



ศูนย์ทนายความเพื่อสิทธิมนุษยชน Thai Lawyers for Human Rights

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For release on 22 May 2015

Cease the exercise of arbitrary power

Immediately and unconditionally release the students

Today many students groups gathered to express their political views and opposition to the coup. This led to the detention of a large number of students and activists, including the following:

1. 11 members of Young People for Social-Democracy Movement, Thailand (YPD), who organized a seminar on the topic of "22-22: Community Rights, Liberty, Education," on the one-year anniversary of the coup, who are detained at Chana Songkhram police station.
2. 7 students from the "Dao Din" group from Khon Kaen University were first detained at the Sripatcharin Army Camp (23rd Military Circle) and then taken for further detention at the Khon Kaen police station from 3 pm continuing until the present (10 pm). They have been charged with violating Head of NCPO order 3/2558 (2015) forbidding political demonstrations.
3. 34 students have been detained at the Pathumwan police station from 6:30 pm until the present (10 pm) following participation in a symbolic art event entitled "1 year in which ..." in front of the Bangkok Art and Culture Center in order to express their feelings and thoughts from the year that has passed since the events of 22 May 2014.

The view of Thai Lawyers for Human Rights is that the aforementioned detention is arbitrary and derives from the unlawful use of power for the following reasons:

1. News reports indicate that many students were assaulted by state officials¹ and state officials used unnecessary force in carrying out arrests, to the degree that some had

¹ See "Officials detain more than 30 students following activities in front of the BACC for the one-year anniversary of the 22 May coup" ["จนท.ควบคุมตัวนักศึกษากว่า 30 คน หลังจัดกิจกรรม 1 ปี รบพ. 22 พ.ค. หน้าหอศิลปภม."], *Matichon*, 22 May 2015, Available online at: http://www.matichon.co.th/news_detail.php?newsid=1432297983.

- to go to the hospital for treatment.² These actions constitute the use of injurious force against peaceful, unarmed protestors. The arrests and detention are arbitrary.
2. Officials refused to allow lawyers or those trusted (by the detained) to meet with those detained, which is a right of arrested individuals per Article 7/1 of the Criminal Procedure Code. They claimed that they had to wait for the order from their commander, but they photocopied the legal licences of the lawyers who asked to be allowed to enter to provide legal assistance. These actions constitute a threat to the lawyers' carrying out of their duties. Further, to exercise power solely on the basis of the order of the commander is a denial of the durability of the law.

The aforementioned exercise of power by the police and military constitutes a lack of respect for the rule of law and the legal system. To take actions which rely solely on a commander's orders or the junta's authority creates terror among the people, as it is the use of power without consideration for the law.

Thai Lawyers for Human Rights therefore calls on the authorities to reveal the names of those detained and the immediate and unconditional release of the students and activists being detained. We call for the immediate provision of remedies for these actions, including holding the police and military to account under the law.

With respect for the rights and liberties of the people

Thai Lawyers for Human Rights

² See "Police arrest more than 20 students and activists after they conduct activities for the coup anniversary in front of the BACC" ["ตร.รวบ น.ศ.-นักกิจกรรมกว่า 20 คน หลังทำกิจกรรม 1 ปีรัฐประหารหน้าหอศิลป์"], *Prachatai*, 22 May 2015, Available online at: <http://prachatai.org/journal/2015/05/59419>.