



Southeast Asian Press Alliance

538/1 Samsen Road, Dusit, Bangkok, 10300 Thailand

Phone/Fax (662) 2435579, Email: seapa@seapabkk.org

PRESS STATEMENT - THAILAND

23 June 2004

Thai Criminal Court Decision to Accept Libel Suit Alarming

Source: Southeast Asian Press Alliance (SEAPA), Bangkok

The following is a 22 June 2004 statement by SEAPA:

The Southeast Asian Press Alliance (SEAPA) is alarmed by the decision of a criminal court in Thailand to accept a libel suit filed by a Thai telecommunications conglomerate owned by Prime Minister Thaksin Shinawatra's family against media reform campaigner Supinya Klangnarong, a local newspaper and three of its editors for a story alleging that the company was benefitting under Thaksin's tenure.

The court ruled on 22 June 2004 that Supinya, the secretary-general of the Campaign for Popular Media Reform and the four other defendants from the local-language Thai Post "could be found guilty under the Criminal Code for conspiring to publish a libelous statement against Shin Corp". The court set 6 September 2004 as the start of the trial in Bangkok.

The court's decision marks the beginning of what could be a landmark case to test the justice system's impartiality and gauge civil society's resolve in keeping government and its business cronies in check. It would also test the government's adherence to constitutional guarantees on the public's right to free expression and information.

Shin Corp's libel suit stemmed from a story quoting Supinya, who said that based on facts that she had gathered, it appeared that the corporation was a major beneficiary of Thaksin's policies, judging by the sharp rise in its profits since he became prime minister in February 2001. The story was published by the Thai Post on 16 July 2003. The court started hearing the complaint on 01 December 2003.

SEAPA is concerned that the court decision allowing the libel suit to proceed could undermine the right of journalists and civil society to scrutinise and question government policies or decisions which are inimical to the public's interests and set a precedent for future cases which the government could use to intimidate and silence its critics.

"I am not totally surprised by the court's decision, although I feel a little bit upset about it," Supinya told SEAPA.

Supinya insists she has the right to express herself, adding her statement was based on facts and a long-time research on an emerging pattern of media ownership by big business groups in Thailand. "If I shied away from speaking up, who would dare speak up when our data is clear enough to take a company with a conflict of interests with politics to task," she said.

Founded in 1983, Shin Corp controls iTV television station, owns the country's biggest mobile phone company and Internet provider and holds a monopoly on the satellite communications business. According to the company's financial statement, its income rose to the equivalent of 3.0 billion U.S. dollars in 2002 from 2.02 billion dollars in 2001.

(This statement was sent to Shin Corp in Bangkok on June 23, 2004))

We call on IFEX members to send protest letters to the following address:

Boonkee Plangsiri
Chief Executive Officer
Shin Corporation Public Company Limited
414 Phaholyothin Rd
Phayathai, Bangkok
Thailand
Tel: 66-2-2995555
Fax: 66-2-2995039

Thank You
SEAPA Alert Coordination