

# **Thailand: Concern for detainees of the military junta, and other activists, academics, writers looked for**

Monday 26 May 2014, by [AHRC](#) (Date first published: 26 May 2014).

**FOR IMMEDIATE RELEASE**

**AHRC-STM-102-2014**

**May 26, 2014**

A Statement by the Asian Human Rights Commission

THAILAND: Concern for detainees of the military junta

Since the May 22, 2014 coup, the ruling military junta of the National Peace and Order Maintenance Council (NPOMC) has begun a process of mass arrests of those deemed to oppose them. This has included the arrest of peaceful demonstrators in various cities, the arrest of citizens who have responded to ongoing public summons to report to the military, and the arrest of citizens following unannounced raids on their homes. Under the terms of martial law in Thailand, citizens can be subject to up to seven days of detention without the authorities having to provide evidence of wrongdoing or bring formal charges. Detainees can be held at irregular places of detention, including permanent or temporary military bases or other sites designated as places of detention.

In NPOMC Order No. 5/2014, announced at 10 am on May 24, 2014, 35 persons were ordered via public broadcast to report to the Army Club on Thewet Road by 4 pm, or face a maximum punishment of 2 years in prison and/or a 40,000 baht fine. The military junta has now confirmed that 3 persons who were summoned to report themselves as part of this order have now been sent to a military camp in Rachaburi province. The three persons are Thanapol Eawsakul, Surapot Thaweesak, and Sudsanguan Suthisorn. Thanapol Eawsakul, who was first arrested when he was peacefully demonstrating on May 23, 2014, is the editor of Same Sky magazine (AHRC-STM-099-2014). Surapot Thaweesak is a lecturer in philosophy at Ratchaphat Suan Dusit University in Hua Hin. Sudsanguan Suthisorn is an associate professor of criminology at Thammasat University.

On May 25, 2014, Colonel Winthai Suwaree, the spokesperson for the NPOMC said at a press conference that the three persons would not be detained for longer than 7 days. The junta has maintained that they will not reveal the total number of people who have been requested to report, detained, and/or released, nor the places of detention. When asked if detainees had the right to meet with a lawyer, he commented that, "This is a matter in which understanding must be adjusted. Those who have come to report themselves do not need a lawyer because they are not offenders " (AHRC translation). If those who are detained are not in need of a lawyer because they have not been judged guilty of violating the law, then why are they being detained? The contradiction animating Colonel Winthai's own words confirms that the detention of Thanapol Eawsakul, Surapot Thaweesak, and Sudsanguan Suthisorn and others currently being held is arbitrary.

While the junta has made reassurances that those who report themselves will not be mistreated, within the context of martial law and rule by the junta, this reassurance carries no weight. Detention

in irregular places means that the possibility for rights violations, including torture, forced disappearance and extrajudicial execution is greatly increased. Any assurances of safety are further called into question by Colonel Winthai Suntharee's refusal to reveal the locations of places of detention or to provide more specific information about the precise numbers and identities of those who are detained.

The order for citizens to report themselves represents a violation of the Government of Thailand's obligations under the International Covenant on Civil and Political Rights, to which Thailand is a State Party, notably article 9, which provides specifically that, "1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law. 2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him. 3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release..."

The Asian Human Rights Commission wishes to express grave concern about the rapid decline of human rights protections that the coup by the National Peace and Order Maintenance Council has engendered in Thailand. The detention of Thanapol Eawsakul, Surapot Thaweesak, and Sudsanguan Suthisorn at an army base in Ratchaburi province are clear cases of arbitrary detention. The AHRC is concerned that there may be many more persons being detained whose identities and places of detention are not known. The AHRC calls on the National Peace and Order Maintenance Council to immediately release all citizens being arbitrarily detained without charge and to cease creating public terror through issuing summons and carrying out indiscriminate raids.

### **The Asian Human Rights Commission**

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#### **FOR IMMEDIATE RELEASE**

**AHRC-STM-100-2014**

**May 25, 2014**

A Statement by the Asian Human Rights Commission

THAILAND: Army issues summons to activists, academics, writers, and others

At approximately 10 am on May 24, 2014, the National Peace and Order Maintenance Council (NPOMC, formerly NOMC) issued Order No. 5/2014 broadcast on the radio and television demanding that 35 persons report themselves to the Army auditorium at Thewet Road by 4 pm on May 24, 2014. At 9 pm on May, the NPOMC issued Order No. 6/2014 demanding that an additional person report himself to the Army auditorium by 10 am on May 25, 2014. The penalty for not obeying the summons carries a maximum prison term and a 40,000 baht fine.

