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MONDAY, JULY 20, 2015 + 30 BAHT

## Pulo duo to be pivotal in South talks

Second rebel to be freed in coming days

KING-OUA LAOHONG

Two senior figures of the Patani United Liberation Organisation (PULO) insurgent movement will play a key role in the government's peace talks with six main rebel groups in the South, a source said yesterday.

Haji Daoh Thanam, a PULO leader, is expected to be released from Pattani prison this week, the source said, as the government further moves to smooth the way for talks with southern insurgent groups.

Ismael Gaddafi, alias Sama-ae Thanam, 63, who was PULO force commander, was released from prison in Yala on Friday under a special early release programme, after serving most of his 17 years and five months jail term.

The rebel groups believed to be behind persistent southern unrest are the Barisan Revolusi Nasional Melayu Patani Co-ordinate (BRN Co-ordinate), Barisan Revolusi Nasional Melayu Patani Congress (BRN Congress), Gerakan Mujahideen Patani (GMP), Barisan Nasional Pembebasan Patani (BNPP), Gerakan Ulama Patani (GUP) and PULO, the source said.

Mr Ismael would have had four more years to serve if he had not been granted the special prison sentence suspension, said Wachirawit Wachiralerphan, chief of Yala Central Prison.

The duo could become the key link between the government's peace talk team and the insurgent groups in the deep South because they were not removed from their top positions at PULO despite their imprisonment, and they were arrested and did not surrender to the authorities, the source said.

After allowing Mr Ismael to spend time with his family in Pattani during the Muslim Eid al-Fitr celebrations at the end of Ramadan, he would work with authorities and begin his mission of brokering peace talks, the source said. The first insurgent group he will try to negotiate with is PULO, the source said.

Political science lecturer and security expert Panitan Wattanayagorn said the early release of Mr Ismael was in line with the government's peace-building policy because the released PULO figures are capable of brokering peace talks with several insurgent groups both in and outside the country.

Mr Panitan, however, refused to comment on how successful this move might be, saying he didn't know if the younger generation of southern insurgents who were now most active in the unrest would listen to the older generation.

The security source also shared similar concerns, saying the most active insurgent group was Runda Kumpulan Kecil (RKK) and "teenage extremists".

But at the very least, Mr Ismael's release should help ease tension in the deep South, Mr Panitan said.

Critics have made many suggestions about the government's peace talk efforts, which could be summarised into three main views.

First, some insurgent groups didn't accept peace talks between the BRN Co-ordinate and the government's team because the talks were seen to be manipulated by the Malaysian government, which allegedly selected groups and their representatives to attend the peace talks.

Leaders of these dissenting groups insisted Hazan Toyib, a key representative of the insurgent groups in the past peace talks, had lost his leadership in the BRN and could no longer control the BRN.

The groups expressed their disagreement with the peace talks by instructing the RKK, which is under their control, to step up attacks after the talks began on Feb 28, 2013.

Second, the insurgent groups which oppose the talks didn't want Malaysia to act as the go between in every round of talks because the neighbouring country had been playing this role for more than two decades but the situation in the far South had not improved.

And third, insurgent groups weren't willing to cooperate with the Wadah group, a local political group, that they agreed was exploiting the southern situation for its own gain.

The groups also believed the Wadah group was working together with the Malaysian government in selecting groups and their representatives for the talks.

The push to get Mr Ismael and Mr Hayeedah involved in the talks began last year when security authorities sent a letter to both Prime Minister Prayut Chan-o-cha and Deputy Defence Minister Udomdej Sitabutr explaining why they wanted the two men to help them tackle the southern violence.



### Race for rice

Buffaloes compete in the annual paddy field ploughing race in Muang district of Chon Buri. The buffalo that ploughs the land in the shortest time wins the competition. The animals are used to prepare the muddy fields to grow rice. THITI WANNAMONTHA

## Murder case reveals spread of 'lobbyists'

**SPECIAL REPORT:** Probe into Somyos' death points to abuse in justice system, write Mongkol Bangprapa, Wassayos Ngamkham and King-oua Laohong

The justice system has long been accused of failing to stop abuses by those who try to use their personal and professional connections to settle legal cases.

The issue was raised again recently after Rasami Suthangkura, the wife of slain entertainment tycoon Somyos Suthangkura, told police that a possible motive for his killing could be linked to his role in helping others settle legal disputes.

A police investigation into the murder of Somyos found the businessman, who was also a lawyer, had opened a legal consultancy firm and provided services to help settle legal cases. Police discovered that Somyos had been hired to handle more than 20 cases, including drug trafficking, and one case was worth as much as 25 million baht.

