THAILAND: AUTHORITIES SHOULD END POLITICALLY-MOTIVATED PERSECUTION OF OPPOSITION FIGURES AND ACTIVISTS

Responding to the filing of criminal complaints against opposition figures and activists, Amnesty International is calling on the Thai government to stop misusing the criminal justice system to smother political opponents, human rights defenders and activists against whom there are no credible charges. In particular, the organization urges the Thai authorities to drop criminal complaints brought against activists and others simply for exercising their rights to freedom of expression, association and peaceful assembly.

In a concurrent development that highlights the pressure faced by government critics, unidentified assailants have attacked two activists who took part in a protest about the conduct of the country’s recent elections whose results have yet to be announced.

On 3 April 2019, the authorities summoned Thanathorn Juangroongruangkit, the leader of the opposition Future Forward Party (FFP), to report to police in Bangkok on 6 April 2019. The justification for the summon is a criminal complaint of sedition and of assisting persons fleeing justice, based on the claim that back in June 2015 he had given a lift to peaceful student protesters after they had reported to police. The police claim that the timing is unrelated to the recent elections and due to delays due to “personnel reshuffles.” Thanathorn Juangroongruangkit and two other members of the Future Forward Party face additional criminal complaints for a Facebook Live video.

Also on 3 April, Piyabutr Saengkanakkul, law professor and FFP Secretary General, was summoned to appear as a witness in a criminal complaint relating to the Future Forward Party’s statement about the Election Commission’s dissolution of the Thai Raksa Chart Party.

On 5 April, the Election Commission of Thailand (EC) filed criminal complaints of defamation by publication against seven individuals in connection with an online petition on Change.org. The petition calls for the impeachment of EC members on the basis of alleged irregularities in the conduct of the 24 March 2019 general elections. In a press conference on 5 April, a Royal Thai Police spokesman stated that a contract worker, an unnamed seamstress, and a student were questioned by police that day. He also said that four others, including teacher and pro-democracy activist Nuttaa Mahattana (f), aka Bow, will be required to report to the police on 11 April 2019.

Amnesty International is also concerned about attacks by unknown assailants on two critics of the recent elections. Political activists Ekachai Hongkangwan and Anurak Jeantawanich both reported attacks against them including arson in Bangkok and a physical attack in Samut Prakan, respectively, after participating in a 30 March demonstration in Bangkok to gather petition signatures for the impeachment of the Election Commission. Ekachai has previously been subjected to series of violent attacks by unidentified individuals that have coincided with his public protests and advocacy. Amnesty International reminds the authorities of their human rights obligations including to protect everyone including perceived government critics, from physical attack and to promptly, thoroughly and effectively investigate any attacks that occur and to bring to justice in fair trials suspected perpetrators.

Background

The official results of the 24 March 2019 general elections -- the first to take place in Thailand since the military government took power in a 2014 coup -- have yet to be announced. There have been several allegations of irregularities in the elections.

The military government has initiated numerous criminal proceedings against peaceful activists and opposition figures since it took power. It has consistently targeted individuals and broadcasters expressing political opposition or perceived
critical views, using criminal proceedings and sanctions, including licence suspensions, and the removal of news programs from the airwaves. In addition, the Royal Thai Army as well as several business companies have used criminal defamation complaints under Articles 326 to 328 of the Thai Penal Code against individuals defending human rights, with a further chilling effect not only on the rights to freedom of expression but also to access to justice and redress. Under Articles 326 and 328 of the Penal Code, the offences of libel and of defamation by publication are punishable by up to one or two years’ imprisonment, respectively, and a fine of up to 2,000 Thai Baht (c.USD$62) or 20,000 Thai Baht (c.USD$626).

Activists and political candidates have continued to report surveillance and harassment since the elections. Several students who were collecting signatures for a petition calling for the impeachment of the Election Commission have said that university officials sought to prevent them from doing so.