

Unofficial Translation
Tak Bai post mortem inquest

(31)

For court using

Court Order

(Garuda)

Black Case no. Chor 16/2548

Red Case no. Chor 8/2552

Under the Seal of His Majesty

The Songkhla Provincial Court

Twenty-ninth day of May, 2008

Civil Suit

Songkhla Public Prosecutor

Petitioner

V.

Ms. Sitirokaya Sale (1), Ms. Mueyae Binpaolae (2), Mr. Hama Mamakutong (3), Ms. Kuelusong Norhama (4), Ms. Jaehamiya Norhama (5), Ms. Latipa Mudoor (6), Ms. Wati Su (7), Ms. Halimoh Doloh (8), Mr. Ali Jaengor (9), Ms. Waesiti Waedorlae (10), Mr. Musor Maso (11), Ms. Saliha Mama (12), Ms. Haning Da-nging (13), Mr. Musor Nija (14), Ms. Moriyaning Masae (15), Ms. Timoh Hama (16), Ms. Saudoh Itae (17), Mr. Marudeng Yumaso (18), Mr. Marohem Aware (19), Mr. Azizae Sati (20), Ms. Ruhani Yusoh (21), Ms. Makapuso Mama (22), Mr. Jaena Sari (23), Mr. Suriya Kadeh (24), Mr. Rohim Samaae (25), Mr. Mahama Binaware (26), Mr. Yala Luddinsamae (27), Ms. Jaesapiyao Jatae (28), Ms. Liha Aware (29), Mr. Maiso Arong (30), Ms. Sapiyoh Kabakoh (31), Ms. Muayae Samah (32), Mr. Ibraheng Amsoh (33), Ms. Nadidi Mama (34), Mr. Salae Mama (35), Ms. Aesoh Sani (36), Mr. Samaae Malae (37), Ms. Palida Toleh (38), Ms. Musta Jaeuma (39), Ms. Jaesaesor Busa (40), Mr. Dorloh Uma (41), Ms. Salima Yusoh (42), Mr. Mudor Masae (43), Ms. Nuriha Latae (44), Mr. Yakoh Jaewae (45), Mr. Muhama Buku (46), Ms. Asidoh Mama (47), Ms. Timoh Kabakor (48), Mr. Duramae Timasa (49), Ms. Sariha Maiseng (50), Mr. Dormae Jaeso (51), Ms. Ropisa Matukae (52), Mr. Hami Samoh (53), Ms. Jaeraina Baka (54), Ms. Mae Wani (55), Ms. Sariha Maromaeno (56), Mr. Useng Lateh (57), Ms. Romala Yakoh (58), Mr. Mudoor Kaseng (59), Mr. Sakariya Suni (60), Ms. Rusanita Useng (61)

