

## **Thailand's human rights chief must resign**

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The chairman of Thailand's official human rights body, Saneh Chamarik, on 29 July 2008 sent an open letter to the head of the United Nations expressing his agency's most serious concern and dismay at a "blatant violation of human rights."

As the writing of an open letter to the UN secretary-general is an unusual step for a statutory rights bureau, and given its strident tone, readers might expect that its topic would be one of utmost importance to the defense of human dignity in Thailand.

This would be mistaken. The purpose of the National Human Rights Commission's letter was in actuality to lay blame for a puerile spat over an historic temple between the governments of Thailand and Cambodia with a UN committee.

According to Saneh, it is the World Heritage Committee, rather than politicking and self-interested nationalist leaders, that has somehow "endangered the lives of those who live along the Thai-Cambodian border."

But Saneh does not stop there. He goes beyond any pretence of concern for the integrity of people residing nearby the contested site to lobby unashamedly for his own country's claims.

"It seems that the views of the Thai side have been consistently overlooked," he shrills, before concluding with a demand for an inquiry of some sort or another.

Official politeness will oblige a response, but it is hard to imagine the letter being received in New York with anything other than incredulity.

Although the National Human Rights Commission of Thailand has had its share of ups and downs and is certainly not alone among its peers in Asia in having missed the point of its work from time to time, other blunders pale in comparison to the disgrace caused with this outburst.

Not only was it ill-timed, coming after the Cambodian general election when both sides had already agreed to pull back troops, but it was also extremely ill-considered, as in taking aim at the United Nations rather than the conflict's protagonists it has seriously undermined the credibility of the commission at a critical time in its history.

It should be remembered that the commission did not emerge from a Bangkok bureaucrat's flight of fancy or even from the work of its current members, but from a hard-fought global struggle to articulate, organize and defend the rights and dignities of everyone.

It owes its mandate and voice to this struggle, and in exchange is obligated to uphold its values and use that voice to articulate them.

This means that it is expected to comply with the terms of what are known as the Paris Principles if it is to be treated as a proper functioning human rights agency and be given due respect and standing in international gatherings and debates.

Among these principles are that the commission be functionally and financially independent, and that it serve as an advisor to its government on human rights standards, abuses and laws.

This role precludes it being turned into a mouthpiece for government policy, or for any rhetoric that is unrelated to explicit human rights concerns.

Although Thailand's commission is at present classed as fulfilling the principles, its status can't be taken for granted. A governing body can review members at any time and strip them of their status if they cease to pass the minimum standards.

This happened to Sri Lanka's human rights agency last year, after its government appointed new commissioners outside of the principles' terms, despite complaints from local and regional groups as well as repeated warnings from independent UN specialists.

While for Thailand there is no immediate danger of its commission losing official standing, with the sending of this letter it has certainly lost face.

As the commission's terms have been altered under the army-sponsored Constitution of 2007, the time is drawing near for a new law to be passed that will regulate its work, and for the appointment of new members.

But its chairman's time is well and truly up. Saneh Chamarik's letter to the United Nations is an alert not to a human rights crisis in Thailand but to one in his own agency. It is an advert for how far off the track he has taken it since September 2006, and a warning of what more may come if he is allowed to remain in the post until a replacement is appointed.

The only thing now is for Saneh to resign. His role as head of the National Human Rights Commission is not as a foreign policy propagandist but to uphold and defend human rights. As that role is now untenable, he must get out. Let another commissioner act in his stead until a new commission is appointed. None could do worse, and some could even get it moving back toward its real purpose. Above all, let there be no more like Saneh put in charge again.

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