

No. 521011/09



PERMANENT MISSION OF THAILAND
GENEVA

26 January B.E. 2560 (2017)

Dear Sirs,

With reference to your joint letter ref. UA THA 1/2017 dated 24 January 2017, concerning the arrest and detention of Mr. Jatupat Boonpataraksa, a student activist, and the request for additional information about the said case as well as clarification on the use of the *lèse-majesté* provision and the Computer Crime Act, I would like to inform you that your letter has been duly forwarded to the relevant agencies in Thailand for their consideration and their response will be conveyed to you as soon as it is received.

In the meantime, I wish to provide initial clarification as follows:

1. The case of Mr. Boonpataraksa is currently in the Court's proceedings. The Government is not in a position to intervene in the proceedings while the judiciary exercises its power independently and impartially in accordance with the law. Mr. Boonpataraksa's bail was revoked after the Court viewed that he violated his bail conditions by repeating his offense.

2. The Government supports and values freedom of expression and believes that it is the basis of a democratic society. Nevertheless, it must be exercised within the boundary of the law and not in a manner that disrupts public order and social harmony or infringe upon others' rights or reputations, as stipulated in Article 19(3) of the International Covenant on Civil and Political Rights (ICCPR). The application of the *lèse-majesté* law is hence in accordance with these objectives.

In reassuring you of Thailand's continued commitment to cooperating with all Special Procedures under the Human Rights Council to promote and protect the human rights of all people, I remain,

Yours sincerely,

(Thani Thongphakdi)

Ambassador and Permanent Representative

Mr. David Kaye,

Special Rapporteur on the promotion and protection of the right to freedom of
opinion and expression;

Mr. Michel Forst,

Special Rapporteur on the situation of human rights defenders;

Office of the United Nations High Commissioner for Human Rights,
GENEVA.