

# **Total lack of justice for Red Shirt detainees under Abhisit's junta**

Thursday 29 July 2010, by [UNGPAKORN Giles Ji](#) (Date first published: 29 July 2010).

Red Shirt political prisoners, detained by the Abhisit military junta after the bloody crack down against unarmed pro-democracy demonstrators in Thailand in May, are facing a total lack of justice with internationally recognised legal standards being blatantly ignored. This is more evidence of the total destruction of Democracy, Justice and the Rule of Law in Thailand since the 2006 military coup.

*Prachatai* the web-based newspaper, which the junta repeatedly tries to close down, reports that Red Shirt detainees in the north-east provinces of Ubon Rajatanee, Kon Kaen, Mahasarakarm, Mukdaharn and Udon Tanee are facing the following problems... and there is no reason to believe that other Red Shirt detainees are any better off elsewhere.

1. Police evidence used for Warrants of arrest is unclear and lacking in legal standards. So people have been arrested and detained under conditions where there is a lack of clear evidence.
2. Those issued with arrest warrants are sometimes unaware of the warrants. This means that they could be facing further charges of "resisting or avoiding arrest".
3. Some of those who have been detained were assaulted by police while being arrested, despite not resisting arrest.
4. Police use threats and coercion to obtain "confessions". It is standard practice to tell defendants that their punishment will be less severe if they confess, whether this is true or not and whether they are guilty or not.
5. Many defendants are denied proper legal representation.
6. Judges have decided to deny bail to Red Shirts, without using standard legal rules. The judges claim they will all try to escape court proceedings, despite having no evidence to prove this. The judges obviously see them as "political prisoners who are already guilty".
7. Prison conditions are brutal and over-crowded.
8. Defendant's families are suffering financial consequences. There is no welfare state in Thailand and the fabulously wealthy conservative elites are fiercely opposed to state welfare for citizens.
9. Those defendants who were shot or injured by security officers and those with long-term illnesses, are denied proper medical treatment.

The above situation needs to be considered along with the fact that:

1. The Department of Special Investigation (D.S.I.) believes that defendants are guilty before being tried in a court of law. Recently the D.S.I. website published the name and pictures of a person whom they accuse of lese majeste. Beside the pictures they wrote that "this person will rot in hell". Clearly the D.S.I. does not believe that trials are necessary and considers that witch-hunts against

government critics are “legal”. They are even flouting the junta’s own Constitution. All this meets with the military backed-government’s approval.

2. D.S.I. head Tarit Pedit has issued so-called “terrorism” charges against 26 government opponents associated with the peaceful pro-democracy protests, without the slightest evidence that terrorist acts took place or that the 26 people were involved. These “terrorist” charges are similar to “terrorism” charges issued by Hitler’s Nazis against the Free French or similar charges issued by the Israeli government to justify killing unarmed civilians on the relief ships to Palestine.

3. The D.S.I. is not pursuing any terrorism charges against the royalist PAD gangs who took over Bangkok’s international airports in late 2008. This put a stop to international flights for over a week. The PAD also occupied and trashed Government House and caused a riot outside parliament that same year. No one has been punished or detained. The present Abhisit military junta has PAD members and supporters in the cabinet.

4. The D.S.I. is not pursuing any murder charges against Abhisit and the generals for ordering the shooting down in cold blood of innocent civilians earlier this year.

5. The Abhisit junta has maintained a “state of emergency” in Bangkok and other provinces and many Red Shirts have been detained for breaking the emergency law. Yet when the royalist PAD came out to protest and whip up ultra-nationalism over a pointless border dispute with Cambodia last week, none of the PAD leaders or their supporters were arrested. In fact Abhisit and his PAD Foreign Minister made a point of meeting the PAD protesters and agreeing with them. The royalists hope to create a diversion by whipping up anti-Cambodian sentiment.

6. Innocent defendants, awaiting trial are shackled in chains while going to court. This barbaric practice is designed to take away the humanity of detainees, not to prevent them from escaping in any way. Many of the Red Shirt leaders, who are political prisoners, actually gave themselves up to the police voluntarily, yet they are chained when attending court hearings. This is yet another indication that the conservative elites regard Red Shirts and ordinary Thai citizens who want democracy, as being “sub-human”. Thai citizens are referred to as merely “dust beneath the feet of the King”.

The entire criminal justice system in Thailand is compromised and corrupt. Citizens are not respected and regarded as equal. Judges are supporters of the conservative elites and are happy to act in a bias manner. There are no standards of basic justice. There is no freedom and Democracy. Yet Abhisit’s junta claims to be setting up committees for “political reform” under former military junta Prime Minister Anan Panyarachun and conservative doctor Prawes Wasi. What is even more shocking is that academics are flocking to these committees like flies to shit. There can be no serious “political reform” without freedom and Democracy, without scrapping the lese majeste law and without punishing the politicians and generals who gunned down innocent pro-democracy demonstrators. Serious reform would need to look into reducing the size, wealth and power of the military, reducing or scrapping the Monarchy, totally culling the judicial system and the police and ending all censorship. Serious reform can only take place after genuine democratic elections for a new government. But Abhisit’s junta shot dead over 90 people in March, April and May in order to avoid such elections. All his so-called “reform process” can amount to is an expensive public relations exercise to try and white-wash the crimes of the present junta.

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