

The Complaint No. 624/2553: Rights and Liberty upon Life and Body, Case of suspicion that Thai women might be abducted to retain in North Korea;

Mr. Sukham Panchoi, Brother of Ms. Anocha Panchoi, and Mr. Tomohoru Abeehara, the President of the Support Group for people Kidnapped by North Korea, lodged a Complaint to the National Human Rights Commission of Thailand (NHRCT) with allegation that in 1978, while Ms. Anocha Panchoi, (Mr. Sukham's sister, who is the citizen of Huay Sai Sub District, Sankampang District in Chiang Mai Province) was working at Macau S.A.R. and then found disappeared. Later in 2005, there was a television program showing a photo in the Book, namely, "To Telling the Truth," or "the Confession," written by Mr. Charles Robert Jenkins, a former American soldier who fled the army during the Korean War. He presented the photos of Thai woman who was his neighbor during his stay in North Korea, her name was "Anoche". From the above data, making the claim that Ms. Anocha may be forced to go to North Korea. So they have complained to the National Human Rights Commission for help.

The National Human Rights Commission has considered the facts of the investigation, legal requirements and then seen how the complaint case referred to as Ms. Anocha Panchoi was abducted while working in Macau in 1978 and then taken to North Korea. Complainants was informed through the mass media, with confirmation from Mr. Charles Robert Jenkins, a former American soldier who fled the army from Korea War and has written a book, namely, "To Tell the Truth" or "the Confession," which appeared in the newspaper that, a photo of one woman is similar to Ms. Anocha and Mr. Jenkins had confirmed that a Thai woman, namely "Anoche", was his neighbor at that time in North Korea. However, from the data of the Ministry of Foreign Affairs of Thailand had concluded that Ms. Anocha's Case is carried out in such a way to keep on "Tracking Disappearance" not "The Kidnapping" because it concerned the relationship between the Countries. Another Thai official source of information also claims that there is no evidence to proof that Ms. Anocha was abducted and had been brought to North Korea. The National Commission on Human Rights considers all facts and suggests as follows:

1. The Ministry of Foreign Affairs of Thailand shall seek facts or collect evidences to make it clear with substantive issues whether Ms. Anocha had been actually abducted from Macau in 1978, and was taken to North Korea. To take such facts into consideration in the implementation of Government-to-Government level, or for consideration of action level from "Tracking Disappearance" to "The Kidnapping" by the International Convention for the Protection of all Persons from Enforced Disappearance which Thailand has not yet adopted by accession. The National Human Rights Commission has given a policy recommendation to the Cabinet and the Ministry of Foreign Affairs, to consider further action in accordance with their authorities. This is for the protection of human rights, in the Section relating to the Rights and Freedom of Life and Body of Ms. Anocha, according to the Constitution and legal obligations related to.
2. The Office of the High Commissioner for Human Rights had received a complaint of Ms. Anocha Panchoi and assigned to the Special Rapporteur on North Korea to carry out the inspection and appointed the Commission on Inquiry on Human Rights in North Korea to examine as well. The results of monitoring of National Human Rights Commission should be reported to the Office of the High Commissioner for Human Rights and the Commission on Inquiry on Human Rights in North Korea who has been met with Chairperson of the National Human Rights Commission of Thailand.

So the National Human Rights Commission has proposed the policy recommendations to the Cabinet and the Ministry of Foreign Affairs as follows:

1. The Ministry of Foreign Affairs should clarify the cause of Ms. Anocha's disappearance and if the facts indicate that it was a forced disappearance, the Ministry of Foreign Affairs should cooperate with other countries where there are similar incidents such as Japan;

2. The Cabinet shall give priority to the International Convention on the Protection of All Persons from Enforced Disappearance by the accession to the Convention. The Cabinet therefore shall present it to the Parliament for approval in accordance with Constitution of

the Kingdom of Thailand BE 2550, Article 190, in order to promote and protect human rights and to achieve concrete results.

By the conclusion, the Office of the NHRCT is entrusted to follow -up and monitoring any actions undertaken corresponding to a Resolution.