Inquiry Petitioner

Mr. Mahama Laokabor (1), Mr. Muhammad Soe (2), Mr. Haruming Mamakutong (3), Unknown man (4), Mr. Iran Binsakri or Ihasan Binsakri (5), Mr. Bukri Samoh (6), Mr. Kariya Hayima (7), Mr. Samaae or Ishmael Mudoor (8), Unknown man (9), Mr. Jae Samuding Kaema (10), Mr. Arong Su (11), Mr. Roning Sulong (12), Mr. Idares Useng (13), Mr. Abdul Roning or Abdul Noning Saoni (14), Mr. Rusadi Jaengo (15), Mr. Mahama or Maahama Samaae (16), Mr. Sasuden or Samsuden Maso (17), Mr. Marohing Maka (18), Mr. Muli Awaekuji (19), Mr. Kimpli or Kifli or Kippli Mana (20), Mr. Mahadi Nija (21), Mr. Ma Useng (22), Unknown man (23), Unknown man (24), Mr. Idrae or Irae Aware (25), Mr. Mahama Paosanbura (26), Mr. Muhamasorae or Muhammasorae Miyaseng (27), Mr. Waehaleng Wadeng (28), Unknown man (29), Mr. Sutthi Yumaso (30), Mr. Adura or Aduha Aware (31), Mr. Maroning Salaesali-I (32), Mr. Mamasukri Latae (33), Unknown man (34), Mr. Aemasorlah Aware (35), Mr. Ya Ali (36), Mr. Royni Durae (37), Mr. Ahama Sari (38), Unknown man (39), Mr. Usaman Kadeh or Khadeh (40), Mr. Hasae or Asae Samaae (41), Mr. Makorseng Doloh (42), Mr. Ari Aware (43), Mr. Rosi Same (44), Mr. Samri Aewaebango (45), Mr. Doroha Aware (46), Mr. Amran Arong (47), Mr. Ibrohim Sumae (48), Mr. Harong Padoma (49), Mr. Nasuri Ibroeng (50), Mr. Roya Mama (51), Mr. Makuta Mama (52), Unknown man (53), Mr. Mauseng Suni (54), Unknown man (55), Mr. Nipaosi Malae (56), Mr. Sarote Toleh (57), Muhamadsibri or Muahamadsappri Abudadi or Abudari (boy) (58), Unknown man (59), Mr. Adulkarim Jaeha (60), Mr. Abuka Kaseng (61), Mr. Surachet Lateh (62), Mr. Mamasor-lae Uma (63), Mr. Basari Suni (64), Mr. Sabuding Yusoh (65), Mr. Ropidi Masae (66), Mr. Rosumai Salae (67), Mr. Adehaware Jaewae (68), Mr. Kamarudeng Budu or Buku (69), Mr. Aseng Aware (70), Mr. Abidi Kabakor (71), Mr. Abdulayi Yasing (72), Mr. Abdulrosah Dimasa (73), Mr. Abdulhadi Useng (74), Unknown man (75), Mr. Mahamadabi Jaesoh (76), Mr. Abdulrohim Limoh (77), Mr. Haron Aware (78)

The deceased

Re: The post mortem inquest

In this case, the Pattani provincial public prosecutor has submitted the following motion. During the daytime on 25 October 2004, Mr. Mahama Laokabor and others, altogether 78 persons, died while in custody of officials. Officials claimed to have performed their duties according to their assigned responsibilities. The incident took place at Borthong sub-district, Nongchik district, Pattani province. The Court needs to order an inquiry into

who the deceased were, where they died, when they died and what were the causes and circumstances surrounding their deaths.

