

On the 100th Day of the Thai Military Coup d'etat

Statement of International Solidarity Group for Thai Democracy and Human Rights

Since the military seized power from the interim government on 22 May 2014 and established the National Council for Peace and Order (NCPO), the international community is gravely concerned by the severe backlash of human rights and democracy in Thailand.

The International Solidarity Group for Thai Democracy and Human Rights (ISG-Thai) was set up during the International Conference on "Thailand: Human Rights and Democracy in Crisis" in Manila, The Philippines by representatives of various organisations across the region to express their solidarity with Thai people.

While we recognise the important and inseparable relationship between human rights and democracy, we have to emphasise that, in the difficult time for democracy in Thailand, human rights cannot be ignored by anyone in any side.

The International Solidarity Group for Thai Democracy and Human Rights (ISG-Thai) therefore demands the Thai military to:

- 1) Lift the Martial Law and repeal the repressive orders that violate international human rights standards especially civil and political rights of Thai people.
- 2) Return to democratically-elected civilian government.
- 3) Stop all human rights violations especially on the following issues:
 - a. The harassment of human rights defenders, community rights defenders and grassroots activists
 - b. Arbitrary arrest, custody and detention
 - c. Freedom of Assembly
 - d. Freedom of Expression
 - e. Right to Information
 - f. Respect of due process and rule of law
 - g. Right of migrant workers
- 4) Assert civilian authority and control over the military.
- 5) End impunity and bring human rights perpetrators to justice.
- 6) Repeal all provisions in the interim constitution that violate international human rights standards.

Living under Military Rule: Human Rights Situation in Thailand after the Coup

Since the Martial Law has been enforced in Thailand on 20 May 2014 and the military coup that followed after two days, human rights situation in Thailand has deteriorated rapidly under military rule. From being one of most democratic countries in Southeast Asia, Thailand has now become one of very few countries in the world under military dictatorship.

There are more than 500 individuals who were summoned by junta.¹ 242 individuals were arrested. Many of them have been facing criminal prosecutions including political-related *lèse majeste* and charges under the computer crime act.

- The Right to Freedom of Expression

There are 12 individuals who were charged with *lèse majeste* after the coup including the case of P. Apichat, the lawyer who was arrested at peaceful anti-coup protest in front of Bangkok Art and Culture Centre.

The number of arrests related to *lèse majeste* has also drastically increased after the coup including the case of two young activists who were involved in the play 'The Wolf Bride' which was staged by a group of students and artists in October 2013. Both of them were denied bails by the Court.

- The Right to Freedom of Assembly and Association

Peaceful demonstrations are prohibited, even symbolic ones such as eating sandwiches, reading George Orwell's 1984 and three fingers salute protests. At least 78 individuals were arrested by participating in peaceful demonstrations.² The Metropolitan Office Bureau offers 500 Baht reward for anyone who can capture and send them the pictures of anti-coup activities in Bangkok.³

- Arbitrary Arrests and Detentions

Article 15 of Martial Law states that military authority shall have the power to detain any person for inquiry or other necessities no longer than seven days.⁴ Until now, 571 individuals have been summoned or arbitrarily arrested by junta including 141 academics, writers, journalists and activists.

Many of them were detained *incommunicado* in undisclosed locations including Ms. Sukanya Phruksakasemsuk, wife of Mr. Somyot Phruksakasemsuk, the editor of a magazine who is now serving 11 years for *lèse majeste*, who has been campaigning for the right of political prisoners, and her son Panitan Phruksakasemsuk, a student activist.⁵

- The Situation of Human Rights Defenders

¹ <http://ilaw.or.th/node/3208>

² <http://ilaw.or.th/node/3208>

³ <http://www.bangkokpost.com/lite/topstories/416926/bounty-offered-for-anti-coup-protesters>

⁴ <http://www.thailawforum.com/laws/Martial%20Law.pdf>

⁵ <http://www.fidh.org/en/asia/thailand/15391-thailand-arbitrary-arrest-and-incommunicado-detention-of-ms-sukanya>

The human rights defenders have been facing more risks and difficulties in their work especially community rights and land rights activists in rural areas.

In June 2014, The National Council for Peace and Order (NCPO) deployed about 120 soldiers in Loei's Wangsaphung district to intervene in the conflicts between Na Nong Bong villagers and the mining company Tungkhum Limited Company (TKL). The soldiers removed all banners speaking out against gold mining. The soldiers warned that if villagers cannot reach an agreement to negotiate with TKL, they would no longer be allowed to display such banners in the village.⁶

The soldiers, joined by police and forestry officials also forcibly evicted more than 1,000 residents in Buriram province and destroyed their houses over the land dispute.⁷

- Allegations of Torture and Inhumane Treatment

Red shirt activist, Kritsuda Khunasen, alleged that she was tortured by soldiers while she was *incommunicado* and detained without charge from 27 May to 24 June 2014 in an unidentified military camp.⁸

There are at least 11 allegations of torture and inhumane treatment under military custody, reported by red shirts activists and guards. There could be more cases of torture but victims are not willing to disclose information at the moment because of climate of fear in Thailand.

The uncertainty of the over-all political situation in Thailand continues as the military refuses to return to democratic rule. The prospect for better human rights protection and defense is not seen for as long as the Thai people will live under military rule.

With the interim constitution framed and used by the military in ruling the country, the prospect for democratic governance is far from being realized with unlimited powers being given to the military to govern the country without transparency, accountability and rule of law.

While the violations of human rights continue with impunity, the Thai people cannot exercise their rights to defend themselves for fear of being summoned, arbitrarily arrested and detained, tortured and disappeared.

⁶ <http://protectioninternational.org/2014/08/10/ncpo-interferes-in-loei-communities-conflict-with-gold-mining-operator-tkl/>

⁷ <http://www.hrw.org/news/2014/07/19/thailand-military-forcibly-evicts-forest-residents>

⁸ <http://www.hrw.org/news/2014/08/05/thailand-investigate-alleged-torture-activist>