



## ASIAN CENTRE FOR HUMAN RIGHTS

Dedicated to promotion and protection of human rights in Asia

*ACHR has Special Consultative Status with the United Nations Economic and Social Council*

Address: C-3/441-C, Janakpuri, New Delhi-110058, India

Phone/Fax: +91-11-25620583, 25503624;

Email: [suhaschakma@achrweb.org](mailto:suhaschakma@achrweb.org); Website: [www.achrweb.org](http://www.achrweb.org)

13 May 2010

Mr Abhisit Vejjajiva  
Honourable Prime Minister of Thailand  
The Government House  
Nakorn Pathom Road  
Dusit Sub District  
Dusit, Bangkok 10300  
Thailand  
Fax: +66-22828147/ 26534060

**Subject: Halt the ongoing military crackdown under Operation Ratchaprasong at Banokok to disperse the Red Shirts protestors**

Dear Prime Minister,

The Asian Centre for Human Rights (ACHR) which has Special Consultative Status with the United Nations Economic and Social Council is writing this letter to express its serious concern against the ongoing “Operation Ratchaprasong” by the Thai army belonging to the 11<sup>th</sup> Regiment. The Operation was launched at 6pm Thailand Time to disperse the Red Shirts protestors who have been camping at Ratchaprasong, Bangkok since 14 March 2010.

On 30<sup>th</sup> April 2010, I had personally visited the site of the demonstration. It is clear that the use of force including fire-arms will lead to murder of many civilians, who are taking part in the protest while exercising the right to freedom of association and assembly.

As I write this letter, General Khattiya Sawatdiphol, 59, better known as Seh Daeng has been shot at while giving an interview to *The International Herald Tribune*, while two others were injured in the firing by the Army on the Red Shirts demonstrators. The firing was without any provocation and it constitutes a clear violation of the Principle 9 of the United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Principle 9 clearly states that “*Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury, to prevent the perpetration of a particularly serious crime involving grave threat to life, to arrest a*

*person presenting such a danger and resisting their authority, or to prevent his or her escape, and only when less extreme means are insufficient to achieve these objectives. In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life”.*

While the ACHR welcomed the roadmap announced by you to resolve the crisis, obviously it failed to bring an end to the impasse. The ACHR expected that the government of Thailand will use dialogue as the means to resolve the impasse.

It is extremely unfortunate that the talks collapsed on the issue of justice i.e. as to who shall be held responsible for the killings as a result of firing by the security forces on 10<sup>th</sup> April 2010. On 30 April 2010, the ACHR recommended that a joint parliamentary investigation consisting of the opposition Members of Parliament and ruling party would be best way to assuage the sentiments of the victims and to provide justice.

It is clear that the government of Thailand under your leadership has decided to use violence, and not justice, as the means to resolve the crisis.

It is regrettable that you as the Prime Minister have directed the Thai Army to use maximum force including fire-arms against civilian demonstrators. In this regard, the ACHR would like to draw your attention to the Article 25(3)(a) of the Rome Statute of International Criminal Court relating to individual criminal responsibility. The ACHR is also of the opinion that you have intentionally directed the attacks against the civilian demonstrators who are not taking part in any hostility as provided under Article 8(2)(e)(i) of the Rome Statute.

The Asian Centre for Human Rights fervently appeals to immediately withdraw the troops, return to talks with the United Front for Democracy Against Dictatorship (UDD) and among others, address the issue of justice for the killings on 10<sup>th</sup> April 2010.

With kind regards,

Yours sincerely



Suhas Chakma  
Director