



มูลนิธิพัฒนาวัฒนธรรม Cross Cultural Foundation

111 ซอยสีทิชชน ถ.สุทธิสารวินิจฉัย แขวงสามเสนนอก เขตห้วยขวาง กรุงเทพฯ 10310

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Press Release

Private Wichean Phuaksom's mother awarded 6.5 million compensation as her son was tortured to death by military trainers

On 15 July 2013, the Civil Court mediated in a case whereby Mrs. Prathuang Phuaksom filed damage claim as her son, Private Wichean Phuaksom, a military draftee had been tortured to death by his trainers during a drill at the Krom Luang Naradhiwas Rajanagarindra Military Camp, Jao Ai Rong District, Narathiwat province.

Legal representatives of the three defendants as the office in charge of the trainers who had caused the grave injuries and death included Ministry of Defence, first defendant, Royal Thai Army, second defendant, and a representative from the Office of the Prime Minister (Internal Security Operations Command – ISOC), third defendant. They had requested the Comptroller General's Department of Thailand to allocate the amount of 7,049,213 baht as compensation to Mrs. Prathuang Phuaksom.

On 15 July 2013, the attorney of the three defendants informed the Court that the compensation has been approved by the Comptroller General's Department of Thailand for the plaintiffs. The amount shall be offset with a compensation previously awarded by the Army Region 4 to the plaintiffs for the amount of 500,000 baht. The deduction was agreed upon by the plaintiffs, though they shall not withdraw the case. An accord and satisfaction shall be drafted and signed by both parties at the Court and a memo will be recorded that the defendants are sorry for what have happened.

The defence attorney shall inform the defendants of the accord and satisfaction and shall seek written permission from them prior to the signing. Therefore, the signing of the accord and satisfaction has been postponed to 16 September 2013 at 13.30.

Prior to the case, Private Wichean Phuaksom used to ordain as a Buddhist monk and studied until he completed his Bachelor Degree in Buddhism with first class honors from the Faculty of Buddhist Study, Department of Religions, Mahachulalongkornrajavidyalaya University and then received his Master Degree from the Faculty of Social Work, Thammasat University with outstanding academic performance. On 1 May 2011, Private Wichean applied as a draftee and went for training at the training center for draftees in the Krom Luang Naradhiwas Rajanagarindra Military Camp, Jao Ai Rong District, Narathiwat province. On 1 June 2011, ten military officers allegedly physically abused him and tortured him claiming he was to skip the training. As a result, he sustained serious injuries and later died on 5 June 2011. It was reported that he died of sudden renal failure due to severe muscle wounds.

A separate criminal suit has been filed against the trainers and other military officers who have fatally beaten Private Wichean, but it has progressed slowly. At present, the case is being reviewed for any criminal liability by the Office of Public Sector Anti-Corruption Commission (PACC) under the Ministry of Justice and not so much progress has been made.

Apart from its criminal and civil liability, severe and cruel punishment constitutes grave human rights violation and breaches Section 32 of the 2007 Constitution regarding the right and liberty in his or her life and person as well as breaches the Convention Against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (CAT) to which Thailand is obliged to follow as a state party.

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