

Re: Thailand - Killing of human rights defenders and members of Southern Peasants Federation of Thailand Ms. Montha Chukaew and Ms. Pranee Boonrat

Thursday 24 January 2013, by [FIDH](#), [Front Line Defenders](#), [OMCT](#), [Protection International](#) (Date first published: 21 December 2012).

Concerns about the killing of two women human rights defenders members of the Southern Peasants' Federation of Thailand (SPFT), Ms. Montha Chukaew (50) and Ms. Pranee Boonrat (54).

H.E. Yingluck Shinnawatra
Prime Minister
Office of the Prime Minister
Government House
Thanon Phitsanulok, Dusit
Bangkok 10300, Thailand

Re: Thailand - Killing of human rights defenders and members of Southern Peasants Federation of Thailand Ms. Montha Chukaew and Ms. Pranee Boonrat

Your Excellency,

We write to you to raise our concerns about the killing of two women human rights defenders. On 19 November 2012, members of the Southern Peasants' Federation of Thailand (SPFT) Ms. Montha Chukaew (50) and Ms. Pranee Boonrat (54) were shot and killed while they were on their way to a local market. The SPFT is a people's network formed in 2008 campaigning for the right to agricultural land in the Khlong Sai Pattana community in Chaiburi District, Surat Thani Province and other areas in the region.

The two women human rights defenders were shot at around 7am while they were riding their motorcycle to the market. Soon after the women had left Khlong Sai Pattana, a daughter and neighbour heard gunshots. When they went out to see what had happened, they found Ms. Montha Chukaew and Ms. Pranee Boonrat lying dead at a location 800 meters from the community. Ten bullet cases of assault rifles were found lying near the scene. One leader of the Khlong Sai Pattana community stated that these killings are likely related to the work of the SPFT in demanding rights over land the community has been using for agriculture since 2008.

The SPFT has been active in supporting the Khlong Sai Pattana community in a land dispute involving Jiew Kang Jue Pattana Co. Ltd., a palm oil company. The governmental Agricultural Land Reform Office (ARLO), who claims to be the rightful owner of the land, sued the company for illegal land encroachment in 2007 and won the case in the first instance and appeal courts. The case is currently before the High Court. In 2009 and 2010 two Cabinet decisions were issued allowing the villagers to remain in their settlement until the dispute is resolved and granted them community

land entitlement. The total disputed area covers 1355 Rai (535 Acres), 200 (70 acres) of which have been used by the community. Several members of the SPFT are currently facing legal suits filed by the company on allegations that their work and campaigns are affecting their business interests.

Mounting violence has been used against the community. In 2009, tractors, allegedly sent by the company, invaded the area and destroyed 60 of 120 houses in the community. In 2010, human rights defender Mr. Somporn Pattaphum, who was a SPFT affiliate, was shot and killed in the area. In October 2012, a woman farmer from the community was threatened by an unidentified man in a truck carrying a gun saying that the community should get out of the area. According to community members, since 19 November 2012, gunshots have been fired regularly near the community during nighttime.

The perpetrators of the killings remain at large and police investigations have so far been inconclusive. The National Human Rights Commission visited the province and held meetings with local authorities, including the Governor of Surat Thani Province, on 11 December 2012. The Governor has employed four volunteer guards outside of the community to provide protection to the villagers, but given the fact that these guards receive no compensation and are situated outside of the disputed area, this measure is deemed insufficient and community members continue to live in fear. A representative of the community informed us that unidentified men continued to appear in the community.

The undersigned organisations condemn the killing of Ms. Montha Chukaew and Ms. Pranee Boonrat in the highest possible terms and believe that the killing is directly related to their work in the defence of human rights, in particular community and land rights. These two assassinations belong to a worrying pattern of mounting harassment against members of the SPFT and we are extremely concerned about ongoing threats against them.

One month after the assassination of Ms. Montha Chukaew and Ms. Pranee Boonrat, the undersigned organisations urge the authorities of Thailand to:

1. Ensure that the ongoing police and judicial investigation into the killing of Ms. Montha Chukaew and Ms. Pranee Boonrat be thorough and impartial, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
2. Provide immediate and sufficient police protection to the members of SPFT and their family members, including for the Governor to provide police presence inside the community;
3. Take all necessary measures to guarantee the physical and psychological integrity and security of members of SPFT, their families, as well as other community activists; and
4. In general, guarantee in all circumstances that all human rights defenders in Thailand are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including judicial harassment.

We respectfully remind you that sections 66 and 67 of the 2007 Constitution of Thailand protect community rights, including the right to participate in the management, maintenance and exploitation of natural resources.

Furthermore, the United Nations Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted by consensus by the UN General Assembly on 9 December 1998, recognises the legitimacy of the activities of human rights defenders, their right to freedom of association and to carry out their activities without fear of reprisals. We would particularly draw

attention to Article 12 (2): “The State shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, de facto or de jure adverse discrimination, pressure or any other arbitrary action as a consequence of his or her legitimate exercise of the rights referred to in the present Declaration” and to Article 18 (2): “Individuals, groups, and non-governmental organisations have an important role to play and a responsibility in safeguarding democracy, promoting human rights and fundamental freedoms and contributing to the promotion and advancement of democratic societies, institutions and processes”.

Please inform us of any action taken on this case.

21 December 2012

Sincerely yours,

Mary Lawlor,
Executive Director,
Front Line Defenders

Souhayr Belhassen,
President,
International Federation for Human Rights (FIDH)

Arjan van der Waal,
Programme Director,
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