

URGENT ACTION

ACTIVISTS SUMMONED BY POLICE RISK IMPRISONMENT

Police have summoned six individuals, including two staff of a human rights organization, in relation to a criminal investigation into a “Speak for Freedom” event held on 31 July. All six are expected to report to the police station on 31 August.

Police investigators in Khon Kaen Province, in Thailand’s northeastern Isaan region, have summoned six individuals in relation to an alleged violation of a government order. The six include **Jatupat Boonphattharaksa**, **Chatmongkhon Jenchiawchan** and **Narongrit Oopachan**, student activists associated with the Dao Din student movement; **Natthapon Ardharn**, a land rights activist; and **Duangthip Khanrit** and **Niranut Niamsap**, staff of the NGO Thai Lawyers for Human Rights (TLHR). The six activists are scheduled to report to Khon Kaen Police Station on 31 August.

The investigation relates to a 31 July event titled “Speak for Freedom: The Constitution and Isaan People” held at Khon Kaen University. The event involved discussion of Thailand’s draft constitution, which was subsequently passed in a nationwide referendum on 7 August. The two TLHR staff did not directly participate in the event, but rather attended as observers. They wore badges displaying their affiliation with TLHR and informed senior police and military officials present at the event that they were attending in an observational capacity.

Police officers have informed TLHR that the investigation relates to potential violations of Head of National Council for Peace and Order (NCPO) Order No. 3/2558, which includes a ban on political gatherings of five or more individuals. Violations of this provision are punishable by up to six months imprisonment and a fine of not more than 10,000 Thai baht (US\$ 290). Police officers could potentially expand the investigation to include other alleged violations.

Please write immediately to the Thai authorities in Thai or your own language:

- Calling on the authorities to immediately end the criminal investigation into the 31 July “Speak for Freedom” event at Khon Kaen University;
- Expressing concern that the investigation constitutes an unjustifiable violation of the rights to freedom of expression and assembly, and urging authorities to ensure that all individuals can exercise their rights regardless of political opinion or affiliation;
- Urging authorities to repeal all laws and decrees criminalising the peaceful exercise of the rights to freedom of expression and assembly, and ensure that all laws are enforced in a manner that complies with Thailand’s obligations under international human rights law.

PLEASE SEND APPEALS BEFORE 11 OCTOBER 2016 TO:

Prime Minister

General Prayut Chan-o-cha
Government House
Pitsanulok Road, Dusit
Bangkok 10300, Thailand
Fax: +66 26182358

Salutation: Dear Prime Minister

Minister

Gen. Paiboon Koomchaya
Ministry of Justice
Government Centre Building A
120 Moo 3
Chaeng Wattana Road Soi 7, Lak Si
Bangkok 10210, Thailand
Fax: +66 29530503

Salutation: Dear Minister

And copies to:

Chairman

Supachai Somcharoen
Election Commission of Thailand
Government Centre Building B
120 Moo 3
Chaeng Wattana Road Soi 7, Lak Si
Bangkok 10210, Thailand
Fax: +66 26943228

Also send copies to diplomatic representatives accredited to your country. His Excellency MR KITTIPHONG NA RANONG, Royal Thai Embassy, 29-30 Queen’s Gate SW7 5JB, tel 020 7225 5500 or 020 789 2944, Fax 020 7823 9695, email rtelondon@thaiembassyuk.org.uk and csinfo@thaiembassyuk.org.uk www.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

Thailand has been ruled by a military government since a coup in May 2014. On 7 August 2016, Thailand held a national referendum on a draft constitution authored by a military-appointed body. The electorate approved the draft constitution by a wide margin, setting the stage for general elections to be held in late 2017.

Since the coup, authorities have systematically suppressed peaceful opposition, imposing restrictions on the exercise of the rights to freedom of expression, association and assembly. For example, Head of National Council for Peace and Order (NCPO) Order 3/2015 provides, among other things, for up to six months' imprisonment and a fine of 10,000 baht (approximately US\$ 290) for anyone participating in political meetings of five or more persons. In advance of the referendum, authorities have imposed additional sweeping restrictions on human rights. The Constitutional Referendum Act (2016) provides for up to 10 years' imprisonment, fines of up to 210,000 baht (US\$ 6000) and up to 10 years' revocation of the right to vote for activities and statements "causing confusion to affect orderliness of voting", including by using "offensive" or "rude" language to influence people's votes. In recent months, scores of individuals have been arrested and charged under these and other laws and orders. These actions violate Thailand's obligations under international human rights law, including the International Covenant on Civil and Political Rights (ICCPR).

Senior members of the government, including the Prime Minister and Deputy Prime Minister, have stated that freedom of expression is not necessary during this period of political transition. On 19 April, the Prime Minister reportedly responded to a question about critics of the draft Constitution by stating: "They have no rights to say that they disagree [with the draft Constitution] ... I don't allow anyone to debate or hold a press conference about the draft Constitution. Yet they still disobey my orders. They will be arrested and jailed for 10 years. No one will be exempted when the Referendum Act becomes effective [after announcement in the Royal Gazette]. Not even the media. Why don't people respect the law instead of asking for democracy and human rights all the time?"

Jatupat Boonphattharaksa is facing criminal charges in four separate cases relating to his opposition to the draft constitution and military rule in Thailand. He was recently detained for a total of 18 days in relation to two of the cases and initiated a hunger strike before being released on bail. (See UA 191/16)

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