After the Court officially posted a notice fixing the examination dates as allowed by law, Ms. Sitirokaya Salae, wife of Mr. Mahama Laokabor, the deceased no. 1, Ms. Muyae Binpolae, mother of Mr. Muhammad Soe, the deceased no. 2, Mr. Hama Mamakutong, father of Mr. Haruming Mamakutong, the deceased no. 3, Ms. Kulusong Norhama, grandmother of Mr. Iran Binsakri or Ihasan Binsakri, the deceased no. 5, Ms. Jaehamiya mother of Mr. Kariya Hayima, the deceased no. 7, Ms. Latipah Mudoor, daughter of Mr. Samaae or Ishmael Mudoor, the deceased no. 8, Ms. Wati Subura-arong, daughter of Mr. Arong Su, the deceased no. 11, Ms. Halimoh Doloh, mother of Mr. Idares Useng, the deceased no. 13, Mr. Ari Jaengo, father of Mr. Rusadi Jaengo, the deceased no. 15, Ms. Waesidi Waedoleh, wife of Mr. Mahama or Maahama Samaae, the deceased no. 16, Mr. Muso Maso, father of Mr. Sasuden or Samsuden Maso, the deceased no. 17, Ms. Saliha Mama, wife of Mr. Muli Awaekuji, the deceased no. 19, Ms. Haning Dangin, elder sister of Mr. Kimpli or Kifli or Kippli Mana, the deceased no. 20, Mr. Musor Nija, father of Mr. Mahadi Nija, the deceased no. 21, Ms. Moriyaning Masea, wife of Mr. Idrae or Irae Aware, the deceased no. 25, Ms. Timoh Hama, mother of Mr. Muhamasorae or Muhammasorae Miyaseng, the deceased no. 27, Ms. Saudoh Itae, mother of Mr. Waehaleng Wadeng, the deceased no. 28, Mr. Marudeng Yumaso, elder brother of Mr. Sutthi Yumaso, the deceased no. 30, Mr. Marohem Aware, father of Mr. Adura or Aduha Aware, the deceased no. 31, Mr. Azizae Sati, relative of Mr. Aemasorlah Aware, the deceased no. 35, Ms. Ruhanee Yuso, wife of Mr. Ya Ali, the deceased no. 36, Ms. Mapusoh Mama, wife of Mr. Royni Durae, the deceased no. 37, Mr. Jaena Sari, father of Mr. Ahama Sari, the deceased no. 38, Mr. Suriya Khadeh, father of Mr. Usaman Kadeh or Khadeh, the deceased no. 40, Mr. Rohim Samaae, elder brother of Mr. Hasae or Asae Samaae, the deceased no. 41, Mr. Mahama Binaware, father of Mr. Ari Aware, the deceased no. 43, Mr. Yalaruddin Same, elder brother of Mr. Rosi Same, the deceased no. 44, Ms. Jaesapiyoh Jaeta, mother of Mr. Samri Aewaeba-ngo, the deceased no. 45, Ms. Liha Aware, wife of Mr. Doroha Aware, the deceased no. 46, Mr. Maiso Arong, father of Mr. Amran Arong, the deceased no. 47, Ms. Sapiyoh Kabakor, mother of Mr. Ibrohim Sumae, the deceased no. 48, Ms. Muyae Sama, mother of Mr. Harong Padoma, the deceased no. 49, Mr. Ibraheng Amsoh, son of Mr. Nasuri Ibroeng, the deceased no. 50, Ms. Nabibi Mama, daughter of Mr. Roya Mama, the deceased no. 51, Mr. Salae Mama, father of Mr. Makuta Mama, the deceased no. 52, Ms. Aloh Sani, mother of Mr. Mauseng Suni, the deceased no. 54, Mr. Samaae Maelae, father

of Mr. Nipaosi Malae, the deceased no. 56, Ms. Parida Toleh, mother of Mr. Sarote Toleh, the deceased no. 57, Ms. Masta Jaeuma, mother of Muhamadsibri or Muahamadsappri Abudadi or Abudari (boy), the deceased no. 58, Mr. Mudoor Kaseng, father of Mr. Abuka Kaseng, the deceased no. 61, Ms. Jaeasoh Bursa, mother of Mr. Surachet Lateh, the deceased no. 62, Mr. Doloh Uma, father of Mr. Mamasor-lae Uma, the deceased no. 63, Ms. Salima Yusoh, elder sister of Mr. Sabuding Yusoh, the deceased no. 65, Mr. Mudoor Masae, father of Mr. Ropidi Masae, the deceased no. 66, Ms. Nuriha Lateh, wife of Mr. Rosumai Salae, the deceased no. 67, Mr. Yako Jaewae, father of Mr. Aدهaware Jaewae, the deceased no. 68, Mr. Muhama Buku, father of Mr. Kamarudeng Budu or Buku, the deceased no. 69, Ms. Asidoh Mama, wife of Mr. Aseng Aware, the deceased no. 70, Ms. Timoh Kabakor, mother of Mr. Abidi Kabakor, the deceased no. 71, Mr. Duramae Timasah, father of Mr. Abdulrosah Dimasa, the deceased no. 73, Ms. Sariha Maiseng, mother of Mr. Abdulhadi Useng, the deceased no. 74, Mr. Domae Jaesoh, father of Mr. Mahamadabi Jaesoh, the deceased no. 76, Ms. Ropisah Matukae, wife of Mr. Haron Aware, the deceased no. 78), Ms. Hami Samoh, father of Mr. Bukri Samoh , the deceased no. 6, Ms. Jaeraina Baka, mother of Mr. Jae Samuding Kaema , the deceased no. 10, Ms. Mae Wani, wife of Mr. Marohing Maka , the deceased no. 18, Ms. Saripa Maromaeno, wife of Mr. Ma Useng , the deceased no. 22, Mr. Useng Latae, father of Mr. Mamasukri Latae, the deceased no. 33, Ms. Romala Yako, mother of Mr. Adulkarim Jaeha , the deceased no. 60, Mr. Sakariya Suni, relative of Mr. Basari Suni , the deceased no. 64, and Ms. Rusanita Useng, relative of Mr. Abdulayi Yasing , the deceased no. 72 submitted a petition to ask for permission to examine the witnesses put forth by the public prosecutor and to propose their own witnesses for examination. The Court granted the request and would like to address them in order as inquiry petitioners no.1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 47, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61.

