

Why should the NCPO Announcements/Orders be rescinded?

It is somewhat familiar for after the seizure of power by the coup makers, they often exercise their special powers to issue Announcements or Orders to keep the situation under control. The sheer number of Announcements/Orders issued by invoking such special powers by the National Council for Peace and Order (NCPO), is however, jaw-dropping.

Until December 2017, NCPO has decreed 208 Announcements and 127 Orders plus another at least 179 Head of the NCPO Orders, altogether 514. The number keeps rising over the years of their reign.

Such Announcements/Orders have been issued invoking special power to serve the all aspects of the NCPO's policies covering summoning individuals to report themselves, a ban on political gathering, control of content in media, forest invasion solution, the restive Deep South's issues, education and public health reform, police reform, natural resource management, the declaration of the Special Economic Zone (SEZ), etc. A ruling has been made once by the Administrative Court that the exercising of special power invoking the Head of the NCPO Orders is not subjected to the Court's jurisdiction.

Into the fourth year of the military junta and based on iLaw's monitoring of the issuance of Announcements/Orders and their enforcements, we have found at least 35 Announcements/Orders concerning people' freedom of expression, press freedom, the right to justice process and community rights should be rescinded as a result of;

1) A series of Announcements/Orders were issued during the beginning of the seizure of power and in order to restore normalcy and since such normalcy has been restored, such Announcements/Orders should be considered out of date and no longer necessary.

2) A number of Announcements/Orders impose excessive restrictions on people's rights and freedoms. They were initially issued to stave off any opposition during the seizure of power. Since the country's normalcy has been restored, such rights and freedoms should also be restored as well.

3) In 2018, Thailand should be heading to new general elections under the new Constitution. To restore democracy, an open society is needed and people must be allowed to express themselves and to organize political activities without any restriction. This would make possible direct democracy with direct public participation.

4) Should any Announcements/Orders be found beneficial to public interest, they should then be rescinded and enacted through and normal legislative process with public participation and should be vetted based on checks and balances. It is not necessary to keep relying on special power for too long.

The 2017 Constitution's Section 279 provides that all announcements, orders and acts of the National Council for Peace and Order shall be considered constitutional, lawful and effective under this Constitution, unless they are repealed by the enactment of the new Acts.

The next parliament that will be elected should have the role to select and review each of the Announcements/Orders. Until such legislative powers are in place, people should exercise our rights and duties to propose the abolishment of any Announcements/Orders that impose restriction on our rights.

Issue 1

Announcements/Orders the stifle freedom of expression

The aftermath of the 22 May 2014 coup saw a deteriorating situation of human rights, particularly freedom of expression. The National Council for Peace and Order (NCPO) has made attempts to curtail people's expression through different ways including imposing a ban on political assembly and punishing those who acted in defiance of the terms imposed by the NCPO, which can be categorized as follows;

1. A ban on five-person political assembly

● The NCPO Announcement no. 7/2014: Banning political gathering

After ascending to power, the NCPO has right away issued the NCPO Announcement no. 7/2014 banning illegal gathering and political assembly of five persons and upward. Any violation of the restriction may land the person in jail for not more than one year and a fine not more than 20,000 baht. It was meant to put the situation under control. According to iLaw's documentation, we have found at least 52 individuals have been held to account for violating the Announcement as a result of their making an expression or any symbolic activity, i.e. by participating in a public demonstration or holding a protesting sign, or reading a poem or even by posting one's picture flashing three fingers. All of those facing legal action have vented their opposition to the coup.

In addition, the Announcement has been used as a tool to interfere with or to prevent any activity by the people. For example, the Amnesty International Thailand's Light Up Night: The Night of Human Rights held in Chiang Mai, had to be suddenly called off as the organizers received a call from military officers who told them to not press ahead with the event since it might violate the NCPO Announcement. The authorities claimed the event had something to do with politics. Also, the activities by the "Energy Reform Thailand" which had been calling for a reform of petroleum concession system, the use of renewable energy, and a reduction of reliance on power generated by

coal, were interfered by the officers who made the arrest of the organizers of the event and held them in custody for four days claiming they had violated the rule against a five-person assembly.

