

JOINT STATEMENT



**ONE YEAR LATER, NO CREDIBLE
INVESTIGATION INTO THE
ENFORCED DISAPPEARANCE OF
WANCHALEARM SATSAKSIT**

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Friday 4 June 2021

(Bangkok, Paris, Phnom Penh) On the occasion of the one-year anniversary of the enforced disappearance of Thai activist Wanchalearm Satsaksit, our organizations reiterate our call on the government of Cambodia to determine his fate or whereabouts and deliver justice to his family. We also call on Thai authorities to fully cooperate with their Cambodian counterparts in the search for Wanchalearm and to actively assist Wanchalearm’s family members in their quest for justice.

One year after Wanchalearm’s enforced disappearance, his fate and whereabouts remain unknown. Several United Nations (UN) human rights monitoring bodies have repeatedly called on the Cambodian government to search and locate Wanchalearm. Despite its pledge to find out the truth about Wanchalearm’s “alleged abduction,” the Cambodian government has failed to undertake a prompt, thorough, and impartial investigation into his disappearance.

In addition, the Cambodian government has continued to deny the indisputable facts surrounding the activist’s disappearance, and has displayed a total lack of sincere commitment in solving the case. In its reply to an Urgent Action communication by the UN Committee on Enforced Disappearances (CED), on 19 June 2020 the Cambodian government indicated that Cambodian authorities had “neither knowledge nor any lead on the alleged abduction.” In a subsequent reply to the CED on 12 August 2020, the Cambodian government failed to provide clear and sufficient information regarding the alleged abduction. It also stated that it would try to find out “if there was a real abduction case and if it had really happened in Cambodia.”

On 10 November 2020, Sitanan Satsaksit, the elder sister of Wanchalearm, traveled to Cambodia to deliver statements to the Phnom Penh Municipal Court’s Investigating Judge as part of a pre-trial investigation. On 27 October 2020, Sitanan had been subpoenaed to appear before the Phnom Penh Municipal Court for questioning in relation to the “detention and unlawful confinement” of her brother in Phnom Penh.

Meanwhile in Thailand, authorities have failed to make sufficient efforts in assisting Wanchalearm’s family in seeking justice over his disappearance. On 8 July 2020, Thailand’s Department of Special Investigation (DSI) stated that the agency did not consider Wanchalearm’s case a “special case” that warranted an investigation under its jurisdiction. As a result, the case was forwarded to the Office of the Attorney General for consideration. On 23 November 2020, Thailand’s Attorney General sent the case back to the DSI because the inquiry officer had not found any evidence that Wanchalearm was in Cambodia at the time of his disappearance or that he was ever abducted in Cambodia.

Our organizations are deeply troubled by the Cambodian government’s failure to credibly investigate the enforced disappearance of Wanchalearm. We call on the Cambodian government to promptly and effectively investigate Wanchalearm’s enforced disappearance, identify those responsible in order to bring them to justice, and ensure his family’s right to obtain reparation, in accordance with the provisions of the

International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), to which Cambodia is a state party.

We also call on the Thai government to ratify the ICPPED, incorporate its provisions into its domestic legislation, and implement them.

Background

Wanchalearm Satsaksit, an outspoken critic of the military junta that ruled Thailand between 2014 and 2019, was reported to be on a list of individuals accused of violating Article 112 of the Thai Criminal Code (lèse-majesté), for whom the Thai police had issued arrest warrants. He fled to Cambodia from Thailand after the May 2014 military coup.

Wanchalearm was last seen on the afternoon of 4 June 2020 in Phnom Penh, Cambodia. According to eyewitness testimonies, Wanchalearm was kidnapped in front of his condominium in Phnom Penh by a group of unidentified men dressed in black. Wanchalearm was taken away in a dark blue/black Toyota Highlander SUV with license plate number 2X2307.

The ICPPED defines enforced disappearance as “the arrest, detention, abduction or any other form of deprivation of liberty by agents of the state or by persons or groups of persons acting with the authorization, support or acquiescence of the state, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person.” Enforce disappearance violates numerous fundamental human rights, including the right to personal integrity and the right to liberty and security of the person. These rights are guaranteed by the International Covenant on Civil and Political Rights (ICCPR), to which both Cambodia and Thailand are state parties.

Signed by:

FIDH - International Federation for Human Rights
Cambodia Human Rights and Development Association (ADHOC)
Cambodian League for the Promotion and Defense of Human Rights (LICADHO)
Internet Law Reform Dialogue (iLaw)
Manushya Foundation
Thai Lawyers for Human Rights (TLHR)
Union for Civil Liberty (UCL)