

TABLE OF CONTENTS

EXECUTIVE SUMMARY	i
1. INTRODUCTION	1
2. LEGAL FRAMEWORK	4
CRIMINAL PROCEDURE	4
APPLICABLE INTERNATIONAL HUMAN RIGHTS LAW	4
<i>Fair trial standards</i>	4
<i>Enforced disappearance</i>	5
<i>Impunity and reparations</i>	6
3. ENFORCED DISAPPEARANCE	7
4. CRIMINAL CHARGES	9
5. THE TRIAL	10
THE PROSECUTION	10
<i>Application to join Public Prosecutor</i>	10
<i>Eye-witness evidence</i>	10
<i>Forensic evidence</i>	10
<i>Mobile phone records</i>	11
<i>Motive</i>	12
THE DEFENCE	12
<i>Alibi evidence</i>	12
<i>Rejection of phone records</i>	13
<i>Denial of Motive</i>	13
6. JUDGMENT AND SENTENCE	14
REACTION OF ANGKHANA NEELAPAICHIT	14
REACTION OF PRIME MINISTER AND GOVERNMENT	14
APPEAL	15
7. OTHER LEGAL PROCEEDINGS	16
ADMINISTRATIVE COURT	16
NATIONAL COUNTER CORRUPTION COMMISSION	16
DECLARATION OF DEATH	16
8. THE INVESTIGATION: POST-TRIAL	17

9. ASSESSMENT OF THE TRIAL AND INVESTIGATION	19
GENERAL OBSERVATIONS	19
RIGHT TO APPEAL	20
USE OF EVIDENCE BY THE PROSECUTION	20
INTIMIDATION OF WITNESSES	22
LACK OF APPROPRIATE CRIMINAL OFFENCE	24
INVESTIGATION PROCESS	24
10. UN COMPLAINTS BODIES	27
11. CONCLUSIONS AND RECOMMENDATIONS	29
CONCLUSIONS	29
KEY RECOMMENDATIONS	30
ANNEX I: CHRONOLOGY	33
ANNEX II: APPEAL LETTER BY FIVE SUSPECTS	37
ANNEX III: SOMCHAI IS DEAD, SAYS THAKSIN	39
ANNEX IV: APPLICABLE CRIMINAL LAW	41