



No. 52101/ 614

PERMANENT MISSION OF THAILAND
5, Rue Gustave-Moynier
1202 GENEVA

9 October B.E. 2557 (2014)

Dear Mr. Kaye, Mr. Kiai, Mr. Forst, Mr. Heyns and Ms. Manjoo,

I wish to refer to your joint letter dated 6 May 2014, regarding the alleged attempted killing and intimidation of Ms. Nurainee Uma, a paralegal at the Muslim Attorney Center Foundation.

In this connection, please find attached herewith the clarification on the above-mentioned case, as received from Southern Border Provinces Police Operation Center of Thailand, and prepared by the Ministry of Foreign Affairs of Thailand. I hope that this will help clarify the situation surrounding this case and address any concerns you may have.

The Permanent Mission of Thailand remains at your disposal should you require additional information.

Yours sincerely,

(Thani Thongpakdi)

Ambassador and Permanent Representative

Mr. David Kaye,

Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression,

Mr. Maina Kiai,

Special Rapporteur on the right to freedom of peaceful assembly and of association,

Mr. Michel Forst,

Special Rapporteur on the situation of human rights defenders,

Mr. Christof Heyns,

Special Rapporteur on extrajudicial, summary or arbitrary executions,

Ms. Rashida Manjoo,

Special Rapporteur on violence against women, its causes and consequences,

GENEVA.

[REDACTED]

Clarification by the Royal Thai Government regarding the alleged attempted killing and intimidation of Ms. Nurainee Uma

Summary of allegations

- Two unidentified armed men on a motorcycle tried to shoot Ms. Nurainee Uma, a paralegal at the Muslim Attorney Center Foundation (MAC) while she was on her way home from work by motorcycle on 25 February 2014. However, she managed to speed off and escape unharmed from that incident.
- Ms. Uma filed a complaint at the Muang Yala Police Station that same evening. The following day, the police visited the scene of the attempted murder. However, there has reportedly been no further investigation into her case.

Reply to the allegations

1. Are the facts alleged in the above summary accurate?

- The alleged facts on the alleged attempted killing of Ms. Uma are mostly consistent with the information held by the Thai authorities, except on the part that *“there has reportedly been no further investigation into her case.”*
- According to the records at Muang Yala Police Station, Ms. Uma had filed the complaint in the evening of 25 February 2014 at around 19:30hrs. The police officer on duty at the time recorded her complaint and submitted it for further action. The investigation and forensic science team was then dispatched first thing in the morning on the following day to visit and inspect the scene. However, no evidence was found at the scene.
- The closed circuit television (CCTV) was also checked for the route where Ms. Uma rode her motorcycle on the day of the incident and after in order to search for any trails of the afore-mentioned armed men. Yet, so far, the trace that may lead to the persons who committed the alleged offence has not been found.
- The police still continue to make their best effort in the investigation in order to bring the offenders to justice.

2. Please provide the details, and where available the results, of any investigation, medical examinations, and judicial or other inquiries which have been carried out in relation to this case.

- Due to the fact that Ms. Uma was not injured and she did not go to the hospital on the day, there was no record of her medical examination.
- As mentioned earlier, the police have been conducting investigation on the case. Yet, the offenders have not been found.
- The police informed Ms. Uma of the latest development of their investigation by the letter dated 4 June 2014. Ms. Uma was also encouraged to directly contact the police officer in charge to provide any additional traces she may find that are considered to be useful for further investigation.

3. Please provide the full details of any protective measures put in place to ensure the life, and physical and psychological security and integrity of Ms. Nurainee Uma; and 4. Please explain what measures have been taken to ensure that all human rights defenders in Thailand can carry out their peaceful and legitimate activities without fear of intimidation or violence of any sort.

- Overall, at the national level, the Rights and Liberties Protection Department is the focal point for protection of human rights defenders. The Department is currently considering the possibility to establish a "White List" of human rights defenders in order to effectively ensure their safety and that they are able to carry out their activities without physical danger, harassment or criminalization, in accordance with existing laws and regulations. The pros and cons as well as the practicality of this initiative will be further discussed with relevant agencies and NGOs.

- The Department also acts as the Centre to receive complaints of human rights violations, including torture and ill-treatment from all actors, coordinate and take necessary actions in cooperation with relevant agencies.

Ministry of Foreign Affairs
30 September 2014