



Representatives of six professional media organizations submitted a complaint to the NHRCT regarding the enforcement of law related to the public administration in emergency situations that affects the freedom of expression of people and media

On 30 July 2021, the National Human Rights Commission of Thailand (NHRCT) led by Ms. Pornprapai Ganjanarintr, the Chairperson, together with the other five Commissioners (Mrs. Preeda Kongpaen, Assistant Professor Suchart Setthamalinee, Ms. Sayamol Kaiyoorawong, Ms. Pitikan Sithidej and Mr. Wasan Paileeklee) had a virtual meeting to receive a complaint from representatives of six professional media organizations, namely the National Press Council of Thailand, the Thai Broadcasting Journalists Association, the Thai Journalists Association, the Thai Radio and Television Journalists Council, the Central Thai Mass Media Workers' Union and the Online News Providers Association with regard to the threat to freedom of expression of people and media. The complaint was concerned with the Announcements No. 27 and No. 29 under Section 9 of the Emergency Decree on Public Administration, B.E. 2548 (2005) issued by the government aiming to combat fake news and disinformation which may cause public misunderstandings during emergency situations and affect national security, public order or public morals. The media representatives viewed that both Announcements have permitted government officials to broadly exercise discretion to restrict media's performance and the use of online media by the public, and thus obviously violated the right to freedom of expression.

In the meeting, the NHRCT exchanged concerns with the media representatives over the enforcement of the two Announcements which will affect not only the freedom of media to present information and report to the public but also significantly affect the right to freedom of opinion and expression exercised by people. The NHRCT has recently recommended the government to review Article 11 of the Announcement No. 27. However, on 29 July 2021, the government issued Announcement No. 29 further instructed the authorities to enforce even stricter and wider measures to cover the use of internet media. Compounded by message recently sent through the Prime Minister's social media channel encouraging relevant authorities to combat all fake news by filing lawsuits against offenders, the NHRCT has grave concern that the exercise of the right to freedom of expression by media and the public will be under threat. This does not benefit the constructive solutions to the COVID-19 pandemic through public participation. The NHRCT will investigate the case and propose policy recommendations to the government.

“The acknowledgement and transmission of information can be inaccurate during the crisis intentionally or unintentionally; however, broad restriction to the right to freedom of expression exercised by people and mass media may not help the country's efficient problem solution,” the Chairperson said.

The NHRCT also took the opportunity to discuss with the media representatives on the cooperation to raise human rights awareness in society. The discussion covered the cooperation in the areas of human rights promotion, constructive communication avoiding the use of hate speech or violation of the rights of others, freedom of expression of people including self-inspection of media to prevent human rights violations themselves.

Office of the National Human Rights Commission of Thailand

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