

URGENT ACTION

EIGHT FACEBOOK USERS CHARGED, AWAITING TRIAL

Eight persons linked to a satirical Facebook community page were charged with sedition and computer crimes on 28 April. They are scheduled to appear in a military court on 3 July. Two of them are still detained on the additional charge of offending the monarchy.

Soldiers conducted raids on 27 April in Bangkok and Khon Kaen, north-east Thailand, and detained **Harit Mahaton, Noppakao Kongsuwan, Worawit Saksamutnan, Yohtin Mangkhangsanga, Thanawat Buranasirim, Supachai Saibutr, Kannasit Tangboonthin, and Natthika Worathaiyawich.**

The eight were charged on 28 April with sedition under Article 116 of the Penal Code and violations of the Computer Crimes Act. They are scheduled to appear in a military court on 3 July and may face an unfair trial, and sentences of at least twelve years' imprisonment. Authorities have maintained that the group's satirical Facebook community page "We Love Gen. Prayut", where users regularly posted doctored photos and memes parodying Prime Minister General Prayut Chan O-Cha and members of his administration, was intended to "cause unrest".

After granting the group's second request for bail on 11 May, authorities immediately rearrested two of the group, Harit Mahaton and Natthika Worathaiyawich, and detained them on the additional charge of offending the monarchy under Article 112 of the Penal Code on account of their private Facebook messages. The two remain detained in Bangkok Remand Prison and Central Women's Correctional Institution. They could face a further term of at least three years' imprisonment and an unfair trial in a military court.

Authorities seeking to crush any real or perceived dissent in Thailand are in violation of their obligations under international human rights law to respect and protect the rights to freedom of expression, association and peaceful assembly. They are increasingly penalising Facebook users peacefully expressing their opinions in a manner that authorities consider "detrimental" to themselves and the position of Thailand's royal family.

Please write immediately in Thai or your own language:

- Expressing concern that the "Facebook Eight" (Harit Mahaton, Noppakao Kongsuwan, Worawit Saksamutnan, Yohtin Mangkhangsanga, Thanawat Buranasirim, Supachai Saibutr, Kannasit Tangboonthin and Natthika Worathaiyawich) have been penalised for their legitimate exercise of the right to freedom of expression, and urging that authorities immediately and unconditionally drop all charges against them;
- Urging that Harit Mahaton and Natthika Worathaiyawich are immediately and unconditionally released from detention;
- Urging authorities to uphold their international obligations to guarantee the rights to freedom of expression and, association, including online, and release any Facebook user detained or imprisoned on account of their peaceful exercise of these rights.

PLEASE SEND APPEALS BEFORE 15 JULY 2016 TO:

Prime Minister
Gen. Prayut Chan-ocha
Government House
Pitsanulok Road, Dusit
Bangkok 10300, Thailand
Fax: +66 2 282 5131
Email: prforeign@gmail.com
Salutation: Dear Prime Minister

Minister of Foreign Affairs
He Don Pramudwinai
Ministry of Foreign Affairs
43 Sri Ayudhya Rd., Bangkok 10400
Thailand
Fax: +66 2 6435320/6435314
Email: minister@mfa.go.th
Salutation: Dear Minister

And copies to:
Attorney General
Trakul Winitnaiyaphak
Department of Attorney General
Chaengwattana Road
Bangkok 10210, Thailand
Fax: +66 2 143 9546
Email: ag@go.th

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

MR KITTIPHONG NA RANONG, Royal Thai Embassy, 29-30 Queen's Gate SW7 5JB, Fax 020 7823 9695, Email rtelondon@thaiembassyuk.org.uk and csinfo@thaiembassyuk.org.uk Salutation Your Excellency

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

In the name of security and protecting the monarchy, authorities have imposed increasingly harsh and lengthy prison sentences for Facebook use in unfair trials in military courts, including of up to 60 years' imprisonment. Users have been prosecuted, convicted and imprisoned for computer crimes, sedition and offences against the monarchy for their public status updates, "likes", shares and private messages. At least 38 individuals have been detained, sentenced or charged with security crimes and offences against the monarchy on account of their use of Facebook to peacefully express opinions since the military took power in a coup in May 2014.

In the lead-up to a referendum on Thailand's draft constitution on 7 August 2016, repression is escalating, with as many Facebook users arrested during 2016 as in 2015. Thailand may imminently pass into law amendments to a controversial cybercrime law – the Computer Crimes Act (2007) – which is regularly used to prosecute and punish peaceful Facebook users. The amendments fail to address the law's inconsistency with Thailand's obligations under international human rights law and would also allow authorities to intercept all internet traffic, including encrypted sites such as Facebook; censor without judicial authorization and penalize both computer users and internet service providers.

Authorities continue to seek the cooperation of Facebook and other social media operators to remove content it considers "harmful to peace and order". Facebook has granted some 30 requests by authorities to block online posts that might be considered offensive to the monarchy. Authorities appear to be widening their surveillance of private messages sent on Facebook. Authorities are characterising an increasing and sweeping range of activities on Facebook - that in no way meet the definition of permissible restrictions to the right to freedom of expression under international human rights law - as crimes. This includes posting a photo of a red bowl given by a political party, "liking" a satirical image of the King's dog, and making status updates complaining about the military's performance in government, and assertions that authorities consider "might mislead" the public to "misunderstand the King". Authorities have even charged a 40 year old cleaner for simply saying "I see" in a private Facebook message sent in response to a statement considered by the authorities to be offensive to the monarchy.

Authorities regularly and arbitrarily detain public figures who criticise their administration or policies in military camps without charge or trial. When politician Watana Muangsook - detained at least three times in 2016 on account of Facebook posts - was detained earlier in 2016, the Deputy Prime Minister said soldiers "*will adjust his attitude to make him understand he shouldn't speak at the moment. If he speaks one hundred times he will be summoned one hundred times*".

Authorities routinely deny bail to those charged with offences against the monarchy under Article 112 of the Penal Code, with further negative economic consequences for the families of those who are breadwinners.

Arbitrary restrictions on freedom of expression, which have increased during a decade of political instability and social divisions in Thailand, have dramatically escalated after military authorities followed their coup with a long-lasting full-scale crackdown on real or perceived opponents or critics of military rule and anyone commenting, however innocuously, on the monarchy. All "political" meetings of five people or more are illegal, and hundreds of individuals are banned from political activities. Authorities continue to close channels for peaceful protest, including by passing legislation that imposes sweeping restrictions on the rights to freedom of expression, privacy and freedom of peaceful assembly.

Name: Harit Mahaton (m), Noppakao Kongsuwan (m), Worawit Saksamutnan (m), Yohtin Mangkhangsanga (m), Thanawat Buranasirim (m), Supachai Saibutr (m), Kannasit Tangboonthin (m), and Natthika Worathaiyawich (f)

Gender m/f: both

UA: 132/16 Index: ASA 39/4163/2016 Issue Date: 3 June 2016