

Thailand: Thai human rights defender and editor convicted and sentenced to 11 years

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The International Federation for Human Rights (FIDH) and the World Organisation Against Torture (OMCT), in the framework of the Observatory for the Protection of Human Rights Defenders, together with the Union for Civil Liberty (UCL) in Thailand, strongly condemn the conviction of Thai human rights defender and labour activist Mr. Somyot Prueksakasemsuk.

Today, Somyot, 56, was convicted by the Bangkok Criminal Court under Article 112 of the Thai Criminal Code (the lese majeste law) and sentenced to 10 years in prison on two counts of violating the lese majeste law plus the enactment of a 1 year suspended sentence for a previous violation in 2009 of the printing act. According to Somyot's lawyer, the verdict will be appealed.

Somyot was convicted for allowing, as editor, the publication of two satirical articles, written by someone else, in the magazine Voice of Taksin (Voice of the Oppressed) that were deemed as "insulting" to the monarchy.

"Today's verdict is manifestly unjust, and the continued application and retention of a draconian law brings Thailand further away from national reconciliation based on respect for fundamental freedoms and human rights", said Danthong Breen, UCL Chairman.

"Despite repeated calls for the release of Somyot and reform of the lese majeste law by Thai citizens, civil society, and the United Nations, Thailand decided, yet again, to depart from international standards on the protection of freedom of expression, making it an outlier in the community of democracies", said Souhayr Belhassen, FIDH President.

Article 112, under the 'national security' section of the Criminal Code, stipulates that "Whoever defames, insults or threatens the King, Queen, the Heir-apparent or the Regent, shall be punished with imprisonment of three to fifteen years". It has been criticised domestically and internationally for its vague and broad language and the disproportionate and unnecessarily harsh punishment. In practice, anyone could bring lese majeste complaints to the attention of the authorities, who have routinely recommended these complaints for prosecution. According to available statistics in the last six years, once prosecuted, a majority of lese majeste cases resulted in conviction.

"Making a criminal offense out of political satires is bad enough, but prosecuting the editor who did not write them brings the abuse to a whole new level", said Gerald Staberock, OMCT Secretary General. "We call upon the Thai authorities to abide by the opinion issued by the United Nations Working Group on Arbitrary Detention, which found the pre-trial detention of Somyot to be in contravention of international human rights law and standards and called for his release. The overturning of Somyot's conviction in appeal and his immediate release would concretely demonstrate Thailand's often-professed commitment to the rule of law and human rights", Mr. Staberock urged.

Somyot was arrested on April 30, 2011, five days after he launched a petition campaign to collect

10,000 signatures required for a parliamentary review of lèse-majesté law.

The International Federation for Human Rights (FIDH), the World Organisation Against Torture (OMCT), the Union for Civil Liberty (UCL)

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* <http://www.fidh.org/Thailand-Thai-human-rights-12787>