

# Thai Supreme Court protects key figures in 2010 military crackdown

Our reporter  
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A Supreme Court of Thailand ruling last month ended the trials of ex-Prime Minister Abhisit Vejjajiva and his deputy Suthep Thaugsuban, who were responsible for the deadly military crackdown on mass protests in 2010 that left more than 90 people dead.

Under the government of former Prime Minister Yingluck Shinawatra, the Justice Ministry Department of Special Investigation filed the first case in 2012, charging Abhisit and Suthep with three counts of murder. After Yingluck was ousted in a 2014 military coup, the Criminal Court dismissed the case on the grounds that Abhisit and Suthep were acting as government officials, not individuals, at the time of the protests.

Members of the pro-Shinawatra United Front for Democracy Against Dictatorship (UDD) encouraged a review of the case, but the Appeals Court took the same position in February 2016. On August 31, the Supreme Court upheld the previous rulings, effectively protecting Abhisit and Suthep from prosecution.

The ruling leaves a petition to the National Anti-Corruption Commission (NACC) as the only legal means for proceeding against the two men. The NACC, however, has a long history of dragging out and dismissing cases against military leaders. Despite dozens of complaints filed by civilians and political parties since 2014, primarily centred on nepotism and corruption, the commission has dropped or arbitrarily prolonged all cases against military officials.

Junta leader General Prayuth Chan-o-cha, who is the current prime minister, faced accusations of asset concealment in 2015, yet the NACC has provided no updates or progress on his case. On the other hand, the Supreme Court convicted Yingluck Shinawatra on trumped-up charges of corruption. Facing a lengthy prison term and ban from politics, she fled the country.

The military's seizure of power in 2014 continued more than a decade of intense political instability. The army ousted Yingluck's brother, Thaksin Shinawatra, in 2006 amid intense opposition to his elected government by the country's traditional ruling elites, including the monarchy, state bureaucracy and military, which opposed his populist pro-poor policies and opening of the economy to foreign investors.

Despite re-writing the constitution, the military failed to prevent the pro-Thaksin People Power Party (PPP) winning new elections and forming a coalition government in January 2008. By the end of the year, the pro-royalist People's Alliance for Democracy and "yellow shirts" toppled the Thaksin regime through a combination of protests and politically-biased court decisions. Backed by the military, the Democrat Party was installed in office, with Abhisit as prime minister and Suthep as his deputy.

The Abhisit government faced widespread opposition from the outset that led to mass protests in 2010 led by the UDD or "red shirts," calling for new elections. As the protests grew in size, sections of the urban and rural poor began to voice criticisms of the Bangkok elites and their own demands for social equality.

Despite reaching a deal in May to halt the protests in return for promises of a November election, the UDD leadership was unable to stop thousands of protesters from staying on the streets of Bangkok. Despite the cut-off of food and energy supplies to the makeshift protest camps, more than 5,000 people remained committed to resisting the military.

On May 19, 2010, Abhisit and Suthep ordered an all-out military assault. The army drove armoured vehicles through their barricades, firing at anyone who showed signs of resistance or aggression, and used snipers to target key protest leaders among the crowd. In just two

days, the army killed more than 20 people and injured 400. In total, the military attacks led by Abhisit and Suthep over the two months of protests resulted in 90 deaths and 1,500 injuries. Before the attack, the UDD leaders handed themselves over to security forces, leaving the protestors to face the military.

The current junta is determined to protect Abhisit and Suthep from prosecution because a conviction could open the way for legal action against the military. Since seizing power in 2014, the army has suppressed any opposition from the poor and working class, silenced any critics and imposed draconian police-state measures.

One study released by the *Bangkok Post* last week showed that Prime Minister Prayuth has the lowest “confidence ratings” of any prime minister in the past 15 years, and Thaksin Shinawatra the highest. Annoyed with the media’s continued coverage of Thaksin, General Prayuth stated: “I move past anyone who is at the centre of conflict... The way to move past [Thaksin] is to forget him and let the law take its course.”

Immediately after the Supreme Court announced its ruling, UDD leaders proclaimed the goal of garnering one million petition signatories to “ensure justice is served and the dead honoured”—promoting the illusion that justice can be obtained through the NACC.

As in 2010, the UDD is committed to preventing a groundswell of opposition to the military from developing into a political movement that could threaten capitalist rule in Thailand.



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