

URGENT ACTION

PRISONER OF CONSCIENCE MUST BE RELEASED

A prisoner of conscience is being held in military custody in Thailand, with no access to lawyers or family. This is the third time since 2 March that Watana Muangsook has been held in military detention without charge or trial.

Former Member of Parliament and Commerce Minister **Watana Muangsook** has been in incommunicado military custody without charge or trial since 18 April. His detention is believed to be linked to a Facebook comment in which he stated he did not support Thailand's draft Constitution, which is scheduled to be put to a public referendum in August 2016. He is also believed to have been transferred to a military camp outside Bangkok, and relatives and lawyers have not been able to contact or access him since his detention.

This is the third time that Watana Muangsook has been held in military detention without charge or trial since 2 March on the basis of his peaceful exercise of the right to freedom of expression. He was held between 2 and 3 March after criticizing authorities in a Facebook status post for their justification of increasing surveillance on the former Prime Minister Yingluck Shinawatra. Military authorities detained him again for three days between 28 and 31 March after he criticized the detention without charge or trial for three days of Worachai Hema, an elected Member of Parliament of the former administration, who had criticized the draft constitution.

Authorities also denied Watana Muangsook permission to visit Singapore in July 2015 and refused to accept a legal case he filed to contest the decision, on the basis that the interim Constitution and official orders allow these arbitrary restrictions.

Please write immediately in English, Thai or your own language:

- Calling on the authorities to immediately and unconditionally release Watana Muangsook, as he is a prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression and assembly;
- Urging them, pending his release to give him immediate access to independent legal counsel and his family, to an independent, civilian court to determine the legality of his arrest, as well as to adequate medical care;
- Urging them not to detain, prosecute, harass or penalize anyone for peacefully exercising his or her rights to freedom of expression, association or peaceful assembly, in line with their international obligations;
- Calling on them to repeal NCPO Order 3/2015 which allows military authorities to summon and detain people arbitrarily and incommunicado and to lift post-release restrictions on those held for "attitude adjustment".

PLEASE SEND APPEALS BEFORE 31 MAY 2016 TO:

General Prayut Chan-ocha
Government House
Pitsanulok Road, Dusit
Bangkok 10300, Thailand
Fax: +66 2282 5131

Salutation: Dear Prime Minister

Minister for Foreign Affairs

Don Pramudwinai
Ministry of Foreign Affairs
Sri Ayudhya Road
Bangkok 10400, Thailand
Fax: +66 2643 5320 / +66 2643 5314
Email: minister@mfa.go.th

Salutation: Dear Minister

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Military authorities, who declared martial law and seized power in a coup in May 2014, have instituted a series of measures – originally announced as temporary, but that still remain in place – to excessively and sweepingly restrict the rights to freedom of expression, association and peaceful assembly in flagrant violation of Thailand’s obligations under international human rights law.

Among the measures taken have been to expand military powers of detention – under martial law and a subsequent Head of National Council for Peace and Order (NCPO) Order 3/2015 – to allow for the detention of perceived or actual critics of their rules and policies for up to a week in unofficial places of detention. Amnesty International continues to call on authorities to revoke martial law and Order 3/2015 provisions allowing for arbitrary detention, and lift restrictive conditions of release from detention, both of which have been extensively used in an attempt to silence critics and restrict their enjoyment of rights.

Authorities have justified this form of detention – commonly referred to as “attitude adjustment” – as a measure to enforce cooperation with their administration. This detention is in unofficial places without charge, trial, or judicial safeguards including access to relatives, lawyers or courts. Such conditions have facilitated torture and other of ill-treatment, which have taken place in military custody, both in Thailand’s southernmost provinces where martial law and emergency regulations have been in use since 2004 and in detentions all over the country after the military coup.

Watana Muangsook and other individuals who have been subjected to “attitude adjustment” are bound by vaguely worded, forced and restrictive conditions on release curtailing their rights to freedom of movement, expression and peaceful assembly, including a ban on political activities. They may be imprisoned if they breach conditions.

The military administration is currently implementing their plans for political transition leading to elections in 2017, including by bringing a draft Constitution to a public referendum in August 2016. Amnesty International is concerned that authorities are even further restricting peaceful exercise of the rights to freedom of expression, association and assembly as they approach the next stage in their political road map. Officials continue to threaten to crack down on anyone taking undefined actions they believe may cause persons to “misunderstand” the government and they continue to detain peaceful critics without charge or trial. A law was passed in March 2016, which allowing for ten years’ imprisonment for anyone using “rude” language to oppose the August referendum and authorities threaten to institute legal action against anyone “inciting” in the period leading to the referendum. Officials have also indicated that they may require individuals who fail to change their opinions after arbitrary detention to take political “re-education” courses in military camps.

Name: Watana Muangsook
Gender m/f: m

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