Police believe a conflict from one of those deals could be a possible motive for Somyos' murder.

A number of questions have been raised as they look into the background of Somyos: can a legal service business interfere with the Thai justice system? And how many more people offer these services?

Queries were also raised as to whether legal settlements in criminal cases actually require such large sums of money and if some of the money was in fact used for unreported "bargaining" purposes.

Lawyer and former senator Warin Thiamcharas said one problem in the justice system is the deep-rooted cronyism and patronage linked to lobbying.

Mr Warin said any kind of lobbying that compromises the justice system must be dealt with swiftly.

One possible solution would be to abolish the statute of limitations in some cases, including those concerning corruption, to deter people from lobbying. Otherwise, investigations tend to proceed slowly and eventually the limitation lapses. The process of recruiting personnel into justice organisations must also be more stringent, he said.

A major overhaul of the recruitment of prosecutors, police and staff of the courts of justice is required. For example, prosecutors should be banned from sitting on the boards of state enterprises and from receiving extra payments or meeting

### MURDER PROBE UNFOLDS

Date	Details	Date	Details
June 29	Night entertainment tycoon Somyos Suthangkura, 62, shot dead by two suspected gunmen in a restaurant car park in Bangkok's Suan Luang district.	July 3	Ms Natthida, Somyos' daughter, tells police she suspects her half-brother might be connected to the killing, saying he had told her he hated Somyos and wanted to kill him.
June 30	Somyos' business partner, Supanida Norarat, tells police Somyos had been in conflict with her former husband, Somchai Nittaya, aka Sia Lek, over money.	July 4	Police find Somyos argued with his wife after learning she had proposed investing 80 million baht in a beverage factory in Samut Prakan's Bang Phli district.
July 1	Somyos' wife, Rasami Suthangkura, accompanied by Ms Natthida, 25, their daughter, visit Khlong Tan police to help them with their inquiry.	July 11	Police take in two men for questioning, but they were later freed after the suspects proved they were not involved.
July 2	Police discover Amaritth Klomjitchareon, or Hia Moh, 44, filed a complaint against Somyos in 2013 after Somyos allegedly refused to return 15 million baht he believes he was owed. Mr Amaritth denies involvement in the Somyos killing.	July 17	Police say the investigation is 70% complete and they are close to arresting the suspected gunmen.

Source: Crime Suppression Division

POSTgraphics

allowances for providing consultancy to other organisations.

The role of the police should also be limited to just arresting suspects, while the investigation work should be split up and delegated to other agencies, he said.

Cherdchai Wongseri, a lawyer and member of the Constitution Drafting Committee, said some lawyers try to make potential clients believe they could lobby people in the justice process to bend legal disputes in their favour.

However, this practice is against the law.

He said if there is credible evidence of lobbying in a trial, the Judicial Commission could be petitioned to replace the judge in the case.

"I have heard about lobbying multiple times and I am fed up with it," said Mr Cherdchai. "Some people say lobbying begins as early as the investigation process," he said. It is also alleged that similar attempts are made to meddle with the indictment and trial process.

Mr Cherdchai, however, insisted some rogue individuals in the justice system are to blame for the problem, not the judicial process itself.

According to Mr Cherdchai, the courts and other independent organisations should avoid holding justice training programmes for outsiders. The programmes could be exploited by people without judicial backgrounds to form ties and build up cronyism networks in courts, which could undermine the court's independence.

Officials in the court system must not engage in any activities requiring sponsorship from the private sector as it could harm their credibility, he added.

An investigator on the advisory level of the Central Investigation Bureau said lobbying could take place in every sector of the justice system. However, most lobbying happens in police investigations, which is the "upstream unit" of the justice process, he said.

Part of lobbying also involves "substantial payments" being made to important people to influence decisions. The amount of the payment depends on an individual's level of authority in the justice system, the officer said.

Serious offences related to drug trafficking and murder where harsh punishments, including the death penalty, can be handed down tend to be more susceptible to lobbying. It also thrives through personal connections with authorities involved in cases.

According to a police source, Somyos was well-connected to people high up in the justice system and it is no surprise he was hired to "clear up" legal disputes.

A source at the Office of the Attorney-General said prosecutors may not be immune to lobbying. They are mid-way agents who decide whether to indict or put a suspect in court.

The source said the lobbyists can come from the police, lawyers or even staff of the prosecutors' office.

Prosecutors assigned to a case who refuse to go along with lobbying may be removed and transferred.

