

[Remembrances of Red Trauma \(12\) - The specter of the “men in black” continues to haunt](#)

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Guest contribution

The violent clashes at the Khok Wua intersection in Bangkok count as one of the bloodiest incidents of the summer of 2010. Heated debates about the role of the infamous “men in black” in the violence dominated the media at that time. More than four years later, authorities announced the arrest of five suspects. But human rights organizations and the lawyers of the defendants believe the prosecutions were politically motivated.

“I wasn’t afraid when I was arrested but the conditions in [prison] were appalling. Think of an animal cage, like the ones in Khao Din zoo [Dusit Zoo],” says Panika Chusri in a telephone interview. “It’s like they were just keeping packs of dogs in there. There was nowhere to sleep, just space to sit. I lived like that for three years.”

The 46-year-old restaurant owner was arrested by internal security officers in September 2014, and “stuffed into a prison cell.” Charged with illegal possession and carrying of firearms, she was accused of being one of the “men in black” in the clashes on April 10, 2010.

[Together with four others](#) she was charged under martial law which was imposed shortly before the military coup in May 2014. The five defendants were initially acquitted by a court in early 2017, but military prosecutors appealed and won a guilty verdict from the Court of Appeals in February this year.

Panika was eventually released but two other defendants had their original sentences of ten years’ imprisonment upheld by the court.

This is the story of the two people who were accused of being the “men in black,” the case’s impact on their lives, and their struggle to prove their innocence.

Becoming a “man in black”

Over 30 years ago, as a young woman, Panika moved from her home in Yang Chum Noi district of Sisaket province to Bangkok in search of a living. The capital gave her a job, a marriage, and a family.

Ten years ago, she sold food to protestors at one of the stages set up by the United Front for Democracy against Dictatorship (UDD). But she was not just there to make money; she also wanted to protest the military coup of 2006, which ousted the Thai Rak Thai Party government that she had voted for.

Summer of 2010 came and went, and life carried on for Panika. Then, in September 2014, the inconceivable happened. Her food kitchen was raided by soldiers, and Panika was bundled away. She had heard a rumor from a UDD member earlier that the army was taking Red Shirts from their homes. But she didn't expect to become a target at all.



Red Shirts gather at the Democracy Monument on April 11, 2010, a day after the military's first fatal attempt to disperse the protests. Photo by Khao Sod

Once released by the soldiers, she went to report the matter to the police as the experience was, she said, “a huge deal for me.” But informing the police displeased the soldiers. “When the soldiers found out,” Panika recalls “he told me ‘You dare to try and set the police on us? We’re going to ram you into jail. You’re going to prison where you won’t see the light of day, not even of the moon!’”

She was detained by soldiers again without a warrant. A lawyer tried and failed several times to have her released on bail.

Her husband was left to run the restaurant by himself to support their 19-year-old daughter and 15 year-old-son, who were both still students. He tried to find someone who could help get his wife

released, but to no avail. Nobody dared to help as many were afraid of being labeled as “sympathizers.”

Today, after spending three years in prison, Panika cannot forget the feeling of unbridled injustice.

“I’m not angry anymore. All I’ve got left is resentment and hate. I just can’t accept it, the injustice that they put me through. Not just me, but so many others who suffered the same fate, too,” Panika says.



Although COVID-19 has dented the earnings of her roadside restaurant, Panika Chusri (left) still prepares 50 free takeaway meals a day for those suffering hardship in the midst of the pandemic.

Not out of the woods yet

On April 28 last month, Panika was arrested once again at her restaurant on Ratchadapisek Road in Bangkok by plainclothes police of the Department of Special Investigation (DSI). They were serving a warrant issued by the Criminal Court on July 7, 2010 for the charge of conspiring to kill a government officer in the line of duty. The warrant specified that the attempt on a soldier’s life was made close to the protest site. on Tanao Road in the vicinity of Satri Wittaya School, on April 10, 2010.

Panika was released on bail that night, and is set to appear in court next month.

“I pray that I make it through this case, that it goes all the way to the Supreme Court and is finished once and for all,” Panika says about how she’s dealing with the new hand dealt to her by fate. “I just want to go back to Sisaket to take care of my father who is 80 now. If I go to jail, I’ll probably never see him again.”

Apart from Panika, there are four others who were arrested on the same charge—Kittisak Soomsri, Pricha Yuyen, Ronnarit Suwicha, and Chamnan Pakhichai. They all say they have previously never been in contact with each other.

Soon after, the lawyer acting on behalf of the five filed an official complaint to the director general of the Department of Criminal Litigation. In the letter of complaint, their lawyer detailed that their confessions were obtained under duress and threat of bodily harm. Numerous incidents of unjust treatment and failure to observe due process throughout their detention—to ensure that they play along while acknowledging their charges in a set-piece press release—were also cited.

While Pannika did not experience any physical violence, her co-defendant Kittisak Soomsri was repeatedly beaten and suffocated with a plastic bag over his head according, to his lawyer.

Six years in the shadow of a political court case

A 33-square meter room within a government housing project somewhere in Bangkok is home to the Soomsri family. Not counting Kittisak, who has been in prison for six years, there are seven people living within the same walls—his wife Amphan, their two daughters, and Amphan’s younger brother, his wife, and their two children.

Since Kittisak was put behind bars, the Soomsri family has experienced severe hardship, especially since his daughter Kannika, who had to quit vocational college to help her mother sell food in the cafeteria of a government office in Bangkok.