During the trial, the petitioner submitted a motion to the court asking the President of the Supreme Court to transfer the case to the Criminal Court or other Court of jurisdiction in Bangkok. The President of the Supreme Court ordered the case transferred to the Songkhla Provincial Court.

During the trial, the petitioner related that around 08:00 am on 25 October 2004, more than 1,000 persons gathered in front of the Tak Bai Police Station, Tak Bai district, Narathiwat province demanding the release of Mr. Kama Ali and other, altogether six persons. They were Village Defense Volunteers (VDVs) who had been arrested on charges

of reporting false information to the police and embezzlement. Concerned officials led by General Pisarn Wattanawongkhiri, Fourth Army Region Commander, Pol. Lt. General Manote Kraiwong, Commissioner of Provincial Police Region 9, and Mr. Niphon Narapithakkul, Deputy Governor of Narathiwat province made an attempt to negotiate with the demonstrators. They promised to submit a request for temporary release of Mr. Kama and the others. Religious leaders and Mr. Kama's parents were also invited to talk with the demonstrators and ask them to disperse. However, the demonstrators yelled back at them and made an attempt to push through the iron grilles to get inside the compound of the Tak Bai Police Station. Invoking Martial Law Act B.E. 2457 (1914), Gen. Pisarn ordered the suppression of the demonstration and remanded the male demonstrators in custody. The order was given to transport the demonstrators in military trucks to the Ingkayuthaboriharn Army Camp, Borthong sub-district, Nongchik district, Pattani. As a result, seventy eight detainees died. According to autopsies carried out by medical doctors, they died of suffocation.

The inquiry petitioners no. 4, 5, 6, 10, 27, 28, 33, 34, 49, 56 and 57 were all of the same mind. They felt that the suppression of the demonstration, the remanding in custody of the seventy eight and other demonstrators together with their transfer to the Ingkayuthaboriharn Army Camp had not been carried out according to standard procedures or in a proper manner which resulted in the mass deaths.

In examining evidence submitted by both petitioners, it was noted that on the date time and place of the incident, more than one thousand people were gathered in front of the Tak Bai Police Station to demand the release of Mr. Kama Ali and other, altogether six persons. They were Village Defense Volunteers (VDVs) who had been arrested on charges of reporting false information to the police and embezzlement. But the concerned officials explained to the demonstrators that they could not comply with their demands because Mr. Kama and the others had been held in custody at the Provincial Prison of Narathiwat. Subsequently some demonstrators started to throw objects and push the iron grilles in an attempt to get inside the compound of the Tak Bai Police Station. During the meeting of the army, police and administrative officials, it was agreed that the demonstration had to be suppressed. Gen. Pisarn then ordered the demonstration to be put down. Thus concerned officials suppressed and arrested the demonstrators including seventy eight deceased and transported to the Ingkayuthaboriharn Army Camp in army trucks. Upon arrival at the Ingkayuthaboriharn Army Camp, when the demonstrators were loaded down, it was found that the seventy eight men died during the trip. The issue became who were the deceased,

