



**Pattani Provincial Court Schedules Witness Hearings from 11–13 December 2024 in the Case of "Asmadee Bueheng," an Independent Journalist and Human Rights Defender Focused on Community and Environmental Rights, and the Mother of a Man Extrajudicially Killed by State Officials.**

Both have been charged with "resisting or obstructing an officer" by state officials. Legal counsel urges close monitoring of the trial, as the court's decision will set a precedent in the Southern Border Provinces, particularly regarding the rights of a mother to carry out religious rites for her son's body and the protection of freedom of the press to report or observe events.

Asmadee has denied all charges, reaffirming the principles of freedom of expression and the public's right to access information, and is committed to fighting the charges through every step of the legal process.

On 2 September 2024, the Pattani Provincial Court held a rights protection hearing, taking testimony, reviewing evidence, and scheduling witness hearings in the case where the Pattani Public Prosecutor is the plaintiff. The defendants are Ms. Maeda Sani, mother of Mr. Haisam Samae, who was extrajudicially killed by state officials in a security-related case, and Mr. Asmadee Bueheng, an independent journalist and human rights defender focused on community and environmental rights, who had observed the situation and collected information on individuals extrajudicially killed in the Southern Border Provinces. Both have been charged with resisting or obstructing an officer while performing their duties or a person assisting an officer under the law in performing their duties, using force or threats of force, in association with three or more persons, under Sections 83, 138, 140 of the Penal Code and Order No. 41 of the Revolutionary Council (1976).

The prosecutor alleges that on 28 April 2023, Ms. Maeda Sani and Mr. Asmadee Bueheng obstructed the work of officials while removing Mr. Haisam Samae's body from Pattani Hospital before officials could complete the identification and fingerprinting necessary for the investigation. Mr. Haisam Samae had been extrajudicially killed by military personnel and was under investigation for a security-related case.

Legal counsel has called for close scrutiny of the trial, noting that the court's decision will set a precedent in the Southern Border Provinces regarding a mother's right to carry out religious rites for her son's body and the protection of press freedom to report or observe such incidents.

Human rights lawyer Athiwat Saengkui stated that this was a rights protection hearing, taking testimony, reviewing evidence, and scheduling witness hearings, originally postponed from 1

July 2024. The defendants denied the charges, affirming their rights to a fair trial under the justice system. The court has scheduled witness hearings for 11–13 December 2024.

The lawyer further explained that this case originated from an incident where state officials extrajudicially killed a suspect with an arrest warrant and moved the body to Pattani Hospital, claiming it was for an autopsy. The subsequent removal of the body for religious rites under Islamic law, which mandates burial within 24 hours, led to the current legal charges. The first defendant, the mother of the deceased, has already suffered the loss of her son and now faces charges of resisting or obstructing an officer. This situation only exacerbates the grief of the bereaved. The second defendant, an independent journalist exercising his freedom of the press to observe and report on the situation, is also facing charges. The lawyer emphasized that the trial's outcome will be a significant precedent in the Southern Border Provinces regarding the rights of bereaved families and press freedom.

Asmadee, who has denied all charges, reiterated his commitment to the principles of freedom of expression and the public's right to access information. He expressed his belief that his actions in observing and documenting the incident were lawful and did not constitute any wrongdoing.

Asmadee highlighted the importance of these rights in a conflict-ridden region, where access to truthful information is often the first casualty. He pointed out that the use of legal action against journalists and human rights defenders is a strategy to suppress public discourse and instill fear among communities.

Asmadee also voiced concerns about the impact of the charges on his family, who live in a culturally mixed community of Buddhists and Muslims. The charges have damaged his and his family's reputation in the community, a situation that will take time and effort to heal. He emphasized that his work aims to preserve the right of communities to determine their own futures and restore relationships that have been fractured by conflict.

Asmadee remains committed to continuing his work, despite the risks and challenges, to ensure that the truth is brought to light.

Under unjust laws such as martial law, extrajudicial killings should not occur and must be subject to fair and impartial investigation to restore justice to the victims and their families, rather than further victimizing them with additional charges. Pranom Somwong from Protection International, an organization working with human rights defenders, stated that the state has a fundamental obligation to protect the rights and freedoms of journalists and independent media under international human rights law, even under martial law. The state must respect freedom of expression, ensure the safety of journalists, and guarantee fair judicial processes.