

Joint Statement – 25/08/2014

Statement on the Judicial Harassment of Leading Human Rights Defender, Ms. Pornpen Khongkachonkiet

We, the undersigned civil society groups, are gravely concerned about the criminal legal action taken for defamation and libel against the Cross Cultural Foundation, headed by Ms. Pornpen Khongkachonkiet, by the Army's Task Force 41. Ms. Pornpen, Director of the Cross Cultural Foundation – an organization which monitors and documents cases of torture and ill-treatment in Thailand – received a police warrant on Sunday 24th August 2014. The Thai Royal Police warrant is dated from 8th August. Major General Leekit Katchodnok, acting on behalf of the Army's Task Force 41, filed a legal suit against Ms. Pornpen for libel and defamation. The army accuses the Cross Cultural Foundation for damaging the reputation of the army by publishing an open letter exposing a claim to torture. According to the warrant Ms. Pornpen must present herself at the Yala Police Station, in southern Thailand, on August 25th.

Ms. Pornpen is a leading Human Rights Defender in Thailand who has been involved in various Human Rights issues both in Thailand and the region, including women's rights, indigenous rights and preventing forced disappearances. Her work serves the public interest by ensuring that authorities are held accountable and pressuring authorities to unconditionally respect the Human Rights of all. As Director of the Cross Cultural Foundation, Ms. Pornpen has constantly been monitoring and documenting cases of torture and Human Rights violations in Thailand's southernmost provinces.

We deem the army's action to be an unreasonable, arbitrary and heavy handed attempt to silence all torture complaints against authorities. By quashing Ms. Pornpen's efforts to support torture victims to publicly complain about Human Rights violations by authorities, the army is seeking to make it more than impossible for torture victims to voice their complaints. Moreover, this is a deplorable act by the army as it aims to further intimidate existing and potential victims of human rights violations to not report these violations. Instead of suppressing the work of Human Rights Defenders, such as Ms. Pornpen, the army should investigate all torture complaints and take all necessary measures to resolve the problem of continuing Human Rights violations.

This judicial harassment constitutes a direct infringement of Ms. Pornpen's right to work as a leading Human Rights Defender in Thailand. As stated in Article 1 of the UN Declaration on Human Rights Defenders "Everyone has the right to (individually and in association with others) promote and to strive for the realization of Human Rights and fundamental freedoms at the national and international level." We believe that the filing of this criminal legal case against Ms. Pornpen was undertaken with the purpose of intimidation and that it is in response to Ms. Pornpen's peaceful and legitimate activities to hold authorities to account for cases of Human Rights violations, including torture, in southern Thailand.

We call on the army to:

- Immediately and unconditionally withdraw the legal action against Ms. Pornpen. Such legal action against the legitimate work of Human Rights Defenders is against the public interest.

We call on the government to:

- Respect the universally recognized rights, duties and obligations of everyone and organizations to highlight information about Human Rights violations and injustices to the public, as is stated in the UN Declaration on Human Rights Defenders;
- Ensure that all persons affected by torture and other human rights violations, including the right to complain which must be respected at all times, receive justice.

Signed by:

1. Union for Civil Liberties
2. Community Resource Centre
3. Human Rights Lawyers' Association
4. Asia-Pacific Forum on Women, Law and Development
5. Frontline Defenders
6. WOREC (Nepal)
7. National Alliance of Women Human Rights Defenders (Nepal)
8. Protection International

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