where had they died, when had they died and what particular causes and circumstances related to their deaths. The petitioner had submitted witnesses including General Pisarn Wattanawongkhiri, Lt. Gen. Chalermchai Wiroonpetch, and Pol. Lt. General Manote Kraiwong. They testified similarly that on the date and time the incident took place, they were informed that there were people demonstrating in front of the Tak Bai Police Station. They were demanding that the police officials release the six VDV's who had been held in custody on charges of reporting false information to the police and embezzlement. As more people arrived, the number swelled to over one thousand. Gen. Pisarn directed the sub-district headman, village headmen and Toh Imam from Tak Bai district to explain to the demonstrators that an attempt would be made to secure the temporary release of Mr. Kama and others from the Provincial Court of Narathiwat, under whose jurisdiction they were held. But the demonstrators were not satisfied and kept demanding the immediate and unconditional release of Mr. Kama and the others and made an attempt to dismantle the protective iron grilles. Gen. Pisarn then asked Mr. Niphon, a fellow Muslim and Deputy Governor of Narathiwat province, to explain in local Malay and make intermittent announcements asking those who were not involved to stay away from the demonstration area. The father and mother of Mr. Kama and the others were also asked to explain to the demonstrators that Gen. Pisarn would ensure their sons temporary release. But the demonstrators just yelled and hurled pieces of rock and wood at them. Seeing that the demonstrators would not give in, Gen. Pisarn called a meeting of involved officials. It was agreed that the demonstration had to be suppressed. Given the preceding circumstances, it was viewed that the demonstrators would not disperse voluntarily. Also, it was feared that the demonstrators would invade the Tak Bai Police Station. Gen. Pisarn instructed Lt. Gen. Chalermchai to plan the suppression of the demonstration. Gen. Pisarn also ordered that no decisive use of arms should be made against the demonstrators. He was aware that due to the small space and the large number of demonstrators, the use of force in such a circumstance could lead to extensive loss of life. However, he allowed fire trucks to use water cannons on the demonstrators. As the demonstrators had broken down the protective iron grilles, hurled various missiles and tried to breach the Tak Bai Police Station, the fire trucks aimed water cannons at the demonstrators. Chaos ensued and one gunshot was heard, followed by a series of gunshots. After the dispersal of the demonstrators, by order of Gen. Pisarn, women and the underage were separated from the male demonstrators and handed over to the Governor of Narathiwat. Since the incident took place in a precarious area near the Thaksin Ratchaniwet Royal Palace, and close to the Malaysian border, it was

decided by Gen. Pisarn and concerned authorities that demonstrators could not be held in custody at the scene of the incident. They should be transferred and held in custody at the Ingkayuthaboriharn Army Camp for further interrogation to inquire who was behind the demonstration. Gen. Pisarn ordered that trucks parked at the incident site and trucks used for transporting students of the Royal Project for Handicraft Training were to be used for transfer the demonstrators. He specifically directed the Deputy Fourth Army Area Commander to prepare proper water, food and accommodation for the demonstrators. There was some rain as they traveled to the Ingkayuthaboriharn Army Camp. The vehicles faced obstacles including some felled trees blocking the road, spikes thrown on the road, and burning tires. These all caused a delay in the transfer. At the scene, it was found that six persons died and weapons including M16 bullets and explosives were found in the Tak Bai River in front of the Tak Bai Police Station. The information was confirmed by the witnesses who provided reinforcement including Mr. Niphon Narapithakkul, Deputy Governor of Narathiwat, Captain Traikwan Krailerk, the Third Infantry Regiment Commander, Marine Expeditionary Force, Narathiwat Taskforce Commander, Captain Prasert Matthamin, Commander of Ranger Force Company no. 4507 and Pol.Lt.Col. Niwat Suwannasingh, police official at the Khok Pho Police Station. They were ordered to participate by their superiors. Their testimonies were affirmed by Gen. Pisarn, Lt.Gen. Chalermchai and Pol.Lt.Gen. Manote. In addition, the petitioner has submitted the testimonies of Dr. Arunee Singhsaneh, medical doctor, Lt.Col.Dr. Pisit Pansuriya, medical doctor, Dr. Khunying Pornthip Rojanasunan, medical doctor, Pol.Lt.Col. Suphichai Limsiwawong, Dr. Panjai Woharndi, medical doctor, Mr. Montree Boonwong, Nongchik Assistant to the District Chief Officer, Pattani province, Mr. Sophon Thipbamroong, specialized public prosecutor, and Pol.Col. Soonthorn Kwanpetch, Superintendent of the Mai Kaen Police Station. The eight witnesses testified that they had conducted autopsies on the seventy eight deceased at the Ingkayuthaboriharn Army Camp. Dr. Arunee examined Mr. Mauseng Suni, Mr. Sarote Toleh, Mr. Surachet Lateh, Mr. Rosumai Salae, Mr. Aseng Aware, Mr. Abdulrosah Dimasa, Mr. Mahamadabi Jaesoh, and Mr. Abdulrohim Limoh; Lt. Col. Dr. Pisit Pansuriya examined Mr. Doroha Aware, Mr. Ibrohim Sumae, Mr. Roya Mana, Mr. Abuka Kaseng, Mr. Sabuding Yusoh, Mr. Kamarudeng Buku, Mr. Abidi Kabakor, Mr. Abdulhadi Useng, and three unknown men; Dr. Khunying Pornthip Rojanasunan examined Mr. Mahama Jaemkoh, Mr. Muhammad Soe, Mr. Haruming Mamakutong, Mr. Iran Binsakri or Ihasan Binsakri, Mr. Bukri Samoh, Mr. Samaae Mudoor, Mr. Arong Su, Mr. Idares Useng, Mr. Abdul Noning Saoni, Mr. Sasuden Maso, Mr.