The prosecutors' salaries must be increased to prevent this, according to the source. The decision to indict offenders, meanwhile, should be made by a panel rather than individual prosecutors.

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Surin Province

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#### Asia-Pacific

City	Min	Max	WF
Auckland	9	14	my
Beijing	21	27	my
Brunei	25	33	my
Chengdu	22	33	my
Guangzhou	26	32	my
Hanoi	27	34	my
Ho Chi Minh City	25	34	my
Hong Kong	26	32	my
Jakarta	25	34	cdy
Kuala Lumpur	24	34	cdy
Kunming	16	24	my
Manila	27	31	my
Melbourne	5	12	cdy
New Delhi	27	34	my
Seoul	21	29	cdy
Shanghai	24	28	my
Singapore	26	33	my
Sydney	8	15	my
Taipei	27	31	my
Tokyo	25	30	cdy
Xian	22	33	cdy

#### The Americas

City	Min	Max	WF
Boston	19	28	my
Brasilia	15	27	cdy
Buenos Aires	8	19	cdy
Chicago	23	32	cdy
Dallas	25	37	cdy
Lima	15	22	cdy
Los Angeles	19	28	my
Mexico City	14	23	my
Miami	26	31	my
New York	21	29	my
Ottawa	17	27	my
San Francisco	15	19	my
Santiago	3	16	cdy
Vancouver	16	26	cdy
Washington	23	34	my

#### Europe, Africa & Middle East

City	Min	Max	WF
Amsterdam	14	22	cdy
Athens	24	34	cdy
Belgrade	25	38	cdy
Berlin	20	28	cdy
Cairo	23	36	my
Cape Town	9	15	my
Copenhagen	12	22	cdy
Dubai	33	41	cdy
Frankfurt	21	29	cdy
Geneva	22	33	cdy
Johannesburg	2	15	cdy
Kuwait	33	48	cdy
Lisbon	18	28	cdy
London	14	23	cdy
Madrid	21	33	my
Moscow	13	22	my
Paris	18	27	my
Qatar	33	44	cdy
Rome	24	38	cdy
Vienna	22	38	cdy
Warsaw	16	31	cdy
Zurich	19	31	my

### THAILAND WEATHER

#### BANGKOK

Very cloudy with scattered thundershowers.  
Min. 25°C Max. 34°C  
Rise: 5:58am Set: 6:49pm  
Rise: 9:16am Set: 9:45pm

#### FORECAST LEGEND

- Sunny
- Partly cloudy
- Thundershowers
- Rain
- Cloudy
- Windy
- Waves
- Cold

#### WEATHER TODAY

A strong southwest monsoon prevails over the Andaman Sea, Thailand and the Gulf of Thailand. Rainfall is likely over much of Thailand with isolated heavy rain in places. Expect waves up to 2-3m high in the Andaman Sea.

#### North

Very cloudy with scattered thundershowers. Min. 24 Max. 34

#### North-east

Very cloudy with scattered thundershowers. Min. 24 Max. 34

#### Central

Cloudy with scattered thundershowers. Min. 25 Max. 36

#### East & Coastal

Cloudy with scattered thundershowers. Waves 2m. Min. 22 Max. 33

#### South (east coast)

Very cloudy with scattered thundershowers. Waves 1-2m. Min. 23 Max. 34

#### South (west coast)

Very cloudy with scattered thundershowers. Waves 2-3m. Min. 23 Max. 33

### BANGKOK AIR QUALITY INDEX: July 15, 2015

0-50	51-100	101-200	201-300	Over 300
Good	Moderate	Unhealthy	Very unhealthy	Hazardous

Ambient Air Quality Index: 26-54  
Roadside Air Quality Index: 30-68  
Worst Area Chatchak 68  
Calculated from dust smaller than 10 microns plus nitrogen dioxide, sulphur dioxide, ozone and carbon monoxide

## JUSTICE

## NGOs urge halt to suit against Hall

ACHARA ASHAYAGACHAT

Almost 30 international NGOs and trade unions have appealed to Prime Minister Prayut Chan-o-cha to intervene in lawsuits facing British activist Andy Hall, who campaigns for migrant workers' rights.

The final hearing of a second defamation suit he faces will be held today.

The court will decide whether to indict Mr Hall.

If the court decides in favour of indictment, Mr Hall will be arrested and detained pending bail.

He would then face a trial and, if found guilty and convicted, up to seven years in prison.

