



## มูลนิธิวัฒนธรรม Cross Cultural Foundation

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### PRESS RELEASE

ISOC has not withdrawn the defamation complaint against three human rights defenders

Pattani Prosecutor has issued a summons to appear on 27 July 2017

On 20 June 2017, a legal representative from the Muslim Attorney Center on behalf of Somchai Homlaor, Pornpen Khongkachonkiet and Anchana Heemmina met with the Pattani Prosecutor as requested. The lawyer learned that ISOC4 has not officially withdrawn the defamation complaint as they had announced publicly on 7 March 2017. The Pattani Prosecutor requested the three human rights defenders to present themselves again on 27 July 2017.

On 11 May 2016, the Internal Security Operation Command Region 4 (ISOC4) filed a case at the Muang Pattani Police Station against Somchai (Then Chair of CrCF), Pornpen (Director of CrCF), and Anchana (Head of Duayjai group) accusing them of committing criminal defamation and violating the Computer Crime Act. The ISOC4 denied any torture had ever taken place in the region and thereby the report published by Cross Cultural Foundation, which consisted of allegations of torture committed during interrogation in the three southernmost provinces in Thailand, was all false information.

On 7 March 2017 at Sukosol Hotel, Bangkok ISOC publicly announced that ISOC were withdrawing all charges against the three human rights defenders. However, we recently discovered that ISOC has yet to officially withdraw the complaint. The withdrawal of the complaint made by ISOC must be filed with a power of attorney signed by Prime Minister as the Director of ISOC or Chief of Thai Royal Army as Deputy of ISOC. The ISOC 4 must submit the power of attorney to the Pattani Police who must then pass it on to the Pattani prosecutor which they have failed to produce.

According to Surapong Kongjantuk, Chairperson of CrCF “This case is of great strategic importance to demonstrate academic works and human rights works as people’s rights of public participation under the Constitution. The people have rights of participation in providing information and monitoring of human rights situations and that the authorities must perform their duties according to the law and not violate human rights, especially in the Deep South of Thailand, the region where a lot of sensitive issues still exist. The withdrawal of the defamation complaint against the three human rights defenders is the right direction to open up opportunity for participation of CSOs. This will help the responsible authorities to promptly respond to the current situation and to improve or to response to any violent or incident”

The publication of the Report on Torture and other Cruel, Inhuman or Degrading Treatment in the Southern Border Provinces between 2014 and 2015 has been made possible by support from the United Nations for Victims of Torture. It was an attempt to compile the information and facts based on the accounts from the victims who had been subject to torture during 2004-2015 with an aim to help them seek justice and rehabilitation. The torture victims are entitled to access justice and possible assistance to bring them back to society. The report is also an attempt to prevent the act of torture and other cruel, inhuman or degrading treatment and suggest government policy to address unrest in the Southern Border Provinces while under Martial Law and Emergency Decree.

“Some of the victims have enough courage to file complaints or lawsuits against the government officers as an attempt to bring perpetrators to justice. However, many torture victims are still living in fear and not willing to make a complaint or file a case. The practice of torture remains a critical issue and is still the priority of the three human rights defender to continue working on both at policy level as well as documenting and prevention. If the torture practice is not properly addressed there will be more of those effected turning their back on the Thai government, in which case to building peace will be of great difficulty”, said Mr. Surapong Kongchantuk the Chairperson of CrCF

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