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Asia - Thailand

In custody for a year

Netizen freed for lack of evidence in lèse-majesté case

2 November 2012

A Bangkok court acquitted the netizen **Surapak Phuchaisaeng** two days ago of charges of insulting the king (lèse-majesté), for which he had been [remanded in custody since September last year](#).

Reporters Without Borders is satisfied with the outcome of this case. "This case, involving a year in custody, underlines the failings of the Thai judicial system, particularly concerning allegations of lèse-majesté," the press freedom organization said.

"Far too often, baseless charges of lèse-majesté are used as a means of silencing dissident voices. Such misuse of article 112 of the [criminal code](#) is also employed for personal reasons.

"The police, who often face allegations of corruption, habitually do not keep a suspect informed when they open an investigation."

Phuchaisaeng was arrested on 2 November last year after allegedly posting photos, video and messages on Facebook. He was refused bail for the whole of the intervening year.

The court gave the accused the benefit of the doubt, ruling that the prosecution had failed to prove that the Facebook account where the content alleged to have insulted the king was posted belonged to him. The newspaper [The Nation](#) said the account in question could not have belonged to Phuchaisaeng since someone logged into it twice while he was in prison.

Doubts about the credibility of the charges arose after he was arrested. His computer was switched on several times while he was in custody and police forensic experts had not yet examined it.

In view of the weakness of the case, the public prosecutor should not appeal against the verdict. The netizen himself has not yet decided whether to bring a counter suit.

Thailand is ranked 137th of 179 countries in the [2011-2012 World Press Freedom Index](#) compiled by Reporters Without Borders and is among countries [under surveillance](#) in the list of Internet enemies, updated by the organization in March last year.

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