

AMNESTY INTERNATIONAL PUBLIC STATEMENT

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Thailand: More restrictions on the horizon as repressive “virtual” martial law prevails one year after officially lifted

On the first anniversary of the lifting of martial law in Thailand, and as officials announced they will hold political re-education courses in army camps for government critics, Amnesty International calls on Thai authorities to lift the “virtual” martial law powers it has granted to the military in decrees that restrict human rights to the further detriment of the rule of law in the country.

The organization also urges authorities to end their increasingly pernicious repression of peaceful dissent that has been facilitated by the military’s expanded powers.

Powers granted to the military in the name of security and preservation of order under NCPO Head Orders 3/2015 of 1 April 2015 and 13/2016 of 30 March 2016 compromise the rights to liberty, fair trial, freedom of movement, expression, association and assembly as well as effective remedies. The NCPO Head Orders also allow military officials to bypass judicial procedures and oversight to detain suspects without charge or judicial safeguards in unofficial places of detention without access to the outside world, search without warrant, confiscate property and to collect evidence and try individuals in military courts without accountability.

With detainees often held incommunicado and arbitrarily detained, these powers can lead to violations of the right to fair trial and have also facilitated torture and other ill-treatment.

While authorities announced that restrictions they introduced after a military coup in May 2014 were temporary measures, the repression of peaceful dissent has become normalised, facilitated by special powers granted to the military since the lifting of martial law. Members of the media, public and politicians are regularly summoned over their statements, secretly detained and bound by punitive post-release restrictions on political activities and freedom of movement.

During this week Wattana Muangsook, a former Commerce Minister was arbitrarily detained for the second time in a month under Head of NCPO Order 3/2015 on the basis of his criticism of authorities. Authorities also refused journalist Pravit Rojanaphruk, who is subjected to restrictions on his movement after twice being arbitrarily detained, to travel to Finland so he could attend an UNESCO World Media Freedom day Conference.

The Head of NCPO Announcement 13/2016, issued with the aim of cracking down on “influential figures” and “preventing and suppressing certain crimes that pose a danger to

public order and peace or could sabotage the economy, society and the nation", heightens fears that this order may also be used as an instrument of political repression, and to silence perceived dissent, including by human rights defenders.

Amnesty International is also concerned that articles of the Referendum Law of March 2016 allowing for ten years' imprisonment for anyone using "rude" language to oppose a constitutional referendum, may be used to silence peaceful dissenters. Authorities continue to threaten to crack-down on undefined actions they believe may cause people to "misunderstand" official action in the period leading up to the referendum, scheduled for August 2016, and legal action has also been threatened against anyone "inciting" people to oppose the draft constitution.

Officials have openly shown their hand in interpreting a variety of acts of peaceful dissent as a threat to society and security, and using vaguely worded articles of existing security legislation, to criminalise even perceived symbolic acts of dissent. For example, Theerawan Charoensuk (f), 57, was arrested on 29 March 2016 and now may faces up to seven years' imprisonment under charges of sedition after an unfair trial in a military court. Her "crime" was to make public a photo of herself with a red bowl with the signatures of former Prime Ministers Thaksin Shinawatra and Yingluck Shinawatra.

Amnesty International calls on the Thai authorities to treat the peaceful exercise of the rights to freedom of expression, association and peaceful assembly as rights, not crimes.

The organization also urges the international community to put pressure on Thai authorities to address the deteriorating human rights situation in the country.