



THAILAND

Descent into Chaos

Thailand's 2010 Red Shirt Protests and
the Government Crackdown

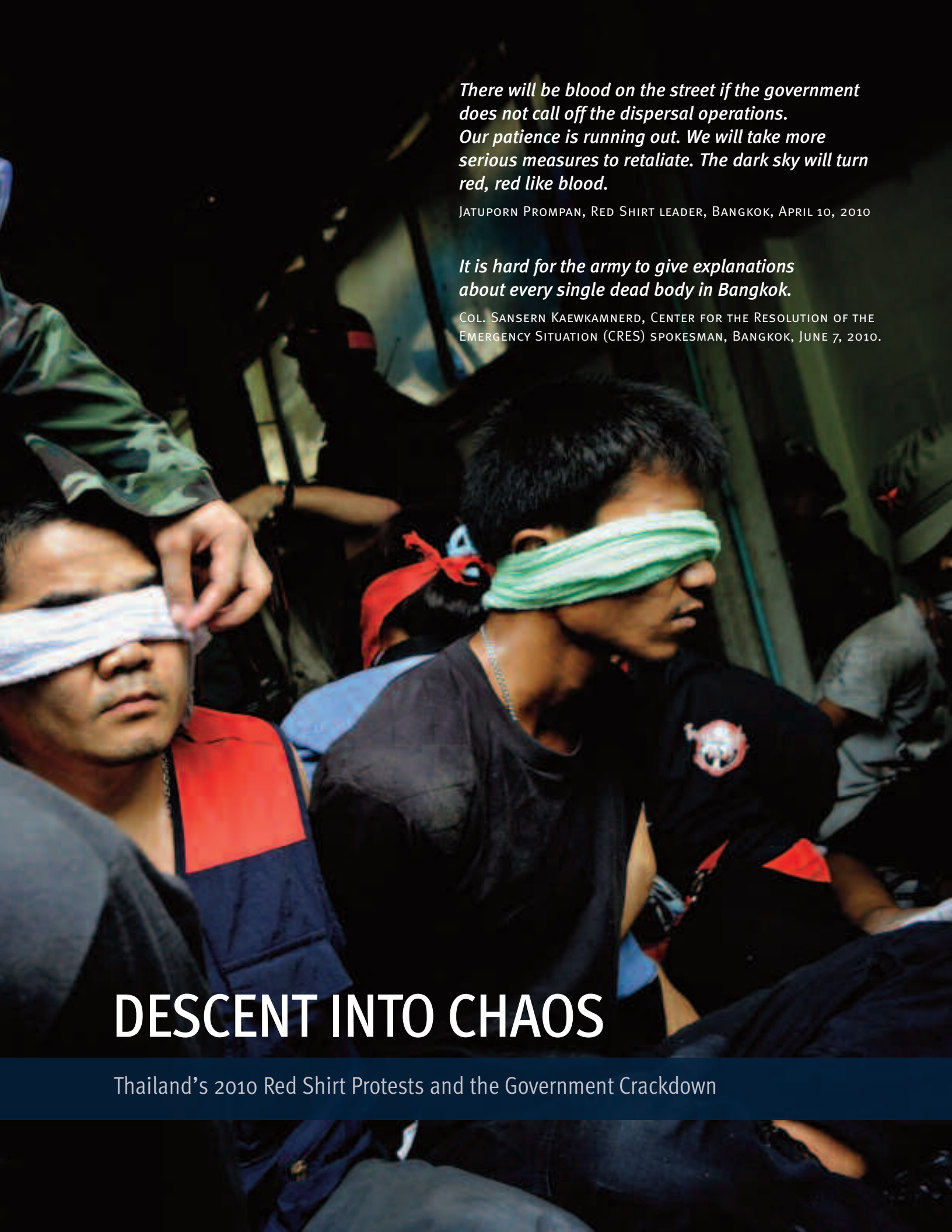
HUMAN
RIGHTS
WATCH

Summary and Key Recommendations



Surrendered Red Shirt protesters are blindfolded and have their hands tied behind their back by soldiers on May 19, 2010 in Bangkok.

© 2010 Jan Grarup/NOOR



There will be blood on the street if the government does not call off the dispersal operations. Our patience is running out. We will take more serious measures to retaliate. The dark sky will turn red, red like blood.

