

THAILAND: Royal Thai Army must drop the legal action against the human rights defenders

I am deeply disturbed to learn about the police complaint filed against the three human rights defenders in Thailand.

A complaint of criminal defamation and computer related crime has been filed against Mr. Somchai Homlaor, Ms. Pornpen Khongkachonkiet, and Ms. Anchana Heemmina alleging that they have caused damage to the reputation of the Thai Royal Army by documenting torture cases in southern Thailand and launching the report titled, "Torture and ill treatment in The Deep South Documented in 2014-2015".

This complaint against all three human rights defenders is a clear instance of harassment of human rights defenders.

The report, "Torture and ill Treatment in The Deep South Documented in 2014-2015" containing documentation of 54 cases of torture and inhumane treatment in detention, was launched on 10th February 2016. The research and reporting work, jointly undertaken by three human rights organizations, Cross Cultural Foundation, and Duay Jai Group, was partly funded by the United Nations Voluntary Fund for Victims of Torture.

On 17th May 2016, the Internal Security Operations Command Region 4 (ISOC 4) reportedly acting under the power of attorney from the Royal Thai Army submitted a complaint before police station in Pattani Province (Amongst the three Southern most provinces of Thailand) alleging defamation under Article 328 of Thai Criminal Code and violation of Article 14.1 of the Computer Crimes Act, 2007. The reference number of the complaint is: Police Case File No. 704/2559.

We believe that the action of the Royal Thai Army in filing police complaint against the three human rights defenders is an attempt to silence the voices of victims of torture. We believe that such action makes it more difficult for victims of torture to file complaints against the perpetrators, and thus is in direct violation of Thailand's obligation to create mechanisms for prompt investigations and prosecutions of all allegations of torture. Thus;

We call on the Royal Thai Army to:

1. Immediately and unconditionally withdraw the legal action against Ms. Pornpen Khongkachonkiet, Ms. Anchana Heemmina, and Mr. Somchai Homlaor. Such legal action is against the legitimate work of Human Rights Defenders (HRD) and is against the public interest.
2. Ensure that no further retaliation is carried out or allowed to happen in the future against HRDs, ill-treatment and torture victims, their colleagues and families.

We call on the Thai government to:

1. 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 stated in the UN Declaration on Human Rights Defenders;

2. Ensure that all persons affected by torture and other human rights violations receive justice, including first and foremost the right to complain which must be respected at all times.
3. Ensure the implementations of recommendations it accepted during the recent UPR with regard to HRDs.

Yours Sincerely,