Worachet Pakeerut — photo by Prachatai

The list includes Worachet Pakeerut and Sawatree Suksri, academics from the Khana Nitirat, a group of progressive legal academics at Thammasat University, as well as political scientist Pavin Chachavalpongpun, philosopher Surapot Thaweesak, historian Somsak Jeamteerasakul, and

communications scholar Suda Rangkupan. The list includes three former political prisoners who were accused of violating Article 112 and were then pardoned and exonerated, who are Suraphak Phuchaisaeng, Surachai Danwattananusorn, and Thantawut Taweewarodomkul. Thanapol Eawsakul, writer and editor of Same Sky magazine, who had been arrested the prior day during a peaceful protest is also on the list (AHRC-STM-099-2014). Two writers, Nithiwat Wannasiri and Wat Wanlayankul, are also included on the list. Outspoken journalist for the Nation newspaper, Pravit Rojanaphruk, was the person to receive the additional summons. The full lists are as follows:

Order 5/2014:

1. Mr. Kriang Kanthinan
2. Police Lieutenant General Chalong Somjai
3. Police General Pracha Phromnok
4. Mr. Phiphatchai Phaiboon
5. Mr. Sonthi Limthongkul
6. Mr. Worachet Pakeerut
7. Mr. Pechawat Wattanaphonhsirikul
8. Police Sergeant Major Prasit Chaisrisa
9. Mr. Somsak Thepsuthin
10. Mr. Suwat Lipatapollop
11. Mr. Anuthin Chanwirakul
12. Mr. Suthin Klangsaeng
13. Mr. Surachai Danwattananusorn
14. Mr. Sunai Chulphongsathorn
15. Mr. Sanguan Phongmanee
16. Mr. Pavin Chachavalpongpun
17. Mr. Thanapol Eawsakul
18. Mr. Nat Satyapornphisut
19. Mr. Chakkraphan Burirak
20. Mr. Thantawut Taweewarodomkul
21. Mr. Worawut Thanangkorn
22. Mr. Somsak Jeamteerasakul
23. Mr. Suraphak Phuchaisaeng
24. Mr. Surapot Thaweesak
25. Mr. Phanthiwa Phumiprathet
26. Squadron Leader Chanin Klaiklung
27. Mr. Nithiwat Wannasiri
28. Mr. Saran Chuaychai
29. Ms. Suda Rangkupan
30. Mr. Trairong Sinsubphon
31. Mr. Chai-anan Phaisithong
32. Mr. Charut Yonoknakphan
33. Wat Wanlayankul
34. Ms. Sawatree Suksri
35. Ms. Sudsanguan Suthisorn

Order 6/2014

1. Mr. Pravit Rojanaphruk

The use of public broadcast media to issue wide-ranging summons to citizens functions as a form of terror. Human rights defenders, activists, academics, writers, and other citizens do not know when they will hear their name announced and when they will have to turn themselves over to the

authorities.

[ Somsak Jeamteerasakul — photo by Prachatai ]

The order for citizens to report themselves represents a violation of the Government of Thailand's obligations under the International Covenant on Civil and Political Rights, to which Thailand is a State Party, notably article 9, and specifically that, "1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law. 2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him. 3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release..."

Detention of those ordered to report under these two orders of the junta is a clear case of arbitrary detention. Those on the lists have not been formally charged with any alleged crimes. If the junta has evidence that those in detention have committed wrongdoing, then they should be formally charged through the judicial system and using the Criminal Code.

While the junta has made reassurances that those who report themselves will not be mistreated, within the context of martial law and rule by the junta, this reassurance carries no weight. Citizens are subject to up to seven days of detention without the authorities having to provide evidence of wrongdoing or bring formal charges. Detainees can be held at irregular places of detention, including permanent or temporary military bases or other sites designated as places of detention. Detention in irregular places means that the possibility for rights violations, including torture, forced disappearance and extrajudicial execution is greatly increased. [Thantawut Taweewarodomkul — photo by Prachatai ]

The Asian Human Rights Commission unequivocally condemns the coup and wishes to express grave concern about the rapid decline of human rights protections it has engendered. The AHRC calls on the National Peace and Order Maintenance Council to immediately release all citizens being arbitrarily detained without charge and to cease creating public terror by issuing blanket summons to report to the military.

### **The Asian Human Rights Commission**

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\* About AHRC: The Asian Human Rights Commission is a regional non-governmental organisation that monitors human rights in Asia, documents violations and advocates for justice and institutional reform to ensure the protection and promotion of these rights. The Hong Kong-based group was founded in 1984.