The 29 organisations said they were disappointed to learn the attorney-general is trying to appeal against the dismissal of the defamation and computer crimes case against Mr Hall.

In October, Phra Khanong

Provincial Court dismissed a defamation lawsuit filed against Mr Hall by Natural Fruit, a fruit processing company in Prachuap Khiri Khan.

Twenty nine organisations led by FinnWatch have undersigned the appeal to the premier expressing concern about the upcoming trial.

"Thailand is continuing to harass a human rights defender despite a court decision and its obligation to uphold freedom of speech," the group said.

According to the group, this was not in line with the 2014 TIP report recommendation that "Thailand cease prosecuting criminal defamation cases against researchers or journalists who report on human trafficking, and recognise the valuable role of NGOs and workers' organisations in uncovering the nature and scope of human trafficking in Thailand".

Natural Fruit has filed multiple criminal and civil cases against Mr Hall since February 2013 as a result of his contribution to a Finnwatch report that accused the company of serious human rights violations, based on workers' interviews.



Hall: Champion of workers' rights



Krabi residents join a hunger protest led by Prasitchai Nunuan and Akraje Chakjunda, leaders of the Save Andaman from Coal Network, outside the Ministry of Tourism and Sports on Ratchadamnoen Nok Road yesterday. THANARAK KHUNTUN

## Anti-coal pair to press on with hunger strike

## Protest over Krabi plant hits 10th day

PARITTA WANGKIAT

After nearly 10 days of a hunger strike, anti-coal protesters Prasitchai Nunuan and Akraje Chakjunda look weak and weary, but maintain they will continue to fight against a coal-fired power plant planned for their home region in Krabi province.

Their protest, in front of the Ministry of Tourism and Sports on Bangkok's Ratchadamnoen Nok Road, began on July 10, aimed at convincing the government to withdraw the 800-megawatt coal-fired power plant and a coal-powered seaport.

They are also asking Tourism and Sports Minister Kobkarn Wattanavrakul to protect Krabi.

The pair claim the project will damage the Andaman Sea and locals' livelihoods. About 100 people from Krabi visited the protesters yesterday to help boost the pair's morale.

Mr Prasitchai said they wanted to show the government that people were willing to sacrifice their lives to stop the coal-fired power plant and deep-sea port.

The Krabi locals, who have formed an anti-coal network, seek to convince the government that the project will damage tourism and the environment, "but it seems to have fallen on deaf ears", Mr Prasitchai said.

Before the protest, the network had submitted more than 10 complaint letters to various authorities and conducted a series of anti-coal campaigns.

They are upset that Prime Minister Prayut Chan-o-cha supports coal as a source of energy.

Furthermore, since last year's coup, many controversial development projects have been given the green light in the South.

Projects under way include Satun's Pak Bara deep seaport, which is still awaiting an environmental and health impact assessment (EHIA) study; Songkhla's second deep-sea port, which still needs its first public hearing after a failed attempt in April last year; and Chumphon's deep-sea port, for which two public hearings were held in March and June last year.

Some observers believe the rush to develop is part of a plan to entice companies from the petrochemical industry to the southern seaboard.

Despite opposition from locals, the Electricity Generating Authority of Thailand (Egat) is moving ahead with the project in Krabi.

Egat is set to call tender submissions on Aug 5, even though the environmental impact assessment (EIA) — conducted between 2012 and 2014 — has yet to be approved by the Office of Natural Resources and Environmental Policy.

Meanwhile, in Songkhla's Thepha district, final public hearings on July 27 and 28 will wrap up the EHIA study for a 2,200-Mw coal-fired power plant and a coal-powered seaport.

The first hearing was held in November, watched over by a strong military and police presence.

Direk Hemnakhon, a coordinator for the Network of People Developing Thepha, said the plight of people living near Mae Moh lignite power plant in Lamphang should have acted as a warning for future projects.

Earlier this year, the Supreme Administrative Court ruled in favour of 131 people living near the plant, 15 of whom had died during the legal process, ordering Egat to pay 25 million baht in compensation for their damaged health and livelihoods.

"We don't want that to happen to us," he said.

The government's new power development plan 2015-2036, or the PDP 2015, favours the use of coal-fired power plant projects.

The PDP, revised at Gen Prayut's ruling, estimated installed power capacity will increase from 37,612Mw in 2014 to 70,410Mw in 2036.

This rise indicates Thailand needs more power supplies, and nine coal-fired power plants are in the pipeline.

Egat governor Soonchai Kumnoonsate claimed the authority needs to build more coal-fired power plants because there is a risk Thailand could suffer an energy crisis.

