

Thailand: Young woman jailed for insulting the monarchy with mock fashion show



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Responding to the conviction and sentencing to two years' imprisonment of protester Jatuphon "Niw" Saeung for participating in a mock fashion show in Thailand in October 2020, Kyle Ward, Amnesty International's Deputy Secretary General, said:

"The mock fashion show was a satirical take on the political situation of the country - a peaceful public event akin to a street festival with music, food and dancing. Participants should not be punished for participating in a peaceful assembly. "These young protesters should be free to express their opinions and participate in discussions in society and should not face the prospect of unwarranted prison sentences and criminal records. "This sentence, which is at least the tenth conviction for lèse-majesté - or insulting the monarchy - handed down since 2011, is a chilling prelude of what's to come: a record number of 210 activists and protesters have been charged under Article 112 of Thailand's Criminal Code since the beginning of overwhelmingly peaceful mass protests in 2020. "We urge the authorities to immediately drop all charges against those who have merely exercised their human rights to freedom of expression and peaceful assembly, and release those arbitrarily detained."

Jatuphon "Niw" Saeung took part in a satirical fashion show on Silom Road in Bangkok on 29 October 2020. She was accused of imitating and mocking the Thai Queen by wearing a traditional Thai dress.

The demonstration was one of dozens that took place that

year, when thousands of predominantly peaceful young demonstrators - including children - took to the streets to demand political, economic and social reforms in Thailand. The authorities have filed criminal proceedings against more than 1,800 activists, including at least 280 children, for participating in the protests.

The Bangkok Criminal Court sentenced Niw to three years in prison today (reduced to two years), after the authorities charged her with insulting the monarchy under Article 112 of the Criminal Code. Under this law, anyone convicted of defaming, insulting or threatening the king, queen, heir-apparent or regent may be given a jail term from three to 15 years. Niw is currently detained at the Central Women's Correctional Institution in Bangkok while awaiting a Court of Appeal decision on her bail request.

UN human rights experts have repeatedly expressed their concern at a rise in the use of Article 112 in Thailand and have called on the Thai authorities to repeal the provision or amend it to bring it into line with Thailand's international human rights obligations. Since November 2020, at least 210 people - including 17 children - have been accused of committing lèse majesté, according to Thai Lawyers for Human Rights, with ten convictions handed down from 2021 to 2022.

Thailand is a state party to the International Covenant on Civil and Political Rights (ICCPR), which protects the right to freedom of expression. The UN Human Rights Committee, has expressed concerns regarding Thailand's lèse majesté laws, saying that all public figures - including those exercising the highest political authority - are legitimately subject to criticism and political opposition and that criticism of state institutions should not be prohibited. Even if the alleged violation of lèse majesté is seen as a defamation-related offence, the committee has said "imprisonment is never an appropriate penalty".

However, the Thai government has repeatedly rejected recommendations that it should abolish the lèse majesté provision.

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Press Contacts

1. Press Office

press@amnesty.org

+44 (0) 20 7413 5566

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