

URGENT ACTION

ARBITRARY DETENTIONS CONTINUE IN THAILAND

Arbitrary detentions and sweeping restrictions continue throughout Thailand following the imposition of martial law on 20 May. Those detained are often held incommunicado, while those released face severe restrictions on their rights to freedom of expression, peaceful assembly and movement. Authorities are initiating prosecutions of civilians in military courts.

The military ruling body of Thailand, the National Council for Peace and Order (NCPO) continue to instruct people to report to them, most recently calling 38 more people to report to them on 2 and 3 June. Those required to report have been detained and held mostly in military camps. In some cases reports indicate that they have been held incommunicado, without access to lawyers, courts, family members and/or doctors. Protesters continue to be detained at peaceful protests. Many released from detention have had their rights further restricted after being required to sign undertakings not to engage in political activities or travel without permission, or face imprisonment of up to two years and/or a fine.

Charges have been brought against at least four persons who had been summoned by authorities or detained at peaceful demonstrations, including under articles of the Penal Code which impose sweeping restrictions on freedom of expression. The NCPO has announced civilians will be subject to the jurisdiction of the military court, including under charges linked to national security and offences to the monarchy, and disobeying orders not to protest or obey instructions to report to them. Amnesty International opposes the use of military courts to try civilians on the grounds that it compromises their right to a fair trial, including by denying the right to appeal.

Among those who face trial in military courts is **Prasit Chaisisa**, a Member of Parliament from the former governing party, who faces charges pre-dating the military assumption of power of offending the monarchy (under Article 112 of the Penal Code). Former Education Minister **Chaturon Chaisaeng** will be prosecuted in a military court for his statements at a press conference opposing the current political situation, and for not obeying military orders to report to them. Armed soldiers arrested Chaturon Chaisaeng at a press conference in Bangkok on 27 May. He is charged under security legislation (Article 116 (2) of the Penal Code) for his speech to media in which he peacefully opposed the imposition of military rule. Authorities have maintained that his speech constitutes a security offence. He is being denied bail and reportedly has not had access to legal counsel.

Please write immediately in English, Thai or your own language:

- Demanding that the authorities must not detain or imprison anyone solely for peacefully exercising his or her rights to freedom of expression, peaceful assembly or association, including on the basis of their political affiliation, and for the immediate and unconditional release of all individuals detained on such grounds;
- Calling for all other persons detained by the military to either be charged with a recognizably criminal offence and remanded by an independent, civilian court or else be released;
- Urging that all individuals in detention are given immediate access to lawyers, to an independent, civilian court to determine the legality of their arrest, to their families and to any medical care they may need;
- Calling on the authorities to immediately make public a list of those in detention and their whereabouts;
- Urging that no conditions violating human rights are applied to the release of any detained individuals.

PLEASE SEND APPEALS BEFORE 14 JULY 2014 TO:

Leader of National Peace and Order
Council

Gen. Prayuth Chan-ocha
Royal Thai Army Headquarters
Rachadamnoen Nok Road,
Bangkok 10200, Thailand
Fax: (+66-2) 226 1838

E-mail: prforeign@gmail.com

Salutation: Dear General

Deputy Leader of the National Peace
and Order Council

Thanasak Patimaprakorn
Royal Thai Army Headquarters,
Rachadamnoen Nok Road,
Bangkok 10200 Thailand
Fax: (+66-2) 226 1838

E-mail: prforeign@gmail.com

Salutation: Dear General

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

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 139/14. Further information: www.amnesty.org/en/library/info/ASA39/007/2014/en

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ADDITIONAL INFORMATION

The NCPO instructed 38 more people to report to them on 2 and 3 June, including a lawyer, academics, businessmen, student leaders, trade unionists and representatives of official and private media. Unofficial sources give a much higher figure of detentions than those reported by authorities, including individuals seized from their homes and other locations, and those whose names do not appear on published military authorities' lists but who have been unofficially ordered to report.

In Thailand, under martial law currently imposed by the Thai army and measures announced on 25 May, authorities may prosecute civilians in military courts for security, sedition, disobeying orders not to protest or report to military authorities issued under martial law, and five other offences under the Penal Code, including Article 112 Thailand's lèse majesté law. Guidelines issued by the Thai Supreme Court stated that if an individual is charged under any of these provisions, and has any charges against him or her for other offences, including acts committed before 25 May, these will be tried in the military court. Fair trial provisions, including the right to appeal, are not applied.

Many of those released from detention have had to sign undertakings not to engage in political activities or other actions that the authorities believe to be "provocative", or face prosecution and punishment of up to two years' imprisonment and/or a fine. Authorities are also reportedly demanding that some released detainees seek official authorization to travel within and outside Thailand. Some former detainees stated that their release forms stipulated they must not do anything that has a "negative impact on national security". There are concerns that these restrictions add human rights violations to the arbitrary detention by prohibiting and penalising peaceful political activities and arbitrarily restricting freedom of movement.

Military authorities continue to issue orders and institute measures violating the rights to freedom of expression, peaceful assembly and association, and individuals exercising these rights risk trial in military court and imprisonment. The terms of these orders are broad and vague enough to facilitate the imprisonment of persons for peaceful acts of dissent, in violation of Thailand's obligations under international human rights law.

On 28 May the Ministry of Information and Communication Technology announced the formation of a joint police and army committee to monitor internet and mobile communications and to arrest individuals suspected of circulating "illegal" information. The Ministry is reported to be seeking cooperation from social media and internet companies to block specific websites and pages, including YouTube videos and Facebook profiles, and to facilitate the state monitoring of private forums and communications on social media sites and mobile chat applications.

Name: Prasit Chaisisa (m), Chaturon Chaisaeng (m), politicians, activists and demonstrators in Thailand
Gender m/f: both

Further information on UA: 139/14 Index: ASA 39/008/2014 Issue Date: 2 June 2014

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