar within a year, despite continued instability in Myanmar's ethnic areas and the lack of protections to facilitate a safe, dignified and voluntary return process.

Documented and undocumented migrant workers were threatened with deportation in mid-December for failure to complete a national verification process.

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Death penalty

There were no reported executions. Courts continued to hand down death sentences throughout the year. In August, the state commuted the sentences of at least 58 death row prisoners to life imprisonment.

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