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MOTION FOR A RESOLUTION

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 122 of the Rules of Procedure

on the situation in Thailand

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on behalf of the ALDE Group

European Parliament resolution on the situation in Thailand

The European Parliament,

- having regard to the International Convention on Civil and Political Rights,
 - having regard to Rule 122 of its Rules of Procedure,
- A. whereas Thailand is facing the bloodiest political violence in two decades,
- B. whereas 35 people were killed and 244 wounded during the past weekend,
- C. whereas over 60 people have been killed and more than 1 700 wounded since the beginning of the protests,
- D. whereas a state of emergency has been declared in more than 20 provinces across the country,
- E. whereas about 5 000 people remain in the encampment, where food and water are running low as a result of a blockade of the area,
- F. whereas, when the protest began on 12 March 2010, the red-shirted protesters from the United Front for Democracy against Dictatorship (UDD) defied the ISA by marching around Bangkok and the protests turned violent on 7 April 2010 when Arisman Pongruangrong, a leader of the UDD, led protesters from their rally site at Phan Fa Bridge to surround the Parliament building while cabinet ministers and members of Parliament (MPs) were meeting, whereas the government declared a state of emergency in Bangkok and surrounding provinces later that day,
- G. whereas, under orders from Prime Minister Abhisit, soldiers and police initially showed great restraint in the face of provocation by protestors,
- H. whereas both the raid on the Parliament compound on 7 April 2010 and the confrontation at the Thaicom satellite station on 9 April 2010 seemed calculated to bring about a violent response by the security forces,
- I. whereas the incident on 9 April 2010 prompted the government's Center for the Resolution of Emergency Situations (CRES), a joint civilian-military decision-making and enforcement body in emergency situations, chaired by Deputy Prime Minister Suthep, to be more forceful in its attempt to end the UDD's protest,
- J. whereas more than 1 000 soldiers were mobilized for crowd dispersal operations on 10 April 2010,

- K. whereas on 10 April 2010, the government's attempt to forcibly disperse anti-government protests organized by the UDD and supported by former prime minister Thaksin Shinawatra escalated into a street battle in Bangkok,
- L. whereas the Prime Minister Abhisit Vejjajiva tried to restrict the activities of the UDD by enforcing the Internal Security Act (ISA) to prevent protesters from marching, occupying key locations and blocking traffic in Bangkok,
- M. whereas in protecting public safety, Thai authorities are under an obligation to use lawful means, including force proportionate to the level of threat or legitimate objective,
- N. whereas UDD leader Nathawut publicly urged protesters to loot and destroy high-end shopping malls in Bangkok,
- O. whereas, under pressure from the military to clear the area, Prime Minister Abhisit ordered the government not to attempt to disperse the UDD protesters at Ratchaprasong intersection for fear of heavy casualties and damages,
- P. whereas the government greatly undermined media freedom and freedom of expression when Deputy Prime Minister Suthep used emergency powers to authorize the closure of 36 websites, together with a satellite television station and online television and community radio stations, accusing them of spreading misinformation and inciting uprising; most of belong to or are closely aligned with the UDD,
- Q. whereas the negotiations between the government and the protesters failed to produce an agreement on a date for elections,
- R. whereas, when the Prime Minister announced a reconciliatory roadmap which included elections on 14 November 2010, the roadmap was tentatively accepted by the protesters but whereas, after additional conditions were set by the red-shirt leaders, negotiations ground to a halt,
- S. whereas a red-shirt leader said protesters were willing to hold UN-moderated talks to end the stand-off, providing that the army withdrew from the area around the red-shirt camp, but a government spokesman rejected demands for UN mediation,
- T. whereas any escalation of violence only reduces the possibilities for future dialogue,
1. Calls on all parties to cease political violence immediately;
 2. Calls on the government and protest leaders to make a public commitment to end attacks, establish effective control over their supporters and ensure that those committing offences are properly investigated and prosecuted;
 3. Urges political leaders to engage immediately in a constructive dialogue in order to solve the current crisis through peaceful and democratic means with the aim of the swift restoration of stability and the rule of law;

4. Calls on the Thai Government to ensure that the declaration of a state of emergency does not lead to any disproportionate restrictions on fundamental rights and individual freedoms;
5. Encourages both sides to agree on a date for free, fair and democratic elections;
6. Calls on the Thai Government to keep its promise to set up an independent commission to carry out a prompt, effective and impartial investigation into the politically motivated violence and abuses by all sides during the recent protests; takes the view that any investigation needs to determine who in the security forces gave orders to fire live ammunition and under what circumstances;
7. Expresses grave concern for the safety of journalists and condemns censorship by the Thai Government;
8. Expresses concern over the broad-based immunity provision in the Emergency Decree on Public Administration in a State of Emergency (Emergency Decree), originally declared by the Thaksin government, which states that anyone holding official power to carry out emergency powers is not subject to civil, criminal, or disciplinary liabilities if the act is performed in good faith, is non-discriminatory and is not unreasonable in the circumstances;
9. Calls on the government to immediately lift the censorship and other restraints on the rights to freedom of expression of online and broadcast media under the Emergency Decree, or appropriately charge them with incitement under the criminal code consistent with international law;
10. Urges the international community to put all efforts to stop the violence; urges the HR/VP Baroness Ashton to follow the political situation closely and coordinate with ASEAN in order to foster the dialogue and democratisation process in the country;
11. Instructs its President to forward this resolution to the to the HR/VP Mrs. Ashton, the governments and parliaments of the Member States, the governments of the ASEAN and ASEM member states and the ASEM secretariat.