



14 December 2020

Hon. Marise Payne
Minister for Foreign Affairs
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Senate
Parliament House
Canberra ACT 2600

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Dear Minister Payne

RE: STRATEGIC PARTNERSHIP WITH THAILAND

I am writing regarding the Prime Minister's announcement on 13 November 2020 that Australia had 'elevated' its relationship with Thailand to that of a 'Strategic Partnership'.

The Prime Minister stated that the new partnership will 'enhance cooperation in key areas, including defence and security, cyber affairs, anti-money laundering and combating transnational crime'. **I urge that you also ensure that human rights is at the heart of this new partnership. This should be an opportunity to promote and strengthen human rights in both Australia and Thailand.**

Crackdown on freedom expression and assembly

For much of 2020, Thai people have been protesting and calling for political reforms and denouncing the harassment of people who criticise the government. The Thai authorities have responded by intensifying their crackdown and harassing peaceful protesters even more. The rights to freedom of expression and peaceful assembly are enshrined in the Universal Declaration of Human Rights – and in Thailand, these rights are increasingly under attack.

The demonstrations have put a spotlight on how Thai authorities need to allow peaceful protest and stop cracking down on their critics.

Several dozens of people have been charged with alleged crimes in relation to the ramping up of protests since 13 October alone, some of whom were denied bail for several weeks. Most of these protesters are charged under laws often used to silence and intimidate people. At least 173 people are reported to have been arrested or charged for participating in protests since the start of the year.

Other rights are also under attack through the protests: the police's dispersal of a 17 October protest using water cannons marked an alarming escalation in force and contravened international standards. The use of water cannons and irritants not only poses serious risk of injury, the use of dye is indiscriminate and could lead to the arbitrary targeting and arrest of peaceful protesters, journalists, or simply local residents who were marked with the coloring.

As well as the human rights violations happening during the protests, Thailand also has a questionable human rights record in other areas:

Death penalty

Thailand retains the death penalty in law. The last execution was in 2018 by lethal injection, and hundreds of people remain on death row. In 2019, Thailand also expanded the offences, under its Anti-Human Trafficking Act, that could lead to the death penalty.

Impunity

Impunity is also an ongoing human rights issue in Thailand: under the 2017 Constitution, members of the National Council for Peace and Order (NCPO) were protected from prosecution for human rights violations committed during NCPO-rule. In May 2019, officials informed the mother of one of six persons killed by soldiers at Pathum Wanaram Temple during the 2010 protests that no soldiers would be prosecuted for the killings, due to a supposed lack of evidence.

Freedom of association and right to privacy

Furthermore, the Cybersecurity Law and Data Protection Act were passed in February 2019 allowing the government to increase online surveillance and censorship. The laws allowed sweeping government surveillance without basic legal safeguards. Later in the year, the Digital Economy and Society Ministry established an “Anti-Fake News Centre” mandated to filter out online content deemed “fake news” and to take unspecified measures against users who post such content. The authorities brought criminal charges against opposition politicians, academics, factory workers, and activists under laws governing computer crimes, public assembly and sedition. Defendants in these cases had participated in activities such as marching in peaceful demonstrations, discussing political reform, or criticising the monarchy or the government, including on social media.

A healthy relationship with Thailand must have human rights at its heart. I urge that you take these human rights concerns into consideration when engaging with Thailand as a ‘Strategic Partner’. Please use this new platform to raise such concerns and to encourage Thailand to address them as soon as possible.

For further information, or to discuss and organise a meeting, please contact Joel MacKay at joel.mackay@amnesty.org.au or 0424 242 112.

Yours sincerely,



Sam Klintworth
National Director
Amnesty International Australia