

URGENT ACTION

PEACEFUL PROTESTORS MAY FACE 100+ YEARS IN PRISON

Leading pro-democracy activists have been detained, with their bail requests denied, apparently to prevent their involvement in continuing demonstrations. Several members of the group may now face up to 165 years' imprisonment, under legal provisions on insulting the monarchy (lèse majesté) and sedition. Authorities are targeting them and hundreds of peaceful protesters, including children, with criminal charges solely for peacefully exercising their human rights under laws that have been used to penalise the exercise of the rights to freedom of expression, association and peaceful assembly.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Prime Minister Prayut Chan-O-Cha
Office of the Prime Minister
Pitsanulok Road
Bangkok 10300, Thailand
Fax: 66 2 282 5131
Twitter handle: @prayutofficial

Dear Prime Minister,

I write to express my grave concern that your government is escalating a crackdown on students and other activists in Thailand, with over 400 people, including at least 23 children targeted with charges and criminal proceedings solely for peacefully exercising their human rights, including expressing their opinions on political and constitutional reforms in peaceful protests and social media posts.

*It is a travesty that your government is punishing people who have peacefully exercised their human rights and is denying bail to 22 leading members of Ratsadon (the group called 'The People'), who face charges of violating vaguely worded provisions of laws on sedition and lèse majesté. The refusal of their requests for bail violates the right to presumption of innocence and is against Thailand's obligations under article 14 of the International Covenant on Civil and Political Rights. Detaining students including **Jatupat 'Pai' Boonpattaraksa** and student union leaders **Panusaya 'Rung' Sithijirawattanakul**; and **Parit 'Penguin' Chiwarak**, prevents them from preparing for forthcoming university examinations. Members of the group have further reported concerns for their security in detention.*

As you will be aware, the UN Working Group on Arbitrary Detention have previously found that your government was arbitrarily holding lèse majesté suspects in lengthy pre-trial detention with bail repeatedly denied. The UN Human Rights Committee and other experts have also recommended Thailand amend or repeal laws that the authorities are using to charge people for the expression of critical and dissenting opinions and participation in peaceful protests, and to end related prosecutions.

I therefore urge you and your government to allow people to fully exercise their human rights including by allowing criticisms of authorities, in line with Thailand's Constitution and obligations under international human rights law.

Specifically, I call on you to:

- **Release immediately and unconditionally all those detained solely for peacefully exercising their rights to freedom of expression, association and peaceful assembly and pending their release, take adequate measures to guarantee their physical security,**
- **Immediately drop all charges and criminal proceedings against protesters and others charged solely for peacefully exercising their human rights,**
- **Amend or repeal legislation to ensure it conforms with Thailand's international human rights obligations including on the rights to freedom of expression, association and peaceful assembly.**

Yours sincerely,

ADDITIONAL INFORMATION

Authorities in Thailand are prosecuting and detaining peaceful prosecutors, intensifying repression of a peaceful youth reform movement that has held mass, overwhelmingly peaceful protests and flash mobs since 2020 for political, constitutional and educational reform, LGBTIQ equality and women's and children's rights.

Leading pro-democracy activists/human rights defenders who have played a role in mass youth-led protests for reform in Thailand, are in detention, with their bail requests denied, in an apparent bid to prevent their involvement in continuing demonstrations. Members of the Ratsadon group may now face up to 165 years imprisonment, under legal provisions on insulting the monarchy (*lèse majesté*), and sedition. Authorities are targeting them and hundreds of peaceful protesters, including children, with criminal charges solely for peacefully exercising their human rights under laws that have been used to penalise the exercise of the rights to freedom of expression, association and peaceful assembly. They continue to summon and seek warrants to detain protesters across Thailand for sedition, computer crimes, offences to the monarchy, and public assembly.

On 9 February 2021, authorities indicted leading members of "Ratsadon" (The People), a group involved in the organization of protests, with *lèse majesté* and/or sedition. These charges have characteristically been used by the authorities to penalise peaceful dissent and carry sentences of up to 15 or seven-years' imprisonment, respectively. Human rights lawyer **Anon Nampa**, student **Parit 'Penguin' Chiwarak**, activist **Somyot Prueksakasemsuk** and another activist have been detained at Bangkok Remand Prison and the court has turned down five lawyers' requests for bail.

On 8 March 2021, authorities also indicted detained sociology student Panusaya 'Rung' Sithijirawattanukul, currently held at the Women's Central Prison, activist Panuphong 'Mike' Jadnok and activist Jatupat 'Pai' Boonpattaraksa, both currently held at Bangkok Remand Prison, with *lèse majesté* and sedition. Some 22 members of Ratsadon group have been held. On 15 March 2021 authorities began their trial. Members of the group have reported concerns for their safety in detention, after receiving visits from authorities in the early hours of the morning in Bangkok Remand Prison, allegedly to test them for COVID-19. Former *lèse majesté* suspects have reported ill-treatment by other inmates in detention, including alleged beatings ordered by prison wardens.

Three of those detained have previously served lengthy prison terms under the *lèse majesté* law solely for peacefully expressing their opinions. 'Pai,' when a law student was imprisoned for nearly two and a half years for forwarding a BBC news profile of King Rama X on Facebook in 2017. 'Bank,' then a fine arts student, was sentenced to two and a half years' imprisonment for taking part in a play about a fictional monarch in 2013, and Somyot Prueksakasemsuk, served seven of an eleven years' sentence for publishing a short story he did not author about a fictional monarch. All were held in lengthy pre-trial detention with bail denied.

According to Thai Lawyers for Human Rights, at least 77 people in 68 cases, including six children under 18 years old have been charged with *lèse majesté* – or royal defamation – under Section 112 of the Criminal Code since authorities announced they would resume the use of the charges, in late 2020. They are facing up between 3 to 15 years in prison for a defamation charge, for their speeches or actions at previous demonstrations, where protesters advocated reforms to the monarchy. At least 400 people, including these 75 individuals, have been charged with other provisions often used to criminalise peaceful protests, including sedition and assembly with threat of violence (Sections 116 and 215 of the Criminal Code, respectively), and violation of the ban on public assembly under the Emergency Decree and the Public Assembly Act.

PREFERRED LANGUAGE TO ADDRESS TARGET: English, Thai or your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 24 May 2021

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Panusaya (she/her), **Tattep** (he/him), **Jatupat** (he/him) **Anon** (he/him), **Panupong** (he/him); **Parit** (he/him); **Somyot** (he/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa39/3470/2020/en/>