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THE SITUATION IN THE SOUTHERN PROVINCE OF NARATHIWAT ON 25 OCTOBER 2004

1. Facts

1.1 On Monday, 25 October 2004, around 06.00 hrs., a crowd of around 500 protestors gathered outside a police station in Takbai district of Narathiwat province in a demonstration to release the six men detained on charges of false statement with regard to theft of government issued weapons from community defense volunteers on 12 October 2004. By the end of noon, the crowd increased to 3,000.

1.2 Around 09.00 hrs., Deputy Director of the Southern Provinces Peacekeeping Command, Mr. Siva Saengmanee, negotiated with the demonstrators, who insisted on their demand for the unconditional release of the six detainees, even though the authorities had already informed them that the six men would be released on bail the next day (26 October 2004). At the same time, relatives of the six detainees, Narathiwat Muslim leaders, and community leaders were also invited to help negotiate and defuse the situation peacefully, but with no avail.

1.3 The situation deteriorated when the demonstrators turned violent by hurling stones at the security forces and storming the police station at around 14.00 – 15.00 hrs. Throughout the demonstration, the security forces acted in accordance with the generally accepted procedures in riot control with the attempt to disperse the crowd by first firing water cannon, then tear gas and when the demonstration turned violent, the authorities were compelled to use force in order to restore public security.

1.4 By 15.30 hrs., the security forces had the situation under control. The clash resulted in 6 deaths, 1,298 others arrested from the demonstrators side. While on the security forces side, 14 were injured and two in serious condition. The Thai Security forces seized four M16 assault rifles, three AK-47 assault rifle, fifteen pistols, four hand grenades, and a number of cartridges and machetes at the scene of the incident as well as ejected into the nearby Takbai River, which also served as a escape route for many of their members.

1.5 Subsequently, in the process of transporting the arrested demonstrators for further interrogation

by the authorities to the Ingkayutthaboriharn army camp in Pattani province, 78 detainees died due to a cause generally identified at this stage as asphyxiation. The total death toll resulting from the incident is 87.

1.6 A curfew has been issued in eight district of Narathiwat commencing on 26 October 2004 from 23.00 – 04.00 hrs.

1.7 Prime Minister Thaksin Shinawatra was gravely concerned with the incident and on the same day made an emergency trip to Narathiwat accompanied by Defence Minister Sumpun Boonyanun and Interior Minister Bhokin Bhalakula. Subsequently, on 27 October 2004, Prime Minister Thaksin Shinawatra, during the queries session at the House of Senate, stated: “the situation is complex and would not be easily resolved. All of us should try to understand the problem and dedicate everything in our disposal in resolving it. The Thai government regrets the consequences and seeks the understanding that the authorities have tried their best.”

1.8 Deputy Director of the Central Institute of Forensic Science, Dr. Porntip Rojanasunan, describes autopsy results that suffocation and heatstroke were the most likely cause of death of the 78 detainees.

2 Clarification

2.1 It was clearly evident that the situation was premeditated and instigated as reflected in the turnout by the large number of protestors converging from a number of districts beyond Narathiwat in a very short span of time together with the number of weapons seized by the authorities.

2.2 The Government went to great efforts and exercised tremendous restraint to resolve the situation peacefully. During the negotiation, the authority informed the protestors that those arrested would be given bail the next day, but protestors refused to disperse and even became more agitated and belligerent, which they appeared to have been in a state of intoxication with some kind of stimulant, which was not alcohol induced. In order to prevent the escalation of greater chaos and political instability and to bring about overall public security and safety, the security forces had no other alternative but to follow step-by-step non-lethal approach to disperse the crowd.

2.3 At this stage, it is premature to make any conclusions, particularly with regard to the death of 78 detainees. At the initial investigation, it is most likely that the deaths were caused by the way they were transported; plus a combination of a number of factors:

- (i) the state of the poor physical condition of the detainees suffering from exhaustion and dehydration;
- (ii) the authority operating under the pressure of time coupled with the lack of sufficient number of trucks led to the over capacity of the trucks, which may have caused the death of the detainees. Negligence on the part of the authority would not be ruled out, whereby, the investigating committee would also be addressing this particular concern. In this regard, the Thai Government announced that there would be a committee to investigate the incident and bring light to all the facts, including the deaths of 78 detainees. The committee is headed by Mr. Siva Saengmanee to provide immediate preliminary results within two days.

2.4 In summary, the following points should be emphasized. First, the Thai Government views the incident, particularly, the death of the 78 detainees as most tragic, as stated by the Prime Minister himself. Secondly, in looking at the events that transpired, one need to look at them in two parts: (i) controlling and managing the demonstration, in which the Thai authorities and officers involved strictly followed the rules and procedures as can be seen from the repeated attempts at negotiation

and the use of non-lethal methods in riot control, but unfortunately, the six deaths were the result of the clash that erupted when a group of hard core protestors tried to storm the police station. (ii) with regard to the treatment of the detainees, it is to be admitted that mistake and error of judgement were apparently made, but there was no deliberate intent, in anyway, to mistreat the detainees. Although the deaths can not be condoned, one would also have to look at the pressing circumstances that the authorities and officers in charged were operating under, e.g. ill-trained personnel, time constraint, lack of equipment, particularly trucks, the uncertainty of the situation at the moment.

2.5 This latest incident should also be viewed in the broader context in the light of the series of unfortunate events that have afflicted the southern provinces -- events that have been clearly instigated by groups of individuals whose intent is to sow the seeds of instability and religious disharmony in the south in order to further their own political ends. Had the government not taken decisive action in this instance, which posed a direct challenge to law and order, the overall stability and security of the southern provinces would have been greatly undermined with serious consequences for the nation as a whole.