“Had I been able to graduate, I’d probably have found myself a decent job,” Kannika says about her crushed hopes.

Before his arrest, Kittisak had worked as a private driver for a company executive and also took odd jobs driving public passenger vans during off-hours. His family lost their main breadwinner when he was sentenced to prison.

Kannika first dropped out of college to help her mother put food on the table and then started working as a van driver like her father. For a while, the 21-year-old juggled the job with running court-related errands for her father and visiting him in Bangkok Remand Prison.

“It’s hard to know what to say, you know? Nobody feels good; it hit everyone really bad,” Kannika says about the impact her father’s arrest on the family.



Amphan Soomsri (left) plays with her nephew on the floor of her home in Bangkok. Both she and her daughter Kannika (right) have been unemployed since the onset of the COVID-19 pandemic.

Since the coronavirus pandemic hit, Amphan's food stall in the cafeteria was forced to close. The family's already-unstable income lost its other main sources overnight. It was bad enough that Amphan was suffering from kidney and gallstones which hurt so bad that she was sometimes forced to lie down, even in her food stall.

"There's no... no justice at all. Where am I going to find it?" says Amphan with tears in her eyes. "I've been keeping everything to myself. Even when Kittisak's father died in 2017, I couldn't bring myself to tell him. He would ask about his father and I'd just tell him that his father was fine. I'll let him find out when he comes out."

A weightless summary

In July of 2015, the five defendants in the "men in black" case were charged with illegal possession of assault weapons and taking them into a residential area.

[It was alleged](#) that the defendants transported the assault weapons into the protest site of the Khok Wua intersection in April 2010, before using them to shoot at soldiers while wearing black clothes.

According to Winyat Chatimontri, a lawyer from United Lawyers For Rights and Liberty, Kittisak's case is currently making its way to the Supreme Court.

"Kittisak is contesting all charges and maintains his innocence, as he always did. He should receive compensation. He's having to fight this "men in black" thing in four separate cases, not just one," Winyat explains. "Kittisak was prosecuted on the basis of testimony given by a soldier who was riding a vehicle past the defendant."

“There is no other evidence. The soldier claims that he drove in the opposite direction of the van used as an escape vehicle by the men in black, and when passing the van, was able to positively identify Kittisak. That’s all the evidence that there is against Kittisak.”

Winyat noted that this particular soldier gave conflicting testimony as a witness in the case of Japanese cameraman Hiroyuki Muramoto who was shot dead on April 10. The soldier testified that he could not positively identify any of the men in black that he saw. Yet in the case involving Kittisak, he maintains that he “can remember the faces of the men in black and saw an assault weapon inside the van,” Winyat said.

As for Pricha, he was prosecuted on the basis of evidence given by an undercover policeman who pulled down the defendant’s black mask and photographed him, as well as DNA evidence. He is still awaiting a final decision from the court before he can appeal to the Supreme Court for a final ruling, if necessary, Winyat said.

Politically motivated prosecution?

Similar prosecutions were the order of the day in the months immediately following the coup of 2014. [Human Rights Watch reported](#) that the authorities arrested Kittisak without disclosing his whereabouts for days until he reappeared in a press conference as a suspect in the “men in black” case.

“The arrests made after the 2014 coup were politically motivated in the sense that they were designed to launder the military regime’s image,” Winyat says.

In the hundreds of politically motivated prosecutions Winyat has worked on, “all of the defendants were forced to confess under duress.” They were detained extrajudicially until they could be coerced into confessing. They were interrogated in secret locations and under menace. Only after satisfactory results were obtained would arrest warrants be sought from a judge and the defendants were officially entered into the legal system. By any reasonable standard, these confessions would be legally inadmissible from the start, Winyat said.

Searching for the truth

A [report](#) published in 2012 by The People’s Information Center (PIC), “The April-May 2010 Crackdowns,” contains corroborating testimonies from many of those present at the Khok Wua intersection that the nine people killed there “were shot between 7:30 and 8:30 p.m., well before the appearance of the men in black as reported or witnessed by anybody.” It is also a matter of public record that “the points from which the explosive ordinances were fired or thrown at military personnel could not be identified.”

The Truth and Reconciliation Commission also published a [report](#) in 2012. It states that the “men in black” who appeared were equipped with M-16 and AK-47 assault rifles, M-79 grenade launchers, M-67 recoilless rifles, and assorted sidearms. They exchanged fire with soldiers in the vicinity of Satri Wittaya School on Tanao Road, killing four soldiers. Post-mortems revealed that three were killed by fragments of anti-personnel rounds fired from an M-67 recoilless rifle, including General Romklao Thuwatham. One other soldier was killed by what a ballistics expert testified as likely to be the fragments of an M-79 launched grenade.

Ten years have passed since the smoke cleared from the Khok Wua intersection on April 10, 2010, leaving only memories of varying intensity in people’s minds.

"I can't forget it. If I talk about it I start crying, and I start to feel sad," says Runglawan Khammee through tears and with a shaking voice, the wife of Chamnan Pakhichai, one of the five defendants who was recently acquitted by the Court of Appeals. "People had their brains blown out. Were they really carrying weapons, like [the government] said? It just makes me even sadder."

"It is a disappointment, a pain to the people in the UDD, that people died like that and nothing happened," Runglawan says, as if she was expecting an answer.

***This story was [first published in Thai](#) on May 17, 2020.
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Thai journalist who asked to remain anonymous.***