

Press Release:

CrCF commends DSI and its investigation team on the progress of the investigation on the abduction and murder of Porlajee “Billy” Rakchongcharoen and urges relevant authorities to bring the perpetrator(s) to justice

On 3 September 2019, Director-General of the Department of Special Investigation (DSI) Police Colonel Paisit Wongmuang, Director-General of the Central Institute of Forensic Science (CIFS) Police Lieutenant Colonel Wannapong Kotcharag, together with inquiry officials from the DSI, held a joint press conference about the progress of their investigation on the disappearance of Porlajee “Billy” Rakchongcharoen, an indigenous Karen community rights activist and grandson of Grandpa Kor-ee Mimi, the spiritual leader who relentlessly demanded human rights and justice for the indigenous Karen people of Bang Kloy Bon and Jai Pan Din who had fallen victim to state-sponsored forced evictions. According to the information received, Billy was last seen on 17 April 2014 while he was held in the custody of Kaeng Krachan National Park officials for alleged illegal possession of wild honey. The Royal Thai Police initially handled this case but failed to solve it. On 28 June 2018, the DSI accepted to probe into Billy’s disappearance as a “special case” and began to gather more evidence. During this press conference, it announced its investigative findings which revealed that Billy was tortured and murdered. The investigation team also found that Billy’s body was subsequently burned and its remnants submerged in the bottom of the reservoir under a rope bridge inside Kaeng Krachan National Park in the perpetrator(s)’ attempt to conceal the murder.

The DSI led an underwater investigation in the aforementioned reservoir from late April to May 2019 with the support and facilitation from various government agencies and civil society organizations. It found two bone fragments inside a 200-liter oil drum, as well as its burned lid, two steel rods, and four pieces of charcoal. The CIFS later tested the bone fragments and found that they “came from the left side of the human skull. They have been burned, cracked, and shrunk as a result of being burned at around 200-300 Celsius degrees. The DNA samples extracted from the bones matches that of Ms. Porojjee Rakchongcharoen or Billy’s mother.” Drawing upon its investigation of the crime scene together with other evidence, DSI inquiry officers concluded that the bones belonged to Billy who had possibly been tortured and murdered after he was arrested and disappeared. The DSI stated that it would further look into the causes of Billy’s death and resolve this case.

The Cross-Cultural Foundation (CrCF) commends the performance of the DSI and its supporting teams which has helped establish the fact that Billy is now dead. We offer our deepest condolence to his surviving family members, his relatives and the indigenous Karen community of Bang Kloy Bon and Jai Pendin for this tragic and heart-wrenching news.

From our experience supporting and assisting Billy's family to press for the investigation of this case, the CrCF believes this aggravated crime would not have been possible without premeditated, organized, and systematic efforts of the perpetrator(s). The abduction and killing, coupled with the burning and submersion of the body in the water to conceal the incidence, constitute a brutal act of torture murder. Moreover, the interventions into the investigation which resulted in an undue five-year delay suggest that the perpetrator(s) must have received support from high-ranking officials in the administration of Kaeng Krachan National Park. Enforced disappearance by public officials or by their acquiescence is considered a grave human rights violation per the UN Convention against Torture (CAT) to which Thailand is a state party and the International Convention for the Protection of All Persons from Enforced Disappearance (CED) to which the Thai government and Parliament have endorsed our accession.

The CrCF, therefore, demands the following from concerned officials and authorities;

1. The DSI shall conduct further investigation to promptly bring the perpetrator(s) to justice. In this regard, concerned officials and authorities, in particular, the Department of National Park, Wildlife and Plant Conservation, shall fully cooperate and facilitate such investigation with no fear of any intimidation.

2. The DSI and concerned authorities must offer witness protection program and help ensure that Billy's family be free of any harassments and intimidation.

3. Should it be established that the violations against Porlajee "Billy" Rakchongcharoen could have been attributed to any public officials, the authorities in charge must either remove the officials from office or suspend their office to prevent any possible abuse of power to interfere with the investigation. If it can be proven that the officials have committed the offense as alleged, they must face a disciplinary action and criminal punishment under the law without any exception to restore public trust in the justice process.

4. In Thailand, there is no domestic law that criminalizes torture and enforced disappearance. Therefore, there is no legal basis which adequately penalizes such offenses. The Cross-Cultural Foundation urges the Thai government and the Parliament to promptly promulgate the Draft Bill on Prevention and Suppression of Torture and Enforced Disappearance in strict and full compliance with the two international conventions to ensure protection and prevent the recurrence of grave violations like the case of Billy.

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Cross-Cultural Foundation (CrCF)

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