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COMISIÓN DE DERECHOS HUMANOS  
61º período de sesiones  
Tema 6 del programa

**EL RACISMO, LA DISCRIMINACIÓN RACIAL, LA XENOFOBIA  
Y TODAS LAS FORMAS DE DISCRIMINACIÓN**

**Nota verbal de fecha 21 de marzo de 2005 dirigida a la secretaria  
de la Comisión de Derechos Humanos por la Misión Permanente  
de Tailandia ante la Oficina de las Naciones Unidas en Ginebra**

La Misión Permanente de Tailandia ante la Oficina de las Naciones Unidas y demás organizaciones internacionales en Ginebra saluda atentamente a la secretaria de la Comisión de Derechos Humanos y, en relación con el informe del Sr. Doudou Diène sobre las formas contemporáneas de racismo, discriminación racial, xenofobia y formas conexas de intolerancia, que se presentó a la Comisión en relación con el tema 6 del programa (E/CN.4/2005/18 y Add.1 y Add.1/Corr.1 y Add.2 a 6), tiene el honor de solicitar a la secretaria que haga distribuir el documento titulado "Situación e incidentes en Tailandia meridional"\* como documento de la Comisión en su 61º período de sesiones en relación el tema mencionado.

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\* Se reproduce en el anexo como se presentó, en el idioma original únicamente.

Annex

**Situation and Incidents in Southern Thailand**

The Royal Thai Government considers restoration of peace and harmony in the three southern provinces as the top national priority and is determined to bring about its realisation through collective effort of all sectors of the Thai society. The Royal Thai Government is firmly committed to dealing with the immediate challenges of maintaining law and order while addressing the root causes of the problem through a holistic and peaceful approach.

The current situation in the three southern provinces of Thailand should be seen against the background of a series of acts of violence instigated against the authorities and innocent civilians. Certain parties with ill-intention have attempted to portray the situation as having a religious overtone and insinuated that the Government has been mistreating Muslims, which is a gross misrepresentation of the truth. People of all faiths, Buddhists and Muslims alike, have suffered from indiscriminate violence perpetrated by armed militants, who have been instigated by different vested interests.

Within this context, the Royal Thai Government considers the Tak Bai incident on 25 October 2004 as a great tragedy for the whole nation. The Independent Fact-Finding Commission was promptly established to carry out a transparent, impartial and immediate investigation into the circumstances of the incident. The Commission, which comprises highly respectable figures, including legal and religious experts as well as respected Muslim personalities, presented to the Cabinet on 28 December 2004 its findings and recommendations. The summary of the said findings has already been made available to the general public and all diplomatic missions in Thailand and abroad.

According to the findings of the Commission, the demonstration at Tak Bai Police Station was pre-organised and pre-planned by a group of people with certain ulterior motives. The demand to free six detained members of a village security guard unit was merely a pretext. Some of the demonstrators were also armed. It was established that the exercise of state authority in taking control of the situation and maintaining public order was reasonable given the necessity dictated by the prevailing circumstances. However, the Commission found that, during the process of transporting arrested demonstrators to an assigned military camp for interrogation, errors were made on the part of commanding officials who failed to properly discharge their duty resulting in unfortunate injuries and deaths. However, the Commission found that these officials did not have the intention to cause such injuries or casualty. The Commission also provided a set of recommendations to address the issue in a comprehensive manner.

Promptly after receiving the findings and recommendations from the Independent Fact-Finding Commission, the Cabinet issued a resolution instructing agencies concerned to undertake appropriate measures in accordance with the said findings and recommendations. Pursuant to the aforementioned Cabinet resolution, a Remedial Commission has been established to provide remedies and assistance for any damage caused in the course of the incident. In response to the Remedial Commission's suggestions, the Royal Thai Government has proposed, *inter alia*, earmarking 20 million bahts to each of the three southern provinces for remedies and assistance. Further measures would also be implemented in due course to facilitate the healing process.

The Ministry of Defense has, in pursuant to the Cabinet resolution, also commenced an internal investigation process on the basis of the findings of the Independent Fact-Finding Commission. Appropriate measures are being considered against officials who failed to properly discharge the assigned functions and duties. In addition, a National Reconciliation Commission has been recently established to foster a spirit of reconciliation and national unity through a consensual, non-partisan approach. The internationally respected figure, former Prime Minister of Thailand, Anand Panyarachun, has consented to chair the Commission while the Commission's members will consist of recognised and respectable personalities from various backgrounds.

To ensure success of the reconciliation and healing process, the Royal Thai Government is determined to create an enabling environment for social harmony and peaceful co-existence. In addition to a number of development programmes, which have already been implemented in the area, various measures have been introduced to uplift the socio-economic well-being and improve livelihoods of the people in the three southern provinces. More than 12 billion bahts (approximately USD 300 million) have been initially earmarked for a broad range of development projects, which aim at accelerating economic and social development in the said area. With regard to human resources development, the Royal Thai Government, in collaboration with the Al-Azhar University of Egypt, will open a campus of the University in the south of Thailand to give greater opportunities for youngsters in the area to obtain Islamic and secular education at this prestigious institute of higher learning.

It is the basic national policy of Thailand to promote a harmonious and open society where people enjoy full freedom to peacefully participate in religious, social, economic, and political activities. The Royal Thai Government has never failed to give its fullest support to all Islamic affairs so as to ensure that Thai citizens of Islamic faith would be able to lead a way of life of their choices within a multicultural society. The Constitution of Thailand guarantees that all Thai citizens are entitled to the same basic rights and fundamental freedoms without distinction. The Royal Thai Government is fully committed to upholding the spirit and the letters of the Constitution.

The Royal Thai Government also wishes to reaffirm that it is the utmost desire of the Government and the whole nation to ensure social harmony and peaceful co-existence, which has long been the cherished hallmark of the Thai society. Understanding and support from all sectors of the society as well as from the international community is vital in this regard.

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