JATUPORN PROMPAN, RED SHIRT LEADER, BANGKOK, APRIL 10, 2010

It is hard for the army to give explanations about every single dead body in Bangkok.

COL. SANSERN KAEWKAMNERD, CENTER FOR THE RESOLUTION OF THE EMERGENCY SITUATION (CRES) SPOKESMAN, BANGKOK, JUNE 7, 2010.

DESCENT INTO CHAOS

Thailand's 2010 Red Shirt Protests and the Government Crackdown



During the mass political mobilization from March to May 2010, Thailand endured the most violent confrontations since the protests against military rule in 1992. At least 90 people died and more than 2,000 were wounded in clashes between security forces and anti-government protesters led by the United Front for Democracy against Dictatorship (UDD), also known as “Red Shirts.” Arson attacks in Bangkok and elsewhere caused billions of dollars of damage.

Thai soldiers fire live rounds into the air (background) and rubber bullets at Red Shirt protesters (foreground) at the Phadung Krung Kasem intersection in Bangkok, during the dispersal of the Phan Fa Bridge protest site on April 10, 2010.

© 2010 Agnes Dherbeys/VII Mentor Program



An apparent member of the Black Shirt militants is seen with an AK-47 in a back street of Soi Tanao, near Kao San Road and the Democracy Monument in Bangkok, April 10, 2010.

© 2010 Agnes Dherbeys/VII Mentor Program

While the political protests, which paralyzed the capital for three months, received global coverage, many of the deaths and injuries occurred beyond the view of news cameras. Fueled by a lack of information, the UDD and government have traded claims and counterclaims about who was responsible for the loss of life.

Based on investigations conducted in Bangkok and in Thailand's central and northeastern regions from June 2010 to April 2011, this report provides the first full account of the violence and the reasons behind it. The high death toll and injuries resulted from excessive and unnecessary lethal force on the part of security forces, including firing of live ammunition at protesters, sometimes by snipers. Soldiers

fatally shot at least four people, including a medic treating the wounded, in or near a temple in Bangkok on May 19, despite army claims to the contrary. The extensive casualties also resulted from deliberate attacks by militant armed elements of the UDD, whose leaders contributed to the violence with inflammatory speeches to demonstrators, including urging their supporters to carry out riots, arson attacks, and looting. The heavily armed "Black Shirt" militants, apparently connected to the UDD and operating in tandem with it, were responsible for deadly attacks on soldiers, police, and civilians.

During and after the protests, the government adopted various measures that seriously infringed on fundamental human rights. These included holding suspects without charge for up to 30 days in unofficial places of detention, arbitrary arrests and detentions of UDD supporters, mistreatment of detainees, and broad censorship of critical media and websites.

Contentious key issues, such as the role of the monarchy and military in Thai politics and society, a dysfunctional and



Pro-government Yellow Shirts supporters affiliated with the People's Alliance for Democracy (PAD), sing while holding a portrait of Thailand's revered King Bhumibol Adulyadej and waving Thai national flags and yellow flags during a rally at the Royal Plaza in Bangkok on April 23, 2010.

© 2010 Reuters/Sukree Sukplang



corrupt political system, the failure to hold powerful individuals across the political spectrum accountable for human rights abuses, high-level corruption, widespread economic disparities, and a deep rural-urban divide were key

catalysts for the protests. These have yet to be addressed in any meaningful way. Moreover, while several protest leaders and many UDD rank-and-file have been charged with serious criminal offenses and are awaiting prosecution, government forces implicated in abuses continue to enjoy impunity, sending Thais the message that the scales of justice are imbalanced, if not entirely broken. It is critical for the government to ensure impartial and transparent government investigations that lead to criminal prosecutions against those on all sides responsible for abuses, including those who ordered the unlawful use of force or incited violence.

