

URGENT ACTION

RIGHTS LAWYER IMPRISONED FOR PEACEFUL PROTEST

Human rights defender and pro-democracy activist Anon Nampa has received two prison sentences for peacefully exercising his rights and faces multiple further charges that could lead to decades' imprisonment. He is currently held in Bangkok Remand Prison and authorities are denying him his right to bail.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Prime Minister Srettha Thavisin
Office of the Prime Minister
Government House, Pitsanulok Road
Bangkok
Thailand 10300
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Dear Prime Minister,

I am deeply concerned that the Thai government has targeted human rights defender Anon Nampa, aged 39 years, with more than a dozen criminal proceedings and is arbitrarily detaining him in Bangkok Remand Prison for exercising his right to freedom of expression and peaceful assembly in public demonstrations. On 26 September 2023 he received a sentence of four years' imprisonment and a fine of 20,000 baht (USD551), and also a second sentence of two months' imprisonment and fine on 2 October 2023, all for speaking and participating in peaceful public assemblies in October and November 2020.

I am alarmed that since 2020 the Thai government has pursued unwarranted criminal proceedings against Anon Nampa and at least another 1,927 persons, including 286 children, in a wide-ranging crackdown on their exercise of their rights. He is among 280 persons – including children – who your government has started criminal proceedings against under Article 112 of the Criminal Code, governing lèse-majesté, which allows for up to 15 years' imprisonment. As a human rights lawyer, Anon has defended many of the individuals, including children, facing unwarranted charges related to their peaceful protests. The Thai government's moves to stifle his and their peaceful exercise of their rights undermine your stated commitment to the advancement of human rights in Thailand and abroad.

I am further concerned that the Court of Appeals has denied Anon Nampa his right to temporary release on bail. He was also arbitrarily detained for nearly a year between 2020 and 2022, with his right to bail also being denied in that period.

Thailand's international human rights commitments oblige the Thai government to effectively respect, protect and fulfil the human rights to freedom of expression and peaceful assembly. The UN Human Rights Committee, other UN human rights experts and UN member states at Thailand's Universal Periodic Review have expressed concern about the restrictions the Thai government has imposed on the exercise of the rights to freedom of assembly and expression. UN experts have recommended the Thai government refrain from imposing detention on individuals who are exercising their rights and who do not present a serious risk to national security or public safety. These experts and other governments have called on Thailand to bring laws into conformity with your international human rights obligations. States at Thailand's Universal Periodic Review have also urged that Thailand refrain from the prosecution of peaceful protesters.

Therefore, I urge you to:

- **Immediately and unconditionally release, as well as drop all convictions and criminal proceedings against human rights defender Anon Nampa and all other people, including children, who have been targeted simply for exercising their human rights;**
- **Pending the dropping of convictions and charges, allow Anon Nampa and other activists their right to temporary release on bail and ensure that conditions of bail do not arbitrarily restrict the peaceful exercise of their rights;**
- **Amend or repeal laws which have been used to restrict rights to freedom of expression and peaceful assembly to ensure that Thailand complies with its international human rights obligations.**

Yours sincerely,

ADDITIONAL INFORMATION

Anon Nampa has advocated for social welfare, democracy, justice, rule of law, human rights and political reform for many years. Since 2006, he has engaged in peaceful protest including during periods of political transition and restrictions on human rights in the country.

In the face of the threat of imprisonment and sweeping restrictions on the peaceful exercise of the rights to public assembly and expression - including after a military coup in Thailand in 2014 - Anon Nampa has creatively exercised and championed his human right to participate in peaceful protests, to share opinions and propose political and social reforms. As a lawyer and activist, he has also worked with other members of civil society to monitor and peacefully resist official repression. Anon Nampa has provided free legal assistance to people who face criminal charges.

Thai authorities have responded to his and others' activism with multiple criminal proceedings, fines, prolonged pre-trial detention and restrictive bail conditions. In response to youth-led mass public protest for human rights and democratic reform, Thai authorities intensified their crackdown on peaceful dissent. Authorities used a range of measures to punish and prevent protests by Anon Nampa and other protest leaders, including Ratsadon (the People), students, youth and children who were peacefully exercising their rights. Officials detained and targeted them with criminal charges, particularly after the protests focused on calls for reforms related to the monarchy. Anon Nampa was the first person to publicly discuss the monarchy during youth protests for reform and was the first person of the 280 individuals to be charged under Article 112 of the Criminal Code governing lèse-majesté in the context of youth protests. He has the second highest number of charges under the law among protest leaders. During the Thailand's military government's rule between 2014 and 2019, authorities started eleven criminal proceedings against him related to his peaceful activism.

Anon Nampa and other activists face criminal proceedings for participating in or posting about demonstrations, under laws which allow for excessive restrictions on the peaceful exercise of human rights or grant excessive latitude to interpret the peaceful exercise of rights as crimes. UN human rights experts have expressed concern at these laws. In particular, UN experts and governments in the UPR review have recommended their amendment or repeal. These include official restrictions under the Emergency Decree on public gatherings imposed to control the spread of Covid-19, which allows for two years' imprisonment and/or a fine; sections of the Thai Criminal Code on security, including Article 116 of the Criminal Code governing sedition which allows for seven years imprisonment and prohibits people "*to raise unrest and disaffection amongst the people in a manner likely to cause disturbance in the country; or to cause the people to transgress the laws of the Country*"; for Article 112 of the Thai Criminal Code, governing lèse-majesté which allows three to 15 years' imprisonment; the Public Assembly Act; and the Computer Crimes Act.

Authorities have arbitrarily detained Anon Nampa and other leading activists and individuals for prolonged periods in pre-trial detention and repeatedly denied them bail, including for reasons which the United Nations Working Group on Arbitrary Detention has previously said do not justify the denial of bail. Anon was detained for almost a year between 2020 and 2022, with his right to bail being denied. Authorities have further imposed bail conditions broadly restricting individuals' peaceful exercise of rights. After Anon Nampa spoke in reaction to the formation of a new government after 2023 elections at small-scale protests in Thailand in July 2023, police applied to revoke his bail for infringing its conditions, alleging that his involvement in protests violated previous bail conditions.

In 2021, Anon Nampa received the Gwangju 2021 Prize for Human Rights. Anon Nampa cofounded the Thai Lawyers for Human Rights to defend activists facing charges for peaceful protest and freedom of expression and monitor violations of human rights following the 2014 coup. The Clooney Foundation recognized their work with the Justice for Democracy Defenders Award in September 2023.

Anon has also filed two lawsuits against the Thai government and the NSO Group Technologies relating to the infection of his electronic devices with Pegasus spyware.

Anon Nampa is also a poet, songwriter, musician and has two young children, one of whom is 10 months old.

PREFERRED LANGUAGE TO ADDRESS TARGET: English/Thai

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL 28 DECEMBER 2023

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PRONOUN: Anon Nampa (He/him)