Marohing Maka, Mr. Kimpli Mana, Mr. Muhamasorae Miyaseng, Mr. Waehaleng Wadeng, Mr. Mamasukri Latae, Mr. Ahama Sari, Mr. Hasae Samaae, Mr. Ari Aware, Mr. Samri Aewaeba-ngo, Mr. Harong Padoma, and four unknown men; Pol. Lt. Col. Suphichai Limsiwawong examined Mr. Kariya Hayima, Mr. Jae Samuding Kaema, Mr. Roning Sulong, Mr. Rusadi Jaengo, Mr. Mahama Samaae, Mr. Muli Awaekuji, Mr. Mahadi Nija, Mr. Ma Useng, Mr. Irae Aware, Mr. Mahama Paosanbura, Mr. Sutthi Yumaso, Mr. Adura Aware, Mr. Maroning Salaesali-I, Mr. Aemasorlah Aware, Mr. Ya Ali, Mr. Royni Durae, Mr. Usaman Kadeh, Mr. Makorseng Doloh, Mr. Rosi Same, Mr. Amran Arong, Mr. Nasuri Ibroeng, and three other unknown men; and Dr. Panjai Woharndi examined Mr. Makuta Mama, Mr. Nipaosi Malae, Muhamadsibri Abudadi (boy), Mr. Adulkarim Jaeha, Mr. Mamasor-lae Uma, Mr. Basari Suni, Mr. Ropidi Masae, Mr. Aedahaware Jaewae, Mr. Abdulayi Yasing, Mr. Haron Aware and three other unknown men. They found that all the seventy eight deceased died of suffocation. The supporting testimony of the petitioner was also given by Pol. Lt. Col. Visit Aksornkaew who was the investigator. The Court considered that the fifteen witnesses had given their information in a coherent and concerted manner. The inquiry petitioners no.4, 5, 6, 10, 27, 28, 33, 34, 49, 56 and 57 stated that some of the detainees were just onlookers. The suppression of the demonstration and the transportation to the Ingkayuthaboriharn Army Camp had not been carried out in accordance with standard procedures. The proper methods for dispersal of the demonstrators and their transportation to the Ingkayuthaboriharn Army Camp took an extraordinarily long time. But the hectic and emergency situation on the day of the demonstration has to be taken into consideration. In particular there were more than one thousand demonstrators gathered in front of the Tak Bai Police Station which was limited in space, the site was located close to the Thaksin Ratchaniwet Royal Palace, the dispersal of the demonstration was only completed toward evening, the number of trucks available for the transfer to the Ingkayuthaboriharn Army Camp had to be acquired from nearby places, the long distance from the Tak Bai Police Station to the Ingkayuthaboriharn Army Camp, the rainy weather and the delaying obstacles on the way. Therefore, if the demonstrators had not been removed swiftly from the scene, it would have exacerbated the situation and led to disastrous results. The plans had to be executed immediately and consecutively. The evidence submitted by the inquiry petitioners did not have enough weight to rebut those of the petitioner. The fact of the matter was that on the day in question, the army, police and officials made efforts to disperse the demonstrators, detained them and sought to transfer them to the Ingkayuthaboriharn Army Camp. The action taken had been carried out in