"We respect every opinion and everyone is welcome to the public hearings," he said, adding that in the past protesters had turned up as a mob, which is why Egat had to implement security measures.

Every step of the EIA and EHIA studies complied with the law, he added.

## Race for police chief heats up

The Police Commission's curious reversal of its decision to appeal against an Administrative Court ruling in favour of Pol Lt Gen Sriwara Rangsiyamanakul has suddenly made him a potential candidate to become the next police chief.

The decision is likely to stoke conflict in the top echelons of the police force as officers jockey to take the top post.

The Police Commission, the governing body of the police force, threw a spanner into the works when the panel decided at its July 6 meeting to reverse its resolution to appeal against the Administrative Court's ruling that ordered the National Police Office (NPO) to compensate Pol Lt Gen Sriwara for a loss of opportunity in receiving a better promotion in recent years.

Just days earlier, on June 25, the commission had resolved at a meeting chaired by national police chief Pol Gen Somyot Poompunmuang to appeal. But Pol Lt Gen Sriwara submitted a formal complaint with Deputy Prime Minister Prawit Wongsuwan, to whom he is reportedly close, arguing that the commission's decision was unfair to him.

The panel then called the July 6 meeting, which Gen Prawit reportedly chaired, when the commission did an about-turn and decided not to appeal the ruling to the Supreme Administrative Court.

Senior police sources say the significance of this is that Pol Lt Gen Sriwara, currently Metropolitan Police Bureau commissioner, will be entitled to receive a compensation package which could include his immediate promotion to assistant police chief. The compensation order would retroactively restore his loss from the day he was barred from a promotion that would have put him in line for the assistant police chief's position.

The saga dates back to 2010, when Pol Gen Sereepisuth Temeeyaves, then national police chief, petitioned former prime minister Abhisit Vejjajiva to put on hold a decision to promote Pol Lt Gen Sriwara as chief of the Provincial Police Region 1. Pol Gen Sereepisuth claimed Pol Lt Gen Sriwara did not qualify for the position due to an



## Court row adds new twist, write Wassayos Ngamkham and Manop Thip-Osod



Sriwara: Likely contender

incorrect calculation of his years in service.

The promotion was suspended and the officer filed a case with the Administrative Court. If the 2010 promotion had not been suspended at Pol Gen Sereepisuth's request, Pol Lt Gen Sriwara would have been eligible to become an assistant national police chief from 2011 onwards, the source said.

So if the commission will not appeal against the court ruling, Pol Lt Gen Sriwara should now be made assistant national police chief. But there is also speculation he would soon after be made deputy police chief and could be in the running for the police chief post at the end of the year.

"Pol Lt Gen Sriwara may be made an assistant national police chief for a few days before a new promotion follows which could make him a deputy national police chief," one source said.

He added the first appointment may not result in strong opposition by other officers but the deputy national police chief promotion certainly will.

Pol Gen Sereepisuth claims Gen Prawit had no authority to chair the commission's

meeting and the commission members failed to perform their duty correctly in reversing their decision. He said Gen Prawit could face a charge of abuse of authority.

The possibility that Pol Lt Gen Sriwara could end up a candidate for national police chief has triggered conflicts in the NPO, because it would diminish the other candidates' chances. Other key candidates are deputy national police chief Aek Angsanonont, deputy national police chief Pongsapat Pongcharoen and deputy police chief Jakkhup Chaijinda.

Pol Lt Gen Sriwara has close ties with Gen Prawit. Pol Gen Aek, meanwhile, is known to have close ties with Prime Minister Prayut Chan-o-cha's wife and he is also the most senior of all the candidates.

As for Pol Gen Jakkhup, he has good relations with both Pol Gen Somyot and the National Council for Peace and Order (NCPO), said the source. Pol Gen Jakkhup, who is known as a brilliant coordinator and is trusted by both the military and police brass, also serves as a member of the National Legislative Assembly.

In terms of weak points, Pol Gen Aek doesn't have a track record in the crime suppression area and he may have a problem with managing police in the crime suppression section of the NPO, the source said.

Pol Lt Gen Sriwara, too, has a weak point to worry about. The court saga could widen if he actually becomes police chief and someone contests his legitimacy with the Supreme Administrative Court. His personal conflicts with Pol Gen Sereepisuth also may lead to more conflicts, the source said.

Contact Crime Track: crimetrack@bangkokpost.co.th

### THE 4<sup>TH</sup> ANNUAL OCEAN MARINA PATTAYA BOAT SHOW

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