Impunity and human rights abuses have long been a feature of Thailand's political system and culture. While substantial progress was made after the 1992 attacks by the military on protesters, the human rights situation degraded after Thaksin Shinawatra, a telecommunications billionaire, became prime minister in 2001. Thaksin did many positive things for Thailand, including embarking on an ambitious village-level economic development and social services program. His populist reforms were aimed at winning the loyalty of the marginalized rural and urban poor. But his rule was marred by allegations of corruption, cronyism, increased restrictions on media, and severe human rights abuses, including the extrajudicial killing of approximately 2,800 drug suspects as part of his "War on Drugs" and a brutal counterinsurgency campaign against the ethnic Malay Muslim insurgency in southern Thailand.

Thaksin's detractors tended to view his government as either an effort to run roughshod over democratic institutions and human rights, or a challenge to the traditionalist and royalist political establishment. In 2006, mass protests erupted in Bangkok led by the People's Alliance for Democracy (PAD), or the "Yellow Shirts," which claimed to defend the monarchy. Military leaders staged a coup in September 2006, which Human Rights Watch denounced, and removed Thaksin and his government from power. The coup ushered in a period of serious political instability in which Thailand has faced violent political stand-offs between the "Yellow Shirt" PAD, which opposes a political resolution allowing Thaksin to return to power, and the pro-Thaksin "Red Shirt" UDD.

Thaksin's removal from office did not end his involvement in Thai politics. From exile, he has supported proxies to create a series of political parties which enjoyed enough popular support to win an election in December 2007. However, the governments of prime ministers Samak Sundaravej and Somchai Wongsawat, which Thaksin backed, were removed from power by the Constitutional Court on arguably legally valid but politically motivated grounds. This led to street protests that reached their peak between March and May 2010, beginning on March 12 with the UDD's "Million Man March" on Bangkok.



United Front for Democracy against Dictatorship (UDD)
"Red Shirts" confront soldiers in riot gear near Bangkok's
Ratchaprasong business district on April 10, 2010.

© 2010 Nic Dunlop/Panos



DESCENT INTO CHAOS

After months of careful preparations at hundreds of informal “Red Shirt schools” nationwide, an estimated 120,000 protesters descended on the capital from UDD rural strongholds to call for new elections and the effective end of Prime Minister Abhisit Vejjajiva’s government. Abhisit had been installed in December 2008 with the strong support of the military and the Privy Council.

After a month of largely peaceful rallies, the protests took a violent turn on April 7 when UDD leader Arisman Pongruangrong led protesters in storming the Parliament building while the Parliament was in session, forcing the deputy prime minister and other ministers to flee the site. The government responded by declaring a state of emergency. Using powers put into place by Thaksin, it created a civilian-military crisis center empowered to impose curfews, ban public gatherings, detain suspects without charge, and censor the media.

On April 9, the UDD launched a march to restore the satellite signal for its television network, the People’s Channel. Protesters overpowered and seized the weapons of soldiers who attempted to hold them back from the Thaicom satellite station, north of Bangkok, then negotiated an agreement to restore the signal and return the weapons. Sixteen protesters and five soldiers were injured in the clash.

On April 10, Deputy Prime Minister Suthep Thaugsuban ordered the army to reclaim the UDD sites at Phan Fa bridge and in Ratchaprasong district, where protesters had set up a camp, paralyzing the capital’s central business district. An initial failed attempt to retake the bridge, which included gunfire by security forces, wounded some 135 persons, including at least 19 soldiers and three police officers. Meanwhile in Ratchaprasong, UDD protesters attacked police officials who tried to serve arrest warrants on their leaders there.

While the military denied that soldiers had used live ammunition, eyewitness accounts, video footage, and forensic evidence from the scene that Human Rights Watch has examined shows that some soldiers fired live ammunition at protesters.

As night fell, renewed clashes erupted when the army attempted to move in on the Phan Fa camp and were confronted by well-armed and organized groups of armed militants affiliated with the UDD. Known as the “Black Shirts,” they fired M16 and AK-47 assault rifles at soldiers, and used M79 grenade launchers and M67 hand grenades at the Khok Wua junction and at the Democracy Monument, devastating army troops in the process. The army unit’s commanding officer, Col. Romklao Thuwatham, was among the first to be killed, apparently in a targeted M79 grenade attack. Many senior officers were wounded. Panicked and leaderless, the troops withdrew into backstreets, often firing



directly at UDD protesters massed before them. The result was Bangkok’s deadliest violence in decades, which left 26 people dead, including five soldiers, and more than 860 wounded.



