

Based on their inquiries in Kaeng Krachan District, ICJ, CrCF and HRLA were able to establish that:

On 15 April 2014, Billy left his village Pa Deng, where he lives with his wife and five children, and travelled on his yellow Honda motorcycle to Bang Kloy village where his mother lives. Both villages are located within the Kaeng Krachan National Park.

On 17 April 2014, a couple that knew Billy observed him sitting outside the guardhouse at Khao Mareaw checkpoint with his motorbike. Checkpoint records show that this was at 1617 in the afternoon. The checkpoint is located within the national park along the only road that connects Bang Kloy village to Kaeng Krachan District. They spoke briefly to Billy, who apparently told them he was returning from Bang Kloy village.

The Chief of the National Park, Chaiwat Limlikitaksorn, told the ICJ, CrCF and HRLA that upon hearing someone had been detained for possession of honey, he travelled to the Khao Mereaw checkpoint where he met Billy at approximately 1700. Billy had been detained for the possession of five bottles of honey. A witness told the ICJ, CrCF and HRLA that this was unusual, as in these circumstances, the authorities would usually confiscate the honey without detaining the suspect.

Chaiwat Limlikitaksorn, who says he did not know Billy at the time, stated that he decided to take Billy to the Kaeng Krachan National Park Patrolling Coordination Centre for questioning. He loaded Billy's motorbike on the back of his pick-up truck and together with three officials drove Billy in the direction of the Patrolling Coordination Centre. Billy was seated in the cab. After questioning Billy in the vehicle, Chaiwat claimed that he decided to release him due to the small quantity of honey in his possession. He stated that at approximately 1730 he stopped part way along the route, before the Ban Maka intersection, unloaded Billy's motorbike, and left Billy on the side of the road in heavy rain. This is the last time that someone claimed to have seen Billy.

Despite intensive efforts to contact him, Billy's friends and family have not heard from him since he was last seen at 1617 on 17 April at the checkpoint. The Chief of Bang Kloy village, who had arranged to meet Billy at the Village Chief's house in Kaeng Krachan town that evening, stated that at approximately 1800 he received a call from an official who knew Billy, who said that Billy had been arrested for the illegal possession of honey. He advised the Village Chief to go to the Kaeng Krachan police station to arrange bail. However, because it was late he did not travel to the police station.

The next day morning, the Village Chief telephoned to Kaeng Krachan police station to ask about Billy but the police said Billy was not there. In the afternoon, the Village Chief travelled to the police station where the police denied that Billy had been brought there. At approximately 2100, the Village Chief travelled to file a missing person complaint at the same police station.

Billy's wife said that Billy has never been away for long periods of time before and that they had not been quarrelling.

At the time of his apparent 'disappearance,' Billy was employed as a member of the Huaymaepriang sub district administrative organisation. He was also working with ethnic Karen villagers and activists on legal proceedings the villagers had filed against the National Park, Wildlife and Plant Conservation Department, the Ministry of Natural Resources and Environment, and the Chief of the Kaeng Krachan National Park, Chaiwat Limlikitsorn.

The villagers allege that in 2011, authorities burned and destroyed the property and houses of more than 20 Karen families living in the National Park. Billy was a coordinator working with the petitioners and an interpreter in the proceedings and was planning on petitioning the Thai King.

It is believed that Billy had documents relating to the case in his possession at the time he was stopped by the authorities.

"The fact that Billy was involved in a legal dispute with the authorities who detained him draws worrying parallels with the emblematic enforced disappearance case of Somchai Neelapaijit," added Zarifi. On 12 March 2004, Somchai Neelapaijit, a leading Muslim human rights lawyer in Thailand, was subjected to enforced disappearance in Bangkok shortly after initiating legal proceedings against the police for the alleged torture of his clients.

The apparent 'disappearance' of Billy follows the assassination of another human rights defender who was an associate of Billy, Tassanakamol Aobeom, on 10 September 2011. The Chief of the Kaeng Krachan National Park Office, Chaiwat Limlikitsorn, has been accused of hiring someone to kill Mr. Aobeom and the case is currently before the Phetchaburi Provincial Court. Notwithstanding these allegations, Chaiwat Limlikitsorn has not been stood down from duty.

During the investigation in Billy's apparent 'disappearance' Chaiwat Limlikitsorn should be suspended from official duties. International standards, including the International Convention for the Protection of All Persons from Enforced Disappearance state that persons alleged to have committed an enforced disappearance shall be suspended from any official duties during the investigation.

Thailand, pursuant to its international legal obligations as a Party to the International Covenant on Civil and Political Rights is required to investigate, prosecute, punish and provide a remedy and reparation for the crime of enforced disappearance.

The Royal Thai Government has signaled its recognition of the gravity of the crime of enforced disappearance, and its commitment to combating it, by signing the International Convention for the Protection of All Persons from Enforced Disappearance on 9 January 2012. The Convention affirms the absolute right not to be subject to enforced disappearance and places an obligation on states to make it a criminal offence punishable by appropriate penalties that take into account its "extreme seriousness."

The Convention defines enforced disappearance as "the arrest, detention, abduction or any other form of deprivation of liberty by agents of the State or by persons or groups of persons acting with the authorization, support or acquiescence of the State, followed by a refusal to acknowledge the deprivation of liberty or by concealment of the fate or whereabouts of the disappeared person, which place such a person outside the protection of the law."