

Thailand: End police brutality and use of violence against the democracy movement

(Jakarta, 18 November 2020) – The use of violence by police to disperse yesterday's protest by the pro-democracy movement is unjustified, and fails to meet the international human rights standards Thailand has committed itself to, the Asian Forum for Human Rights and Development (FORUM-ASIA), said in a statement today.

Thai police, yesterday, dispersed pro-democracy movement protesters who had gathered around the Parliament House in Bangkok to observe the hearings on proposals for constitutional amendments. The police used chemical laced and dyed water from water cannons against unarmed protesters and continuously used tear gas for at least five hours to disperse the gathering. More than 50 people were injured, of whom, 32 suffered the effects of the tear gas while six were reported to have had gunshot wounds.¹

'Yesterday's violent dispersal marks a disturbing escalation of violence against the protesters. This is the third time that the police have used water cannons and have escalated to throwing tear gas canisters for the first time towards the protesters. These methods are disproportionate and unnecessary and cannot be justified under international human rights standards and crowd dispersal standards²,' the rights group said.

One of the seven proposals for discussion was a constitutional amendment bill, submitted by iLaw, a Thai civil society group advocating for freedom of expression, pushing for reforms to end the military legacy in the Constitution. The proposal by iLaw for this bill received more than 100,000 signatures.³ The iLaw's proposed bill is perceived by the pro-democracy movement as a crucial step of the call for the constitutional changes.

The demand for constitutional reforms stems from issues in the current 2016 constitution, drafted by the then-military regime. While Thailand's military regime has officially ended, the country still uses this Constitution which reinforces the disproportionate powers of the military and its allies. For the pro-democracy movement, the Constitution has allowed the military to retain their hold on the country and the amendment will be a crucial step towards shifting greater power towards the people and the realisation of their democratic rights.

Under the International Covenant on Civil and Political Rights (ICCPR) which Thailand has ratified, States have a responsibility to respect and ensure peaceful assemblies. Instead of facilitating yesterday's protest, the police failed to address a clash between royalist supporters in yellow shirts calling for the retention of the Constitution, and the pro-democracy movement.⁴

¹ <https://www.aljazeera.com/news/2020/11/17/thai-police-fire-water-cannon-at-parliament-protest>

² A/HRC/31/66 Joint report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association and the Special Rapporteur on extrajudicial, summary or arbitrary executions on the proper management of assemblies https://www.ohchr.org/EN/HRBodies/HRC/RegularSessions/Session31/Documents/A.HRC.31.66_E.docx

³ <https://www.thaipbsworld.com/a-closer-look-at-the-charter-bill-dividing-parliament-and-the-nation/>

⁴ https://www3.nhk.or.jp/nhkworld/en/news/20201118_04/

'The Thai Government's actions against peaceful protesters will only prolong the current political conflict and cannot hold any form of credible dialogue or engagement if it is to continue violating the fundamental rights of its people,' said FORUM-ASIA.

The Government of Thailand should comply with its international obligations under the ICCPR to respect and facilitate the rights to freedom of peaceful assembly and expression. Primary to this is to end the use of police violence, or tactics that lead to further conflict. Police officers who engaged in any form of brutality or violence in yesterday's protests, should be held accountable.

While the Government presents itself as being committed to dialogue, its actions yesterday cast doubts on its willingness to engage meaningfully. It should prove that it is committed towards the protection of the rights of all, even those that pose dissent or unpopular opinions.

'Genuine dialogue is only possible if the fundamental freedoms of the people are respected, and if the people are able to express themselves without the fear of State violence,' said the group.

About FORUM-ASIA:

The Asian Forum for Human Rights and Development (FORUM-ASIA) is a regional network of 81 member organisations across 21 Asian countries, with consultative status with the United Nations Economic and Social Council, and consultative relationship with the ASEAN Intergovernmental Commission on Human Rights. Founded in 1991, FORUM-ASIA works to strengthen movements for human rights and sustainable development through research, advocacy, capacity-development and solidarity actions in Asia and beyond. It has sub-regional offices in Geneva, Jakarta, and Kathmandu. www.forum-asia.org

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