

Thailand: Strategic Law Suits Against Public Participation (SLAPPs)

Judicial harassment of human rights defenders and whistleblowers

Criminal defamation SLAPPs against Dr. Chutima Sidasathian and Ms. Phasini Khemmalang

Lawyers' Rights Watch Canada issues new report and recommendations

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Thailand's criminal defamation laws continue to be regularly misused to silence and criminalize human rights defenders, journalists, and whistleblowers through illegitimate and protracted strategic lawsuits against public participation (SLAPPs). A current illustration is a two-year judicial harassment campaign against two women human rights defenders and whistleblowers.

A [report](#) released 25 January 2024 by Lawyers' Rights Watch Canada (LRWC) outlines the context of nine criminal defamation SLAPPs against Dr. Chutima Sidasathian, and one against Ms. Phasini Khemmalang. Dr. Chutima faces a trial on 6-8 February 2024 on three criminal defamation charges laid against her by an elected official in Nakhon Ratchasima Province's Banlang District in May 2022. The charges carry penalties of fines and prison sentences of up to two years on each count. Six additional charges were laid on 10 and 11 January 2024.

The criminal defamation cases against the two women whistleblowers are apparent reprisals for their exposure of the local official's alleged involvement in misappropriation of microcredit monies loaned by Thailand's National Village and Urban Community Fund (Village Fund) through the State-owned Government Savings Bank (GSB). The alleged misappropriation has resulted in harm to villagers in numerous communities in Nakhon Ratchasima Province, including financial ruin and three suicides.

Thailand's National Human Rights Commission in 2023 acknowledged the cases against Dr. Chutima as SLAPPs. LRWC's analysis indicates failures by multiple Thai government bodies to effectively investigate and remedy the alleged financial irregularities. Thailand's government has also failed to halt the misuse of criminal defamation laws to harass those who report human rights violations or corruption.

United Nations (UN) human rights bodies, other States, anti-corruption bodies, and numerous human rights organizations have for years urged Thailand to reform its defamation and anti-corruption laws to comply with international law and standards.

Thailand is seeking election to the UN Human Rights Council for the years 2025-2027. The UN requires that every State elected to the Council "shall uphold the highest standards in the promotion and protection of human rights, [and] fully cooperate with the Council." To meet this standard, Thailand should immediately implement all UN recommendations to reform its defamation and anti-corruption laws and halt all judicial harassment of human rights defenders and whistleblowers, including the cases against Dr. Chutima Sidasathian and Ms. Phasini Khemmalang.

LRWC's recommendations include decriminalization of defamation. The full [report](#) is available in English and Thai [ภาษาไทย](#).

Further information:

Lawyers' Rights Watch Canada (LRWC)
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Lawyers' Rights Watch Canada (LRWC) is a committee of lawyers and human rights defenders who promote international human rights, the independence and security of human rights defenders, the integrity of legal systems, and the rule of law through advocacy, education and legal research. LRWC has held Special Consultative Status with the Economic and Social Council of the United Nations (UN) since 2005. LRWC has made numerous [submissions](#) on human rights issues in Thailand since 2006, including letters to the Royal Government of Thailand, *amicus curiae* briefs to courts in Thailand,* and written and oral statements to the UN Human Rights Council.

* See LRWC's joint *amicus curiae* briefs with the International Commission of Jurists (ICJ) to courts in Thailand: *Amicus Curiae* brief, case of [Chutima Sidasathian](#), forthcoming January 2024; *Amicus Curiae* brief, case of [Pratch Rujivanarom](#); *Amicus Curiae* brief, case of [Suchanee Rungmuanporn](#), 2020; *Amicus Curiae* brief, case of [Sutharee Wannasiri and Nan Win](#), 2019; LRWC and ICJ, *Amicus Curiae* brief, case of [Andy Hall](#), 2016.