

URGENT ACTION

PEACEFUL PROTESTORS FACE YEARS IN PRISON

Hundreds of peaceful pro-democracy protesters, including children, may face decades of or even life imprisonment for taking part in mass, pro-democracy demonstrations, as the crackdown on the freedoms of peaceful assembly and of expression further escalates in the country. At least 220 persons, including six children, face criminal proceedings. Thailand must amend or repeal the repressive laws it is using to suppress peaceful assembly and the expression of critical and dissenting opinions.

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
Tel: 66 2 618 2323
Fax: 66 2 282 5131

Dear Prime Minister,

I write to express my grave concern about the escalating crackdown on students and other activists in your country, who have been expressing their opinions on political and constitutional reforms through peaceful protest and social media. I find it distressing that, despite your government having publicly acknowledged that the rights to freedom of expression and peaceful assembly are the foundation of society, those who have peacefully exercised these rights in recent months continue to be harassed.

*It is alarming to learn that at least 220 persons, including six children, face criminal proceedings. They would face up to decades or even life imprisonment if prosecuted and convicted. Among these are high school students **Benjamaporn 'Ploy' Nivas**, 16 (Free Youth and student union leader **Panusaya 'Rung' Sittijirawattanakul**; pro-democracy activist **Tattep 'Ford' Ruangprapaikitseree**, and legal expert and former prisoner of conscience **Jatupat 'Pai' Boonpattaraksa**.*

As you will be aware, the United Nations Human Rights Committee and other experts have recommended on several occasions that Thailand amend or repeal the very laws it is now using as tools to suppress the expression of critical and dissenting opinions and peaceful protests, and that Thailand end related prosecutions.

I therefore urge you to change your government's approach to protecting the rights to freedom of peaceful assembly and expression in order to genuinely enable people to exercise them, including by allowing criticisms of authorities, in line with Thailand's obligations under international human rights law and the constitution.

Specifically, I call on you to:

- **Immediately and unconditionally drop all criminal proceedings against protesters and others charged solely for exercising their rights to freedom of peaceful assembly and expression;**
- **Cease all other measures, including harassment, aimed at dissuading public participation in peaceful gatherings or silencing voices critical of the government and social issues;**
- **Amend or repeal legislation in order to ensure it conforms with Thailand's international human rights obligations on freedom of peaceful assembly and expression, and to train state officials to carry out their duties confirming to Thailand's obligation to respect, protect and fulfil the peaceful exercise of the rights to freedom of peaceful assembly and expression.**

Yours sincerely,

ADDITIONAL INFORMATION

Authorities in Thailand are instituting a new wave of repression against a peaceful youth reform movement that has held mass, overwhelmingly peaceful protests and flash mobs during 2020 for political, constitutional and educational reform, LGBTQI equality and women's and children's rights. After protesters publicly discussed calls for reform to the monarchy, authorities detained and charged dozens of peaceful protesters. The ongoing crackdown corresponds to an established pattern of official legal harassment of individuals exercising their rights. Thai authorities have characteristically filed multiple criminal proceedings against government critics and political protest movements, tying them up with long-running criminal proceedings with a chilling effect on the exercise of rights to peaceful assembly and expression.

High school student **Benjamaporn 'Ploy' Nivas** (f), aged 16, a youth activist in the campaign group "Bad Students"; university sociology student and Student Union of Thailand leader **Panusaya 'Rung' Sittijirawattanakul (f)** aged 22, **Tattep 'Ford' Ruangprapaikitseree**, a 23 year old LGBTQI and pro-democracy activist, and **Jatupat 'Pai' Boonpattaraksa**, aged 29, a legal expert and former prisoner of conscience are at risk of between two years and decades of imprisonment for speaking at demonstrations, peacefully protesting or sharing information about protests on social media. They are among hundreds of school and university students and activists who authorities have detained during 2020, filed criminal proceedings against or intimidated.

In late November 2020, police summoned or sought warrants to arrest protest leaders across Thailand for sedition, computer crimes, offences to the monarchy, and public assembly. Benjamaporn 'Ploy' Nivas and two fellow leaders of the 'Bad Students' campaign group were summoned for infringing a ban on public gatherings imposed under the 2005 Emergency Decree for speaking at a public rally on 15 October 2020.

At least 32 protesters, including 'Rung', 'Ford', 'Pai', and other protest leaders, as well as two children under 18 years old, face proceedings for alleged *lèse majesté* under Article 112 of Thailand's Penal Code for speeches or actions taken in recent demonstrations. Authorities indicate they are also further investigating, and censoring, individuals posting materials on social media that are related to the protests. In recent years, officials have repeatedly used this law to criminalise peaceful dissent and target political opponents. In December 2017, authorities detained and then imprisoned 'Pai', then a law student, for nearly two and a half years for forwarding a BBC profile of King Rama X on Facebook.

On 18 July 2020, 31 individuals, including several university students, had participated in a peaceful demonstration at the Democracy Monument in Bangkok, Thailand's capital, organized by a student-led movement called Free Youth. The gathering attended by an estimated 2,400 protestors listed three demands to the Thai government: parliament dissolution and fresh elections, a new constitution, and an end to harassment against individuals.

Of these, in addition to 'Pai', 'Ford' and 'Rung', authorities have also targeted at least eight others after this demonstration with summons or charges for sedition and *lèse majesté* related to specific demonstrations, among the 31 activists previously charged for their peaceful exercise of freedom of assembly (See previous UA).

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

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 18 February 2021

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

NAME AND PREFERRED PRONOUN: **Benjamaporn** (she/her), **Panusaya** (she/her), **Tattep** (he/him), and **Jatupat** (he/him)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/asa39/2957/2020/en/>

ADDITIONAL TARGETS

Police-General Police Lieutenant General Suwat Changyodsuk
Royal Thai Police
Rama 1 Road, Pathumwan
Bangkok 10330
webmaster@royalthaipolice.go.th

Attorney General Kemchai Chutiwong
Rajaburi Direkridhhi Building
Government Complex
Chaeng Watthana Road,
Laksi Bangkok Bangkok 10210
Thailand
Fax: +66 29530503

And copies to:

His Excellency Mr Pisanu Suvanajata
Royal Thai Embassy
29-30 Queen's Gate SW7 5JB
020 7225 5500, 020 7589 2944
Fax 020 7823 9695
rtelondon@thaiembassyuk.org.uk
www.thaiembassyuk.org.uk