

Thailand (Covid-19): State of emergency extended until the end of June

Wednesday 27 May 2020, by [PRACHATAI](#) (Date first published: 27 May 2020).

The cabinet decided on Tuesday afternoon (26 May) to extend the State of Emergency to the end of June, while civil society organizations have called for the Emergency Decree to be lifted, raising concerns about abuse of power in situations unrelated to the pandemic.

Police officers at the Bangkok Art and Culture Centre (BACC) on 22 May, following the arrest of Anurak Jeantawanich and Dr Tossaporn Serirak, organisers of a commemoration event on the 6th anniversary of the 2014 military coup.

Narumon Pinyosinwat, spokesperson of the Office of the Prime Minister, said during a press conference following the cabinet meeting on Tuesday that, in order to effectively control the spread of Covid-19 and coordinate different agencies involved in combating the pandemic, the 2015 Communicable Diseases Act is not enough and therefore the Emergency Decree is necessary. Narumon also said that there is no political motive behind the cabinet's decision.

The State of Emergency had previously been extended once at the end of April, and, without the latest extension, would have been lifted at the end of May. The Civil Aviation Authority of Thailand (CAAT) has also extended its international flight ban until the end of June.

Meanwhile, prior to the cabinet's decision, the People's Network of 5 Regions, along with a network of other civil society organizations, submitted a letter on Tuesday (26 May) demanding that the government lift the Emergency Decree, as there are concerns about abuse of power in situations unrelated to the pandemic.

The letter stated that, since the number of new Covid-19 cases has reduced significantly and is close to zero, the situation no longer requires the Emergency Decree and the government can use other existing laws to control the situation. It also said that the Emergency Decree severely restricts people's rights and freedoms, and the power under the Decree can be abused as the Decree itself does not have a check and balance system in place.

On 28 April, Sunthorn Duangnarong [[1](#)], a community rights activist from the Chaiyaphum-based Rak Bamnet Narong Group, was arrested and taken to the Hua Thale Police Station, where she was informed that she may be charged for violating the Public Assembly Act, the Emergency Decree, and the Communicable Diseases Act, after she joined about 20 other community members in reading out a statement calling on the government and private mining companies to put on hold any mining-related activities for as long as the Covid-19 restrictions are in place, which was recorded and posted on the group's Facebook page.

"The government must not exploit the pandemic situation to increase the sufferings of the people by intimidation and/or prosecutions of human rights defenders," said Protection International about Sunthorn's arrest. "The government should not use the draconian Emergency Decree to quash dissent, control the population, or as a means to perpetuate their time in power, as was

recommended by UNOHCHR to the government on 27 April 2020. UNOHCHR also emphasized that undermining freedom of expression may do incalculable damage to the effort to contain COVID-19 and its pernicious socio-economic side-effects.”

On 13 May, political activist Anurak Jeantawanich was arrested and taken to the Lumpini Police Station after he organized and participated in a commemoration event on the 10th anniversary of the assassination of Maj Gen Khattiya Sawasdipol [2]. The police report claimed that Anurak violated the Decree by organizing the gathering and posting an invitation on Facebook, and also because many of the participants were not maintaining a safe distance from each other and were not wearing face masks.

On 22 May, when many groups were organizing activities to mark the 6th anniversary of the May 2014 military coup [3], Anurak was arrested again alongside former MP Dr Tossaporn Serirak, after they organized an event in front of the Bangkok Art and Culture Centre (BACC). They were taken to the Pathum Wan Police Station and charged with violating the Emergency Decree by organizing a public gathering that risked spreading infection.

The police in Songkhla also denied a request from a beach conservation network to hold an anti-seawall protest on Muang Ngam Beach last week [4], claiming that the protest would violate the Emergency Decree.

Between 3 - 19 May, 34,669 people have been arrested for charges under the Decree, such as gathering in a group or breaking curfew, including a number of homeless people [5] who were arrested for breaking curfew.

Amnesty International (AI) issued a statement earlier today (27 May) [6], stating that the decree has been used “to restrict movement, peaceful assembly, privacy and freedom of expression, with penalties of imprisonment and/or fines” and calling on the Thai authorities to “ensure all restrictions it imposes on the exercise of rights are proportionate and necessary” and to implement measures to protect the rights of marginalised groups who “are at heightened risk because they cannot effectively protect themselves during the pandemic; face obstacles in accessing information about the virus transmission and adequate healthcare and services; or lack the capacity to comply with the government’s existing measures.”

AI also called on the authorities to “lift charges it has imposed on individuals who are being penalized for exercising their right to freedom of expression; stop the arbitrary detention of refugees and migrants; and refrain from using restrictions to target critics with disproportionate punishments based on politically-motivated grounds.”

“While the right to freedom of peaceful assembly can be restricted where doing so is necessary and proportionate to protect public health, those facing charges for assembling in breach of physical distancing measures must never face prison sentences,” said AI.

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Footnotes

[1] <https://prachatai.com/english/node/8490>

[2] <https://prachatai.com/english/node/8521>

[3] <https://prachatai.com/english/node/8538>

[4] <https://prachatai.com/english/node/8546>

[5] <https://prachatai.com/english/node/8488>

[6] Available on ESSF (article 53429), [Thailand: Covid-19 measures must not be used to violate individuals' human rights](#).