

## **Thailand: Immediately withdraw all criminal complaints against peaceful demonstrators**

(Geneva, 09 April 2018) The Asian Forum for Human Rights and Development (FORUM-ASIA) is gravely concerned by the harassment and intimidation of pro-democracy demonstrators by Thai authorities. FORUM-ASIA calls on the Thai Government to immediately withdraw all criminal complaints filed against the 57 demonstrators for taking part in a peaceful rally calling for an election.

The National Council for Peace and Order (NCPO), on 30 March 2018, filed criminal complaints against 57 pro-election demonstrators for staging a peaceful rally at Thammasat University on 24 March 2018. The demonstrators called for the election to be held by November 2018, the abolition of the NCPO, the junta ruling body, and the current Government to function as a caretaker Government until the election. Complaints filed by Colonel Burin Thongprapai, acting on behalf of the NCPO, alleged that the demonstrators violated Article 12 of NCPO Order No. 3/2015 that bans political gathering of more than five people. Moreover, 10 out of them also faced additional charges of violating the Sedition offence under Article 116 of the Thai Criminal Code.

Thai authorities have systematically invoked criminal provisions such as sedition and offences under the 2015 Public Assembly Act against participants of peaceful protests including protests prompted by the NCPO's decision to postpone the election no later than February 2019. These include demonstrations in Bangkok on 27 January and 10 February 2018. Nearly 100 individuals have been prosecuted for taking part in political activities since February 2018.<sup>1</sup>

The increasing use of criminal provisions against peaceful demonstrators and pro-democracy activists indicates an unprecedented tactic by the Government of Thailand to create a climate of fear to suppress peaceful protests and political dissent. There are concerns that authorities will continue to harass and obstruct future activities against the postponement of the election.

FORUM-ASIA condemns all attempts by the Thai authorities to suppress democratic space and the lawful exercise of the right to freedom of peaceful assembly. FORUM-ASIA reminds the Thai Government of its obligations under International Covenant on Civil and Political Rights (ICCPR) to which Thailand is a State Party to guarantee the right to freedom of peaceful assembly and other fundamental rights and freedoms.

The restriction on free speech and peaceful gathering continues for almost four years since the 2014 *coup d'état*, preventing the restoration of democracy in Thailand.

FORUM-ASIA calls on the Thai Government to demonstrate its commitment to restore democracy in Thailand. It should withdraw all criminal complaints against pro-democracy demonstrators and allow the legitimate exercise of the right to freedom of peaceful assembly and the work of human rights defenders without fear of intimidation or reprisals.

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<sup>1</sup><https://prachatai.com/english/node/7698>

The Government of Thailand should ensure an open political space for dialogues and consultations with various groups and hold a free and fair election in order to have a genuine democratic transition.

FORUM-ASIA further calls on the Government to immediately revoke the repressive NCPO Order No. 3/2015.

**About FORUM-ASIA:**

*FORUM-ASIA is a regional human rights group with 58 member organisations in 19 countries across Asia. FORUM-ASIA has offices in Bangkok, Jakarta, Geneva and Kathmandu. FORUM-ASIA addresses key areas of human rights violations in the region, including freedoms of expression, assembly and association, human rights defenders, and democratization.*

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