

URGENT ACTION

STUDENT PROTESTERS RELEASED, BUT FACE TRIAL

Fourteen students and young activists held in prison after peaceful protests have been released. They and two other students, now free on bail, still face trial in a military court.

A group of 14 students and young activists were released on 8 July 2015, the day after the Bangkok Military Court had refused a police request to detain them for a further 12 days. The court said that remaining in detention could compromise the students' ability to prepare their defence. The group and two other students may still face trial in a military court for taking part in peaceful protests. If jailed, they would be prisoners of conscience.

The students had taken part in two peaceful demonstrations in central Bangkok and in Khon Kaen, in the north-east of the country, on 22 May 2015, the anniversary of the 2014 military coup. Following official calls for them to report to police, the students carried out two further peaceful protests on 24 and 25 June in Bangkok, the first being outside a police station. At the time students said police officers at the station refused to accept a complaint by the students, who said they had been assaulted by police and plainclothes officers when protesting in Bangkok on 22 May.

The 14 now face sedition charges under Section 116 of the Thai Penal Code, which allows for up to seven years' imprisonment for anyone seeking to cause "unrest and disaffection... or to cause people to transgress the laws of the country". They and two others also face charges of violating the National Council for Peace and Order's Order 3/2015, which criminalizes peaceful political gatherings of five or more people.

Please write immediately in Thai or your own language:

- Calling on the authorities to drop charges against all 16 students charged for taking part in peaceful protests;
- Urging them to ensure that no-one is harassed, intimidated or penalized for supporting those peacefully exercising their human rights;
- Calling on them to repeal or amend all laws and edicts which arbitrarily restrict the right to peaceful assembly and which allow for the prosecution of civilians in military courts.

PLEASE SEND APPEALS BEFORE 21 AUGUST 2015 TO:

Royal Thai Police Commissioner-
General

Somyot Pumpanmuang,
Royal Thai Police,
1 Building, Floor 7 Rama 1 Road,
Pathumwan, Bangkok 10330
Thailand

Fax: +66 2 618 2538

Email: prforeign@gmail.com

Salutation: Dear General

Prime Minister

Gen. Prayuth Chan-ocha
Government House
Pitsanulok Road, Dusit
Bangkok 10300 Thailand
Fax: Fax: 66 2 282-5131

Salutation: Dear Prime Minister

And copies to:

Deputy Prime Minister and Minister for
Foreign Affairs

Thanasak Patimapragorn

Ministry of Foreign Affairs

Sri Ayudhya Road

Bangkok 10400

Thailand

Fax: +66 2643 5320 / +66 2643 5314

Email: minister@mfa.go.th

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 second update of UA 136/15. Further information:

<https://www.amnesty.org/en/documents/asa39/1977/2015/en/>

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ADDITIONAL INFORMATION

The Thai authorities had announced on 19 June 2015 that they would arrest the students if they failed to report to face charges of violating an official ban on political activity and holding a public gathering, for demonstrating on the first anniversary of Thailand's military coup on 22 May.

The seven Khon Kaen University students are part of a student discussion and human rights society at the university, the Dao Din group. Their work on social and environmental campaigns was recognized in an award from Thailand's National Human Rights Commission in December 2014. The authorities have warned environmental grassroots groups, including the Neo E-saan Movement and the Khon Rak Ban Koed group, who have expressed public support for the seven students since their arrest in May, that such activities are prohibited. Members of the Dao Din group were arrested in November 2014 for flashing the three-finger "Hunger Games" salute during a speech by General Prayuth Chan-Ocha in Khon Kaen.

During the protests in Bangkok on 22 May, police detained more than 30 students and activists who had gathered at the Bangkok Art and Culture Centre, one of the first sites of spontaneous anti-coup protests in 2014. Eyewitnesses reported seeing people in civilian clothes and police carrying out unprovoked physical attacks on students. Video clips posted on YouTube appear to confirm these reports. Chonthicha Jaengraew, may require surgery as a result of injuries she sustained to her spine. Songtham Kaewpranpuk received emergency medical treatment after being found unconscious. Two other students, Rattapol Supsupon and Rangsuman Rome, were also injured.

Since the military took power on 22 May 2014, political gatherings of five or more people have been prohibited, and people who take part in such gatherings face prosecution in military courts. Students, including the Dao Din group and other Thai student groups, have engaged in peaceful, symbolic actions, including protests in groups of fewer than five people, which have nevertheless also been suppressed. The Thai authorities have continued to arbitrarily detain and imprison people, prevent or censor meetings and public events, and otherwise suppress peaceful dissent.

After taking power, the military government gave military courts jurisdiction to try civilians violating official orders, or committing the offences of lèse majesté – any word or act which "defames, insults or threatens the King, the Queen, the Heir-apparent, or the Regent" – and offences against the security of the country under the Penal Code, without the right of appeal. While the government restored the right of appeal after lifting martial law on 1 April 2015, it retained the use of military courts to try civilians for the above offences. Military courts in Thailand lack independence and cannot guarantee the right to a fair trial. International standards prohibit the trial of civilians by military courts.

Uniformed and plainclothes military personnel have visited and searched the houses of at least 17 student activists since March 2015 and warned them and their families not to engage in political activities. Since the 2014 coup, university staff have received orders from the army and Education Ministry to monitor student activities that criticized the military authorities and to forbid or severely restrict student engagement in political activities. Nationwide, university lecturers and rectors have been "visited" by armed troops and instructed to ensure that no political activities take place in their universities.

Names: Chatupat Boonyapatraksa, Apiwat Suntarak, Payu Boonsophon, Panupong Srithananuwat, Suvicha Pitungkorn, Supachai Phukrongploy, Wasant Satesit, Rattapol Supasuphon, Rangsiman Rome, Songtham Kaewpranpuk, Chonthicha Jaengraew (f), Apisit Sapnapapan, Pakorn Areekul, Pornchai Yuanyee, Nachacha Kongudom (f), Thatchapong Gaedum
Gender m/f: all male, except Chonthicha Jaengraew and Nachacha Kongudom

Further information on UA: 136/15 Index: ASA 39/2066/2015 Issue Date: 10 July 2015