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<http://www.rsf.org/thailand-freedom-of-information-assessed-in-09-12-2013,45579.html>

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Asia - Thailand

Situation report

## Freedom of information assessed in embattled Thailand

9 December 2013

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***Amid continuing turmoil and opposition protests that often target news media, Reporters Without Borders has compiled the following assessment of the state of media freedom in Thailand and the threats to its news providers.***

Forty years after a student uprising toppled a military dictatorship, the Thai media are able to criticize the government. The leading English-language dailies, *The Nation* and *Bangkok Post*, and the Thai-language *Daily News*, *Kom Chad Luek*, *ThaiRath*, *Matichon* and *Khaosod Daily* are free to speak their mind on every subject bar one, the king and the royal family.

Like the protesters who showed their respect for King Bhumipol by observing a truce on his birthday last week, most journalists display a similar respect for the monarchy.

During a 2006 coup, the military seized control of TV stations in order to announce a regime change. Political instability ever since then has been the main cause of the threats to Thai and foreign journalists and Thailand's fall in the Reporters Without Borders [press freedom index](#) to its current position of 135th out of 179 countries.

The safety of journalists is also threatened in the south of the country by Islamist rebels who carry out [bombings](#).

As a result of Thai society's extreme polarization, most of the leading political events in recent years have had a big impact on the media, which are ensnared in a power struggle between the two main political coalitions.

The Bangkok headquarters of ASTV, a satellite TV station owned by one of the leaders of the People's Alliance for Democracy (PAD), also known as the Yellow Shirts, was the target of gunshots and grenades in November 2008. At the same time, a pro-government radio station was attacked and, in Chiang Mai, a pro-opposition radio host was gunned down.

Clashes between the army and the United Front for Democracy Against Dictatorship (UDD), also known as the Red Shirts, in Bangkok in 2010 led to the shooting deaths of [Hiroyuki Muramoto](#), a Japanese cameraman working for *Reuters*, on 10 April 2010, and Italian photo-journalist [Fabio Polenghi](#), during an army assault on protesters on 19 May 2010.

Two months after the Red Shirt opposition's victory in the July 2011 elections, *Channel 7* TV journalist **Somjit Nawakruasunthorn** was the victim of a Red Shirt campaign of intimidation.

Last month, protests in Bangkok against a proposed amnesty for Thaksin Shinawatra, a former prime minister now living in self-exile, degenerated into violence against news media accused of [biased coverage](#) of the protests.

Protesters surrounded vehicles owned by *Channel 3* and *Channel 7* and invaded the offices of several media. On 25 November, German freelance journalist **Nick Nostitz** only just escaped a mob egged on by a protest leader, who accused Nostitz of being a "Red Shirt" government supporter.

The threat of lawsuits and prosecution compounds the physical dangers. Journalists take great care with their political reporting to avoid judicial reprisals from either government officials or opposition representatives. In May 2011, the authorities raided ten community radio stations in the Bangkok region that were linked to the Red Shirts.

The threat of a lèse-majesté charge under article 112 of the penal code is used by the authorities to gag the most outspoken media. Any citizen can file a complaint accusing someone of an article 112 violation and the authorities are required to investigate all such complaints.

According to this article, “anyone defaming, insulting or threatening the king, the queen, the crown prince or the regent” is guilty of lèse-majesté.

A Bangkok court’s recent [decision](#) to uphold a suspended prison sentence for **Chiranuch Premchaiporn**, the editor of the online newspaper *Prachatai*, for comments critical of the monarchy posted by visitors to her site has set a disturbing precedent. Those who host online content can now be held directly responsible for what is posted by third parties.

The 11-year jail sentence that [Somyot Prueksakasemsuk](#), editor of the bi-monthly *Voice of Thaksin*, received in January 2013 has had a deterrent effect on the entire national press.

The National Broadcasting and Telecommunications Commission (NBTC), a body created in December 2010 to regulate the broadcast media and telecommunications sector, is having to deal with many questions raised about its methods and transparency, and has yet to contribute to the debate about article 112.

Independent bloggers are also exposed to the threat of lèse-majesté charges. With nearly a third of the population connected to the Internet, the Thai blogosphere is not only very active but also subject to close scrutiny, especially content linked to the monarchy.

The justice ministry created a “cyber scout” unit to track down “illicit” online content in late 2010 and between 80,000 and 400,000 URLs had reportedly been blocked by January 2011. Alternative news sites suspected of supporting the Red Shirts were often censored and criticism of the government in a blog often led to lèse-majesté accusations.

With a conviction rate in lèse-majesté prosecutions still running at around 95 per cent, everything suggests that the authorities intend to continue using this weapon. In fact, the ministry of information and communication technologies said in October that it wanted to [amend](#) the lèse-majesté law so that the authorities could block sites without having to refer to a judge.

As the current protests continue to grow in intensity despite Prime Minister Yingluck Shinawatra’s announcement of parliament’s dissolution, journalists are increasingly exposed to both angry demonstrators and security forces that could at any moment decide that it is time to end the protests.

Reporters Without Borders urges the security forces and protesters not to target journalists and media workers, regardless of the political position of the media employing them.

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