Relatives of UDD protesters who were killed during the clashes with soldiers on April 10, 2010, appear on stage calling for accountability, Bangkok, May 9, 2010.

© 2010 RedPhanFa2Day



Maj. Gen. Khattiya Sawasdipol, who had allied himself with the Red Shirts, was shot in the head by a sniper on May 13, 2010 in Bangkok. He died in Vajira Hospital on May 17, 2010.

© 2010 Reuters



A foreign photojournalist was behind army lines in Din So Road when the soldiers were attacked by Black Shirts with grenades and gunfire. He told Human Rights Watch:

[T]hey [the soldiers] got hit by a grenade. They fell back and had injured with them, so to give cover to their wounded they returned fire. The Black Shirts were ahead of them, attacking.... I could see their fire incoming at us.... The Black Shirts didn't come to try and take territory—they shoot and then they leave; they hit [the soldiers] and retreat.

A period of relative calm and negotiations between the government and UDD followed. However, violence continued to flare. On April 22, for example, five M79-launched grenades landed in a pro-government Yellow Shirt crowd, killing a woman and wounding at least 78. On April 24 and 29, UDD security guards and protesters armed with sharpened bamboo sticks stormed Chulalongkorn Hospital in a search for soldiers.

LIVE-FIRE ZONES AND THE FINAL ASSAULT

In early May, the government and UDD almost reached an agreement to halt the protests and hold elections for a new government. However, UDD hardliners led by Maj. Gen. Khattiya Sawasdiapol, claiming to represent Thaksin's interests, blocked the deal with more demands. They also threatened to remove moderate UDD leaders, whom they said were collaborating with the government. Amid escalating tensions, the UDD reinforced its Ratchaprasong camp in Bangkok's commercial district with barricades made of tires and sharp bamboo sticks.

On May 12, Prime Minister Abhisit announced that negotiations had failed and warned that the protest camp would be dispersed imminently. On the evening of May 13, a sniper shot Khattiya in the head as he was being interviewed by a *New York Times* reporter near the UDD barricade at Saladaeng junction. Later that night, incensed armed Black Shirts began confronting security forces near the King Rama IV statue in Lumpini Park, firing assault weapons. A photographer described the scene:

They [Black Shirts] started breaking as many lights in the area as they could to make the area darker so snipers couldn't fire at them. Suddenly, I heard a lot of explosions and gunfire for about 20 minutes.

He said Black Shirts took garbage bags containing AK-47 assault rifles hidden behind tents behind the Rama VI statue and started shooting at security forces positioned at the Chulalongkorn Hospital and other buildings, who returned fire.



The assassination of Khattiya, who died from his wounds on May 17, led to rapidly escalating violence on both sides. Starting on May 14, groups comprised mostly of men and urban youth fought openly with security forces surrounding the Ratchaprasong camp, using flaming tires, petrol bombs,

slingshot-fired projectiles, and powerful home-made explosives. On numerous occasions, the Red Shirt protesters were joined by better-armed and fast-moving Black Shirt militants armed with AK-47 and HK-33 rifles and M79 grenade launchers.



A Red Shirt protester aims a slingshot at Thai army soldiers in Lumpini Park, along Wittayu road in Bangkok on May 13, 2010.
© 2010 Agnes Dherbeys/VII Mentor Program



Improvised bombs found at the UDD's barricade on May 19, 2010, Bangkok.
© 2010 RedPhanFazDay



A Red Shirt protester indicates a hole in a helmet left by what he said was a sniper bullet that killed a rescue worker at a Red Shirt position on Rama IV Road in Bangkok on May 15, 2010.

© 2010 Roger Arnold

On May 14, the government set out new rules of engagement for security forces, allowing them to use live fire under specific circumstances. These included using warning shots for self-defense, and when troops had clear visual site of “terrorists,” a dangerously vague term. In practice, the security forces began deploying snipers to shoot anyone who tried to enter “no-go” zones between the UDD and security force barricades, or who threw projectiles towards soldiers. On many occasions, security forces appear to have randomly shot into crowds of UDD supporters who posed no threat to them, often with lethal consequences.

