

28 June 2016

Complaint filed against human rights defenders Pornpen Khongkachonkiet, Anchana Heemmina and Somchai Homlaor by Thai military

On 26 June 2016, the Muang Pattani Police Station rescheduled the summoning of human rights defenders Ms **Pornpen Khongkachonkiet**, Ms **Anchana Heemmina** and Mr **Somchai Homlaor** to 26 July 2016. On 8 June 2016, the human rights defenders were informed of a complaint filed against them for criminal defamation and computer-related violations, by a unit of the Thai military devoted to national security issues.

[Pornpen Khongkachonkiet](#) is a human rights defender and Director of the **Cross Cultural Foundation**, an organisation which monitors and documents cases of torture and ill-treatment in Thailand. She works on human rights issues both in Thailand and the South East Asia region, including on women's and indigenous rights. Her work help ensure that authorities are held accountable and pressure authorities to unconditionally respect human rights. [Anchana Heemmina](#) is the founder of the **Duay Jai Group (Hearty Support Group)**, an organisation that provides rehabilitation services for torture victims, and support for their families. [Somchai Homlaor](#) is President of the **Cross Cultural Foundation** and has spent 25 years working as a human rights lawyer in Thailand. He was Commissioner for the Law Reform Commission of Thailand, which has since been disbanded by the current government. Recently, both the *Duay Jai* Group and the Cross Cultural Foundation compiled a report documenting the torture of members of the Muslim Malay minority in Thailand who were arrested for alleged involvement with insurgent groups of the Deep South.

On 26 June 2016, a request to defer the summoning of the human rights defenders was filed to the Muang Police Station, Pattani. The summoning of the human rights defenders is now rescheduled to 26 July 2016. The human rights defenders will face charges related to criminal defamation and violating the Computer Crimes Act.

On 8 June 2016, the Internal Security Operations Command Region 4 ('ISOC 4'), a unit of the Thai military devoted to national security issues, informed Pornpen Khongkachonkiet during a phone call that they had filed a complaint against all three human rights defenders to the Yala Mueang Police Station, Yala Province, on 17 May 2016. They have been accused of criminal defamation under Article 328 of the Thai Criminal Code, and violation of the Computer Crimes Act (2007), Article 14.1, for their work in compiling the aforementioned report. The complaint was filed in spite of the recent commitment by the Thai government to accept recommendations made by UN member states during the United Nation's Universal Periodic Review (UPR) of Thailand on 11 May 2016, relating to the prevention of torture and access to justice for survivors of torture. On 24 May 2016, the Thai government issued a Cabinet Resolution stating that they would pass the Prevention of Torture and Enforced Disappearance Act. The human rights defenders wish to challenge the complaint filed against them and are due to meet with investigating authorities on 26 June 2016.

This is not the first case of harassment of the human rights defenders. [On 19 February 2016](#), a group of ten men in uniform, claiming to be border police officers visited the house of Anchana Heemmina in the Songkhla province, Southern Thailand and questioned and photographed her mother without presenting a warrant. The human rights defender was also warned not to use social media platforms.

On 10 February 2016, a report entitled *Torture and ill treatment in The Deep South Documented in 2014-2015*, co-edited by the three human rights defenders, was released. The report documented

54 cases of inhumane treatment in detention. On 8 January 2016, the report was sent to Mr Wiwat Pathompak, Commander of the 4th Army Region, whose representatives subsequently denounced the report calling it a work of fiction aimed at discrediting the Thai Army.

Front Line Defenders is concerned by the judicial harassment of human rights defenders Pornpen Khongkachonkiet, Anchana Heemmina and Somchai Homlaor, which it believes to be directly linked to their peaceful and legitimate work to hold authorities to account for cases of human rights violations, including torture, in Thailand's southern, conflict-affected regions.

Front Line Defenders urges the authorities in Thailand to:

1. Immediately withdraw the legal action and all charges against Pornpen Khongkachonkiet, Anchana Heemmina and Somchai Homlaor as it is believed these are solely motivated by their legitimate and peaceful work in defence of human rights;
2. Ensure the implementations of recommendations related to the prevention of torture and access to justice for survivors of torture accepted by the Thai government during the recent UN UPR;
3. Guarantee in all circumstances that all human rights defenders in Thailand are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions.

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