



PRESS RELEASE

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New Thai Law Seeks to Control Online Expression

On 9 May 2007, the Computer Related Offences Act was passed by a massive vote of 119 to 1 by Thai legislators. ARTICLE 19's analysis, however, shows that the law seriously undermines the right to freedom of expression.

Dr Agnès Callamard, Executive Director of ARTICLE 19, said *“If this Bill receives royal assent, it will allow the authorities to take wide-ranging action to control even perfectly legitimate use of computers. This is likely to give rise to a profound chilling effect on the use of the Internet in Thailand.”*

While ARTICLE 19 recognises the importance of addressing computer related crime, the law goes much further than is necessary to do this. Our analysis outlines a number of major concerns with the law, including the following:

- Prohibitions on accessing information over computer systems are unduly broad and overlap with existing criminal laws, as does a new offence of altering pictures of third parties.
- The penalties, which include lengthy jail sentences, are excessive, particularly given the offences.
- “Competent officials” are endowed with extremely broad powers, which are subjected to only minimal judicial scrutiny.
- Liability is extended to service providers, effectively requiring them to become censors.

The recent censoring by the Thai authorities of the entire YouTube site, due to content on the site relating to the King, highlights concerns about the future of freedom of expression and the Internet in Thailand.

ARTICLE 19 calls on the Thai authorities to amend the law before it is brought into force to bring it into line with international and constitutional standards on freedom of expression. We also call on the authorities to ensure respect for freedom of expression on the Internet.

NOTES TO EDITORS

- For a copy of the analysis of the draft Computer Related Offences Act, see: <http://www.article19.org/pdfs/analysis/thai-internet-mar-07.pdf>
- For more information, please contact Toby Mendel, Law/Asia Programmes Director, a19law@hfx.eastlink.ca.
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees freedom of expression.