While Thai authorities have not released comprehensive forensic analyses of the wounds sustained by those killed between May 14 and May 18, incidents reviewed by Human Rights Watch indicate that several unarmed protesters were killed with single shots to the head, suggesting the use of snipers and high-powered scopes. For example, a photographer who was filming a wounded protester in Lumpini Park on the morning of May 14 and found himself under heavy gunfire said: “I didn’t see any armed people getting shot. What you had were snipers with scopes taking people out with headshots, people who at most had a slingshot.”





A protester lies shot as armed soldiers attempt to clear an area occupied by Red Shirts along Rachadamri Road in Bangkok in the early morning hours of May 19, 2010.

© 2010 Jan Grarup/NOOR



Red Shirt protesters set tires on fire to block army soldiers from advancing along Rama IV Road in Bangkok May 15, 2010.

© 2010 Reuters/Adrees Latif



On May 19, UDD leadership—claiming it was acting to save protesters' lives—unexpectedly surrendered during an army operation to retake areas around the Ratchaprasong camp. As UDD leaders were taken into custody, most unarmed UDD supporters left the area. Security forces fired directly into the UDD barricades with live ammunition, causing deaths and injuries among protesters, medic volunteers, and bystanders. Small groups of armed militants fired assault weapons and grenades at advancing soldiers, causing deaths and injuries, but quickly abandoned the battle.

At the same time, UDD supporters began an apparently coordinated campaign of arson attacks throughout Bangkok. For months, UDD leaders had urged followers to turn the city into “a sea of fire” if the army tried to disperse the protest camps. Apparently following such directives, pro-UDD elements targeted buildings, banks, stores, and small businesses linked to the government or anti-Thaksin associates, including the Thai Stock Exchange, Central World shopping complex (one of the biggest in Asia), and the Maleenont Tower Complex housing Channel 3 Television. The attacks caused billions of dollars in damage.

Several thousand UDD demonstrators sought sanctuary in the compound of a Buddhist temple, Wat Pathum Wanaram, which had been declared a safe zone several days earlier in an agreement between the government and UDD leaders. Fresh violence led to the deaths of six people in or near the compound. The army, which denied any responsibility for the killings inside the temple, suggested the six fatalities were due to an internal Red Shirt dispute. A Human Rights Watch investigation, based on eyewitness accounts and forensic evidence, found that soldiers fatally shot at least two people outside the temple entrance as they fled, while soldiers on



Soldiers break down the Red Shirts' protest camp along Rachadamri Road in Bangkok on May 19, 2010.

© 2010 Jan Garup/NOOR





Surrendered Red Shirt protesters are blindfolded and have their hands tied behind their back by soldiers, May 19, 2010 in Bangkok.

© 2010 Jan Grarup/NOOR

the elevated train tracks shot and wounded others (at least one fatally) inside the temple compound. Narongsak Singmae, a UDD protester who was shot and wounded inside the temple said:

[O]ur leaders told us that temple was a safe zone. I brought along my wife and my son.... Around 6 p.m. I heard gunshots coming from in front of the temple and I saw people running toward me.... Before I could do anything, I was shot in my left leg and in my chest. The bullet went through my leg. But luckily, the bullet that hit my chest was stopped by a coin in my bag. Soldiers shot wildly at anyone that moved. I saw another two men shot by soldiers as they tried to come out from their hiding places and run for safety.

According to witnesses, medic volunteers who were tending the wounded inside the temple compound were amongst those killed. These included a nurse who was shot while tending to a wounded man near the nursing station at the front of the temple, and 22-year-old man who was fatally shot in the head and body inside the medical tent after providing first aid to the nurse. Witnesses told Human Rights Watch that soldiers did not allow medics and ambulances to rescue wounded protesters, possibly causing additional deaths:

I believed many people died because medics and ambulances were not allowed to enter Wat Pathum until almost midnight. I saw a young man suffer from gunshot wounds for about 45 minutes before he died. Some of us tried to crawl out from our hiding places to help the wounded and retrieve dead bodies, but we were shot at by soldiers.

