

## **The situation of human rights defenders in Thailand**

A wide range of human rights defenders face threats and attacks in Thailand. These include journalists, NGO workers, particularly those working with marginalized communities, lawyers, community activists, environmental activists, trade union activists and anti-corruption activists. Thai authorities, particularly security personnel are a major source of threats and attacks on human rights defenders. However, others such as insurgents in southern Thailand and companies also pose a serious threat to human rights defenders. Women human rights defenders face a higher level of risk, this is particularly true in southern Thailand where culture and Islamic teachings have been interpreted in a way which isolates and highlights women human rights defenders.

Perhaps the most blatant example of threats to human rights defenders in Thailand is the stifling of freedom of expression. The trial of Ms Chiranuch Premchaiporn who has been charged with failure to remove five comments with alleged lèse majesté content from Prachatai, the website that she is the Executive Director of. This case is one of many in which journalists and website managers have been charged under the Computer Crimes Act. The impact is self-censorship and the stifling of much needed peaceful debate in Thailand.<sup>1</sup>

Lawyers, human rights activists and staff of non-government organisations frequently face threats from security officials and in the south from armed insurgents. In March 2004, human rights lawyer Somchai Neelapaijit was disappeared by Thai police. His whereabouts has never been determined and justice has been slow and unsatisfactory. His wife, Angkhana Neelapaitjit, who is herself a leading human rights activists, continues to face threats from an unknown person and the police couldn't find any suspect although she complains every time she receives threat. The office of the Justice for Peace Foundation in southern Thailand has been searched by security officials, We have no enough information. .... [add list of other NGOs in south that have been searched]. The searching and harassment of NGOs and their employees is also a common occurrence for NGOs whose work relates to human rights in Burma. International NGOs face difficulties to register in Thailand, placing them in a precarious situation and stifling their ability to operate freely in Thailand.

In southern Thailand activists and community leaders face threats from insurgent groups. Women especially are the target of such attacks. For example, in March 2009, Ms Laila Poheetaedaoh, who worked to protect the rights of Malay Muslim women, was shot dead by suspected militants in Yala province and her younger sister was seriously injured. The case has been dismissed by the police citing a lack of evidence despite her sister being able to identify the perpetrator. Insurgents are actively limiting space for moderate voices in southern Thailand as they seek to enforce their views on the community and gain legitimacy for their armed insurgency. Fundamentalists and extremists among them particularly seek to limit space for women rights defenders. Women activists in the south have also found themselves targeted by the security forces. Ms Yaena Salamse, the leader of a Tak Bai victims network, has been threatened by the Thai military because of her work and her husband was killed in 2007.

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<sup>1</sup> See section on freedom of expression in Thailand in this document.

Individuals attempting to hold accountable businesses and officials in Thailand for corruption and violations of labour rights have been harassed, charged with offences and in at least one recent case killed. In February 2008, Mr Kamon Laosopapan disappeared. He was an anti corruption activist active in the North East of Thailand who played a major role in exposing alleged corruption in a state-railway land rental case in Konkhaen. Ms Jitra Cotshadet has been dismissed from her position at Body Fashion Thailand for wearing a t-shirt which read: "Thinking differently is not a crime". She is also a trade union leader. Her dismissal resulted in a 46 day strike by 3,000 workers demanding her reinstatement. In November 2007 the court approved her dismissal. [I am not sure this is the best case to include. The information either need improving or deleting, or replacing with another case.] Trade Union leader, Thanon Pho was one of many people who disappeared during the May 1992 protests. His whereabouts has never been determined nor has any individual faced justice for his disappearance. Include, Mr.Jaroen Wat-aksorn and Prah Supoj case.

The response of current and past Thai governments is inadequate. There are no mechanisms specifically for the protection of human rights defenders. Defenders at risk due to their association with a particular case under investigation by the Department of Special Investigation (DSI), such as Angkhana Neelapaijit, have received protection through the DSI, however there is a serious lack of resources necessary for genuine protection and this compounded by the involvement of the police, so frequently the perpetrators, in the provision of protection. Despite being in the protection programme Angkhana Neelapaijit has continued to receive threats and on 8 September 2010 opened her front door to find a long, large leg bone in front of her house.

The impact of this environment of risk combined with the Government's failure to protect is increased caution in the work of human rights defenders resulting in decreased protection of rights within Thailand.