



28th Regular Session of the UN Human Rights Council
Item 4: Human rights situations that require the Council's attention (General Debate)

Oral Statement Delivered by Pornpen Khongkachonkiet on behalf of
Asian Forum for Human Rights and Development (FORUM-ASIA)

Tuesday, 17 March 2015

Mr President, FORUM-ASIA expresses concern over the deteriorating human rights situation in a number of Asian countries.

We draw this Council's attention to the increasing use of judicial measures to silence dissent, eliminate opposition and persecute human rights defenders. In Malaysia¹ and Maldives², opposition leaders have been sentenced for long prison terms following trials that breach international fair trial and due process safeguards. Furthermore criticism of these trials have been severely suppressed. Over 50 supporters of opposition leader Mohamed Nasheed were arrested in Maldives while in Malaysia, the Sedition Act has been used to persecute critics of a judicial decision that upheld the conviction of opposition leader Anwar Ibrahim. The latest example is, Nurul Izzah Anwar, a Member of Parliament and Mr. Ibrahim's daughter who was arrested on 16 March for sedition, even as this Council was in session. Since May 2014, more than 40 individuals have been arrested under the Sedition Act and the Penal Code in Malaysia for the exercise of their right to freedom of expression. Over 70 arrests have been made since May 2013.³

Meanwhile in Thailand, at least 200 civilians have been prosecuted in military courts. In some cases, individuals have been sentenced to prison terms for only exercising their freedoms of assembly and expression. For example, on 16 March 2015, a human rights lawyer, Anon Nampa, and three activists were charged for violating bans on political gatherings of more than five individuals and will face prosecution in a military court.

On 23 February 2015, two theatre activists, Pornthip Mankhong and Patiwat Saraiyam, were sentenced in a criminal court to two and a half years in prison for lese majeste, a vague and broad provision of the Criminal Code, for allegedly insulting the monarchy in a play.⁴ Since the coup, at least 20 cases of lese majeste have been prosecuted in military courts.

We are also concerned about a number of restrictive draft laws currently pending at the National Legislative Assembly, including bills on Cyber Security and Public Assembly, if passed in their entirety, would add to the deterioration of the freedoms of expression and assembly in the country.

Lastly, we remain concerned at increasing reports and un-investigated allegations of arbitrary detention, torture and ill treatment in Thailand, especially of suspects detained under restrictive counter-insurgency and drug suppression policies.

Thank you Mr. President

¹ FORUM-ASIA (12 February 2015), [Malaysia: FORUM-ASIA Condemn Anwar's Conviction and Calls for Repeal of Repressive Laws](#)

² FORUM-ASIA and Maldivian Democracy Network (14 March 2015), [Maldives: Trial and Conviction of Former President Nasheed Condemned](#)

³ FORUM-ASIA, et al. (27 February 2015), [Malaysia: Open Letter to the Prime Minister – Stop Arrests and Harassment on Those who Exercise Their Constitutional and Internationally-Recognised Right to Freedom of Expression](#)

⁴ FORUM-ASIA (23 February 2015), [Thailand: Freedom of expression stifled again under the draconian Lèse Majesté Law](#)