

**Mandates of the Working Group on Enforced or Involuntary Disappearances; the Special Rapporteur on extrajudicial, summary or arbitrary executions; and the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression**

REFERENCE:  
UA THA 5/2020

12 June 2020

Excellency,

We have the honour to address you in our capacity as Working Group on Enforced or Involuntary Disappearances; Special Rapporteur on extrajudicial, summary or arbitrary executions; and Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, pursuant to Human Rights Council resolutions 36/6, 35/15 and 34/18.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the alleged abduction and disappearance in Cambodia of Mr. **Wanchalearm Satsaksit**, a Thai political activist.

Mr. Wanchalearm Satsaksit, 37 years old, is a Thai political activist affiliated with the United Front for Democracy against Dictatorship (UDD), also known as the "Red Shirts". He has been living in self-imposed exile in Cambodia from 2014 until the time of his reported disappearance. He previously worked as a campaigner for a former Minister from Pheu Thai Party. Prior to his political activism, he worked on HIV/AIDS, including with the Youth Network on HIV/AIDS and the Asian Resource Foundation.

According to the information received:

Following the May 2014 military coup in Thailand, Mr. Satsaksit was ordered to report to the National Council for Peace and Order (NCPO), the military council that had been set up. On 8 June 2014, the Bangkok Military Court issued an arrest warrant for him at the request of the NCPO Legal Office after he failed to report to the NCPO. Mr. Satsaksit reportedly went into self-exile at this time, first to Malaysia and then to Cambodia. On 25 June 2018, a further arrest warrant was issued by the Bangkok Criminal Court upon the request of the Royal Thai Police's Technological Crime Suppression Division. This arrest warrant was issued under the Computer Crime Act in relation to a satirical Facebook page ("I will surely get 100 million Baht from Thaksin") critical of the Government and NCPO, of which the Police accused him of being the author.

On 13 May 2020, around six Thai police officers from an unidentified unit visited the home of Mr. Satsaksit's family in Ubol, Ratchathani province, Thailand, to ask whether he had returned home and to inquire about his whereabouts. A family member told the officers that should they wish to search the house, a search warrant was required. The officers left thereafter.

On 3 June 2020, Mr. Satsaksit posted a public video on his Facebook account, in which criticized the Prime Minister of Thailand and accused him of mismanaging the country and reportedly referring to his “failed administrative skills.”<sup>1</sup>

On 4 June 2020, at around 16.45hrs, Mr. Satsaksit was reportedly abducted by four unidentified armed persons in the vicinity of Chroy Changvar district in Phnom Penh, where he had been living. Mr. Satsaksit was buying food at a street market and was reportedly on the phone with a family member when he was abducted.

Some of the men who abducted him were heard speaking in the Khmer language, and Mr. Satsaksit was heard saying that he could not breathe in Thai before communication was lost. A security guard at the apartment building attempted to intervene unsuccessfully. There is CCTV footage of the incident in the public domain.<sup>2</sup> It is reported that the vehicle Mr. Satsaksit was taken in was a dark blue Toyota Highlander vehicle (license plate: 2 X 2307).

According to open source information, on 5 June 2020, Lieutenant General Chhay Kim Khoun, the spokesperson of the Cambodian National Police, stated that he had received 50 calls about the disappearance of Mr. Satsaksit but he considered the information to be “fake news, untrue news”, adding “[w]e don’t know about it, so what should we investigate for?”<sup>3</sup> On the same day, Police Colonel Kissana Phathanacharoen, the deputy spokesperson of the Royal Thai Police, stated that the Thai Police had not received any information on the case. He added that the Thai authorities do not have the authority to intervene, as it did not take place on Thai soil.

On 7 June 2020, the family of Mr. Satsaksit issued a public statement requesting the Royal Thai Government and the international community to promptly investigate Mr. Satsaksit’s disappearance and whereabouts and to return him safely to his family.

On 9 June 2020, the family of Mr. Satsaksit submitted a letter the Ministry of Foreign Affairs in Thailand. In response, officials indicated that they had submitted an official request to the Cambodian Ministry of Foreign Affairs on 5 June 2020 requesting information on the investigation into his disappearance.

According to open source information, the spokesperson of the Cambodian National Police Commission confirmed on 9 June 2020 that an investigation into Mr. Satsaksit’s disappearance had been launched.

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<sup>1</sup> <https://www.facebook.com/talearm/posts/10158673650233243>

<sup>2</sup> <https://www.youtube.com/watch?v=fg7aI5VE87w>.

<sup>3</sup> <https://www.khmertimeskh.com/50731231/authorities-unaware-of-alleged-abduction-of-thai-activist/>

Persons associated with Mr. Satsaksit have also submitted complaints to the National Human Rights Commission of Thailand and the House of Representatives' Committee on Legal Affairs, Justice and Human Rights.

There are serious concerns about the safety of Mr. Satsaksit and for other Thai political activists living in Cambodia.

At the date of this communication, the fate and whereabouts of Mr. Satsaksit remain unknown.

While we do not wish to prejudge the accuracy of these allegations, we are deeply concerned about what appears to be the enforced disappearance of Mr. Satsaksit, which seems to be directly linked to his political opinions. We are gravely concerned that Mr. Satsaksit's integrity and life may be at risk. Should these allegations be confirmed, they would violate articles 6, 7, 9 and 19 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Thailand on 29 October 1996 which guarantee the right to life, the right to personal integrity, the right to liberty and security of the person and the right to freedom of expression. We would also like to refer to the Declaration on the Protection of All Persons from Enforced Disappearance.

**In this context, we would like to underline that no state should practice, permit or tolerate enforced disappearances and states should cooperate by all means to prevent and eradicate enforced disappearances (article 2 of the Declaration). Furthermore, states should investigate all cases of enforced disappearance promptly and impartially and, where necessary, undertake without delay a thorough and impartial investigation including when there has not been a formal complaint and that states should take any lawful and appropriate action to bring to justice persons presumed to be responsible for acts of enforced disappearance (article 13 and 14 of the Declaration).**

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

In view of the gravity of these matters, we would appreciate a response on the steps taken by your Excellency's Government to safeguard the rights of the above-mentioned person in compliance with international instruments.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information on the fate and whereabouts of Mr. Satsaksit.

3. Please provide detailed information on the investigations being conducted into his disappearance. If no investigation has been undertaken, please explain why, and how this is consistent with Thailand's international human rights obligations under the ICCPR.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

We would like to inform your Excellency's Government that a similar letter has been transmitted to the Government of the Cambodia.

We would also like to bring to the attention of your Excellency's Government that should sources submit the allegation of enforced disappearance mentioned in this communication as a case to the Working Group on Enforced or Involuntary Disappearances, it will be considered by the Working Group according to its methods of work, in which case your Excellency's Government will be informed by a separate correspondence

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be presented to the Human Rights Council.

Please accept, Excellency, the assurances of our highest consideration.

Luciano Hazan  
Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Agnes Callamard  
Special Rapporteur on extrajudicial, summary or arbitrary executions

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