The May violence was not limited to Bangkok. After the UDD started the “Million Man March” in Bangkok on March 12, 2010, parallel rallies took place in northern and northeastern Thailand, political strongholds of Thaksin. These were connected to the main protest stages in Bangkok via the broadcast of the People’s Channel satellite TV, community radio stations, and a live online feed. Leaders told these participants of parallel rallies to prepare to possibly besiege provincial halls if the government used violence to disperse UDD protests in Bangkok. On May 19, in response to events in the capital, UDD supporters in Khon Kaen, Ubon Ratchathani, Udon Thani, and Mukdahan provinces rioted and burned government buildings. In several instances, security forces opened fire on the protesters, killing at least three, and wounding dozens more.

To combat the escalating violence, the government adopted various measures that seriously infringed fundamental human rights. For example, the Emergency Decree on Public Administration in Emergency Situation in Bangkok and other provinces went into effect on April 7, 2010, allowing the government to hold suspects without charge for up to 30 days

in unofficial places of detention. Officials who implemented the decree effectively received immunity from prosecution.

The decree also created the Center for the Resolution of Emergency Situations (CRES), an ad hoc body of civilians and military officers, which questioned, arrested, and detained UDD leaders, protesters, and accused sympathizers. The CRES also summoned hundreds of politicians, former officials, businessmen, activists, academics, and radio operators for interrogation; froze individual and corporate bank accounts; and detained some people in military-controlled facilities. Human Rights Watch found many UDD detainees experienced torture and forcible interrogations, arbitrary arrest and detention, and overcrowded detention facilities.

The state of emergency was finally lifted on December 22. This positive development was, however, undermined by a continuing government crackdown on freedom of expression and media freedom. Emergency powers were used against several media outlets considered to be closely aligned with the UDD, including more than 1,000 websites, a satellite television station, online television channels, publications, and more than 40 community radio stations. Most banned media remain closed at this writing. In addition, Thai authorities used the Computer Crimes Act and the charge of *lese majeste*, or insulting the monarchy, to persecute dissidents and censor online information and opinions.

As a means to reconciliation, Prime Minister Abhisit endorsed an impartial investigation into the violence committed by all sides. However, without the necessary military cooperation, the Parliamentary inquiry commissions, the National Human Rights Commission, and the Independent Fact-Finding Commission for Reconciliation have all been unable to obtain complete information about security forces’ deployment plans and operations, autopsy reports, witness testimony, photos, or video footage from the CRES.



THAILAND'S OBLIGATIONS UNDER INTERNATIONAL LAW

Thailand is a party to the International Covenant on Civil and Political Rights (ICCPR), which obligates the government to uphold and take measures to ensure the realization of basic rights. On April 10, 2010, Thailand invoked article 4 of the ICCPR to formally suspend specific treaty obligations.¹ These were the right to freedom of movement (article 12), freedom of expression and the press (article 19), and peaceful assembly (article 21) in the areas under Emergency Decree. The government did not suspend the prohibition on arbitrary arrest and detention (article 9), nor the right to a fair trial (article 14).

According to the United Nations Human Rights Committee, which monitors state compliance with the ICCPR, any measures that limit rights must reflect the duration, geographical coverage, and scope of the state of emergency and be proportional to the threat.² Further, certain

A tire burns as government security forces clash with anti-government protesters in Bangkok on May 14, 2010.

© 2010 Reuters/Sukree Sukplang

fundamental provisions of the ICCPR such as the right to life and freedom from torture or ill-treatment, and freedom of thought, may in no circumstances be restricted.³ Arbitrary deprivations of liberty or deviations from the fundamental principles of a fair trial, including the presumption of innocence, are also not permitted.⁴



The deserted Red Shirt camp at Ratchaprasong intersection in Bangkok after the army dispersed the protesters on May 19, 2010.

© 2010 Jan Grarup/NOOR

¹ Article 4 of the ICCPR provides that during a time of public emergency that “threatens the life of the nation” and is officially proclaimed, certain rights may be circumscribed “to the extent strictly required by the exigencies of the situation.”

² Human Rights Committee, General Comment 29 States of Emergency (article 4), U.N. Doc. CCPR/C/21/Rev.1/Add.11 (2001), reprinted in Compilation of General Comments and General Recommendations Adopted by Human Rights Treaty Bodies, U.N. Doc. HRI/GEN/1/Rev.6 at 186 (2003), para. 4.

³ ICCPR, article 4(2).

