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Mr. Prajin Juntong
Minister of Justice
Ministry of Justice, the Government Complex,
Chaeng Wattana Rd.,
Laksi Bangkok 10210

18 July 2018

Dear Minister

OPEN LETTER ON THE RESUMPTION OF EXECUTIONS IN THAILAND

Amnesty International writes to you as today marks one month since the unexpected news that Thailand had resumed executions after an eight-year hiatus, to urge your government to impose an immediate moratorium on executions and advance measures to remove the penalty from Thai law for all crimes.

Theerasak Longji, a prisoner sentenced to death for aggravated murder, was executed by lethal injection at Bang Kwang Central Prison on 18 June 2018. Amnesty International condemns the decision to implement the death penalty, which it holds as a violation of the right to life and the ultimate cruel, inhuman and degrading punishment.

After almost ten years without any executions; numerous debates under your Ministry's auspices on the merits of the abolition of the death penalty, as well as the need to inform the public on its human rights dimensions; the abolition of the mandatory death penalty for selling drugs; and, most importantly, several commitments undertaken by the Thai authorities at national and international level to take steps to abolish the death penalty, the announcement of Theerasak Longji's execution was sudden and gave rise to several concerns.

Amnesty International remains concerned that others on death row are now at risk of execution. There were at least 193 people on death row with finalised death sentences in March 2018, according to figures provided by your Ministry. These included 85 people convicted of drug-related offences, against international law and standards.¹ Information received by Amnesty International suggests that applications for royal pardon by others on death row might have also been rejected.

We note with grave concern that the family of Theerasak Longji, also victims of the death penalty, told Thai media that they were cruelly denied the possibility of a last goodbye with their relative – and informed of the scheduled execution only hours before it was carried out. International human rights bodies have found secrecy surrounding the death penalty and the lack of adequate notice of scheduled executions to family members as violating the prohibition of cruel, inhuman and degrading treatment.²

Amnesty International also questions the “deterrent value” your government stated that the resumption of executions would achieve, and regrets that your government is appearing to propose the death penalty as a solution to crime. Studies from different regions of the world have consistently failed to show that the death penalty has a unique deterrent effect. Crime rates from countries that abolished this punishment have not shown increases, rather

¹ See, among other instruments, the Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, UN doc. A/67/275, 9 August 2012, paras. 35 and 122.

² Report of the Special Rapporteur on torture, UN Doc. A/67/279, 2012, paras.40, 52, 80(c) and (f).

progressive downward trends. Furthermore, it is arbitrary to respond to crime and showing strength in the criminal justice system by executing people who have nothing to do with that developing threat, as noted in a 2014 report by the UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions.³ Irreversible in its nature, it is a punishment that perpetuates the cycle of violence into society. It is imposed and administered through justice systems that can be vulnerable to discrimination and error – particularly when safeguards protecting against use of torture or other ill-treatment to extract “confessions” from defendants are lacking. It does not bring closure and perpetuates the cycle of violence it seeks to stop – as shown by the growing number of crime victims or their family members who have publicly campaigned against executions.⁴

One month after the resumption of executions, I am writing this letter with renewed hope that the Thai authorities can uphold national and international commitments to move towards abolition of the death penalty, and to seek other ways to protect people from crime while upholding your responsibilities to promote and protect human rights.

We call on the Thai government to immediately establish an official moratorium on all executions and commute all existing death sentences, as well as secure the abolition of the death penalty as part of Thailand’s Fourth National Human Rights Action Plan. It is only when we turn our backs to the ultimate cruel, inhuman and degrading punishment that we become a more compassionate and humane society.

Yours sincerely

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³ Report of the Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions, UN Doc. A/69/265, 6 August 2014, paras. 103-106.

⁴ See, for example, Amnesty International, *Urgent Action – USA: Son of murder victim opposes execution* (AMR 51/8758/2018), 9 July 2018, <https://www.amnesty.org/en/documents/amr51/8758/2018/en/>;