accordance with the necessity of the circumstances and according to assigned responsibilities. However, according to the VCD submitted to the Court, some individuals clad in uniforms similar to those of the concerned officials were involved in the suppression of the demonstration and caused injuries to the demonstrators. It was believed that the action of these individuals was immediate and impulsive. It did not appear that while in custody, the seventy eight deceased and other protestors, sustained further abuse nor were there any harmful incidents inflicted on them. The seventy eight died during transfer to the Ingkayuthaboriharn Army Camp. It could be implied that they died while in custody of the officials who have carried out their official duties according to their assigned responsibilities. Based on the aforementioned reasons, the Court ordered that the deceased including Mr. Mahama Laokabor, Mr. Muhammad Soe, Mr. Haruming Mamakutong, Mr. Iran Binsakri or Ihasan Binsakri, Mr. Bukri Samoh, Mr. Kariya Hayima, Mr. Samaae or Ishmael Mudoor, Mr. Jae Samuding Kaema, Mr. Arong Su, Mr. Roning Sulong, Mr. Idares Useng, Mr. Abdul Roning or Abdul Noning Saoni, Mr. Rusadi Jaengo, Mr. Mahama or Maahama Samaae, Mr. Sasuden or Samsuden Maso, Mr. Marohing Maka, Mr. Muli Awaekujji, Mr. Kimpli or Kifli or Kippli Mana, Mr. Mahadi Nija, Mr. Ma Useng, Mr. Idrae or Irae Aware, Mr. Mahama Paosanbura, Mr. Muhamasorae or Muhammasorae Miyaseng, Mr. Waehaleng Wadeng, Mr. Sutthi Yumaso, Mr. Adura or Aduha Aware, Mr. Maroning Salaesali-I, Mr. Mamasukri Latae, Mr. Aemasorlah Aware, Mr. Ya Ali, Mr. Royni Durae, Mr. Ahama Sari, Mr. Usaman Kadeh or Khadeh, Mr. Hasae or Asae Samaae, Mr. Makorseng Doloh, Mr. Ari Aware, Mr. Rosi Same, Mr. Samri Aewaeba-ngo, Mr. Doroha Aware, Mr. Amran Arong, Mr. Ibrohim Sumae, Mr. Harong Padoma, Mr. Nasuri Ibroeng, Mr. Roya Mama, Mr. Makuta Mama, Mr. Mauseng Suni, Mr. Nipaosi Malae, Mr. Sarote Toleh, Muhamadsibri or Muahamadsappri Abudadi or Abudari (boy), Mr. Adulkarim Jaeha, Mr. Abuka Kaseng, Mr. Surachet Lateh, Mr. Mamasor-lae Uma, Mr. Basari Suni, Mr. Sabuding Yusoh, Mr. Ropidi Masae, Mr. Rosumai Salae, Mr. Adehaware Jaewae, Mr. Kamarudeng Budu or Buku, Mr. Aseng Aware, Mr. Abidi Kabakor, Mr. Abdulayi Yasing, Mr. Abdulrosah Dimasa, Mr. Abdulhadi Useng, Mr. Mahamadabi Jaesoh, Mr. Abdulrohim Limoh, Mr. Haron Aware and eleven unknown men, altogether seventy eight deceased had died at the Ingkayuthaboriharn Army Camp, Borthong sub-district, Nongchik district, Pattani province on 25 October 2005. The causes and circumstances related to the deaths were that they died of suffocation while in custody of officials who were deemed to have performed their duties according to their assigned responsibilities.

Judge Mr. Yingyot Tan-Orachorn (signature)

(Songkhla Provincial Court stamp)

Judge Ms. Chutharat Santisewi (signature)