⁴ Human Rights Committee, General Comment 29 States of Emergency (article 4), para. 11, <http://treaties.un.org/doc/Publication/CN/2010/CN.375.2010-Eng.pdf>.

KEY RECOMMENDATIONS

TO THE GOVERNMENT OF THAILAND

- Immediately conduct an impartial, transparent, and independent inquiry into the violence of April-May 2010 and ensure all perpetrators of serious human rights abuses are brought to justice regardless of their status and political affiliation.
- Ensure the Thai army and other military branches, Thai police, and other government agencies fully cooperate with all information requests from the Ministry of Justice's Department of Special Investigation, the National Human Rights Commission of Thailand, the Truth for Reconciliation Commission of Thailand, and other official inquiries, including those conducted by parliamentary commissions.
- Immediately make public the names, identifying information, place of origin and other specific information of all persons who have been detained for an offense under the Emergency Decree since April 7, 2010. Ensure that all persons detained by the police and other security forces are held at recognized places of detention and are not subjected to torture or cruel, inhuman, or degrading treatment or punishment. Immediately make detainees' whereabouts known to family and legal counsel, allow regular contact with family, and unhindered access to legal counsel of the detainee's choice.
- Provide prompt, fair, and adequate compensation for the victims, and family members of the victims of human rights violations and the misuse of force by state officials. Provide assistance to families who suffered injury or property loss as a result of the demonstrations and the government crackdown.
- Immediately end all restrictions on media that violate the right to freedom of expression, particularly sweeping censorship of UDD-affiliated media outlets, community radio stations, and websites. Drop all criminal charges filed under the Computer Crimes Act and Penal Code for peaceful expression. End arbitrary use of lese majeste charges to intimidate and prosecute government critics and dissidents.

TO LEADERS OF THE UDD, PAD, AND OTHER OPPOSITION POLITICAL GROUPS AND POLITICAL PARTIES

- **Take all necessary measures, including frequent public statements, to ensure that all members and supporters do not engage, directly or indirectly, in violent activities on behalf of the group.**
- **Continually monitor, identify, and disband any armed elements within the group. Report to the authorities any group members who plan violence or unlawfully obtain or use arms.**
- **Cooperate and participate fully with criminal investigations, and investigations by the National Human Rights Commission and the Truth for Reconciliation Commission of Thailand into human rights violations and violence.**

Descent into Chaos

Thailand's 2010 Red Shirt Protests and the Government Crackdown

In April and May 2010, Thailand experienced its most serious political violence in decades. At least 90 people died and more than 2,000 were wounded in clashes between government security forces and anti-government protesters led by the United Front for Democracy against Dictatorship (UDD), also known as the “Red Shirts.” Arson attacks in and outside Bangkok caused billions of dollars of damage.

Based on 94 interviews with eyewitnesses, journalists, human rights defenders, parliamentarians, lawyers, government officials, security personnel, and participants in the events, *Descent into Chaos* provides a detailed account of the violence and human rights abuses committed by all sides. The high death toll and injuries resulted largely from excessive use of lethal force by government security forces, including firing of live ammunition at protesters, sometimes by snipers. Deliberate attacks on the security forces by the so-called “Black Shirts,” armed elements connected with the UDD, also caused deaths and injuries. UDD leaders made inflammatory speeches to demonstrators, encouraging their supporters to carry out riots, arson attacks, and looting.

The Thai government adopted various measures that seriously infringed on fundamental rights. These have continued since the protests were broken up. The government has arbitrarily arrested and detained UDD members and held suspects without charge in unofficial places of detention. Detainees have been abused by members of the security forces. A far-reaching government crackdown on freedom of expression and media resulted in the banning of publications, closure of scores of community radio stations, and blocking of thousands of ostensibly pro-UDD websites.

While UDD members and supporters are in custody awaiting prosecution, government forces implicated in abuses enjoy impunity. The government needs to undertake impartial and transparent investigations and prosecute those responsible for criminal offenses, including those who ordered unlawful use of force or incited violence.

United Front for Democracy against Dictatorship (UDD) “Red Shirts” demonstrating before a police line, in downtown Bangkok, April 6, 2010.

© 2010 AP Photo/Wason Waintchakorn