- **The NCPO Announcement no. 49/2014: Banning support for political assembly**

The NCPO Announcement no. 49/2014 prohibits anyone from supporting or helping people who want to participate in a political assembly, i.e. by preventing them from using the venue, or giving them any supplies to organize a political assembly such as amplifiers, tents, power generators. Any violator can be punished by two thirds of the punishment per the NCPO Announcement no. 7/2014, or an imprisonment of not more than eight months or a fine not more than 13,333 บาท. The supplies offered to facilitate the assembly can be subject to a seizure as well, even though the owners of the supplies are not directly involving with organizing the assembly. Therefore, the Announcement aims to create more burden and heap pressure on the public in general preventing them from taking part in the social movement.

- **The Head of the NCPO Order no. 3/2015: It does not matter what the issues are, no one is allowed to assemble.**

After lifting Martial Law, NCPO has imposed the Head of the NCPO Order no. 3/2015 instead invoking Section 44 of the 2014 Interim Constitution. Article 12 of the Order states that “Political gatherings of five or more persons shall be punished with imprisonment not exceeding six months or a fine not exceeding ten thousand Baht, or both”.

Owing to the Announcement, at least 217 individuals have been charged. Many of them have been charged more than once. Most of them have to stand trial in the military court including 14 members of the New Democracy Movement (NDM) who had allegedly gathered in a rally and held banners bearing statements including ‘Down with Dictatorship, Long Live Democracy!’. Or the case of ‘Preecha’, a 77-year-old-retired-government officer who offered a flower bouquet to show his solidarity with Pansak Srithep, who was walking to demand a stoppage of trying civilians in military courts. In another case, eight faculty members from various universities in the name of the “Network of University Lecturers” have held a press conference on “Universities Are Not Military Barracks” at a hotel in Chiang Mai. They issued a press statement responding to a remark by Prime Minister Prayut Chan-o-cha that some university lecturers had instigated students to oppose and defy rules.

Obviously, the three Announcements and the Head of the NCPO Orders have been used as a tool by the power that be to impeded movements against them or to stifle any criticisms against them. Those who have been charged have to spend their time and money to travel to the Court to defend themselves and to bail themselves out. Some have to concede to certain conditions in exchange of the dropping of the charges including being barred from participate in any further political activity. This has led to restriction of rights and freedoms and public participation in politics. It has rekindled the climate of fear and rendered a chilling effect in the society under the rule of the NCPO. It has even

discouraged local people who have been affected by laws and policies from gathering among themselves to make their voices heard.

2. Political parties barred for meeting or doing any activity

- **The NCPO Announcement no. 57/2014 barring political parties from holding meetings or making any political move**

The attempt to subjugate has not been applied to just ordinary people, but also 'political parties'. On 12 June 2014, the NCPO has issued the Announcement no. 57/2014. Its Article 2 states that 'in order to maintain peace and order, all existing political parties are prohibited from holding meetings or undertaking any political activity; the establishment or registration of prospective political parties shall be temporarily suspended; the allocation of monetary aid to political parties from the Fund for the Development of Political Parties shall also be temporarily suspended.'

Even if the junta has pledged to hold elections within 2018, but given the implication of this Announcement, no new political parties can be established and the existing political parties shall not be able to perform their duties as provided for by law. Should the Announcement not be rescinded, no elections can be held since according to the organic law on political parties, all political parties have to convene meetings and recruit members as much as required and have their members pay the membership fees and have all the branches established in all regions within 180 days.

3. Offences relating to failure to report oneself as summoned by the NCPO

- **The NCPO Announcement no. 25-29-41/2014: Failure to report to the NCPO is a legal offence**

In addition to banning political assembly, NCPO has issued Announcements to deal with people who have defied their instructions. For example, the Announcement no. 25/2014, 29/2014 and 41/2014 which require summoned individuals to report themselves within a period of time. Any violation and any failure to inform the authorities the reasons of absence shall be punished by an imprisonment of not more than two years and a fine not more than 40,000 baht or both.

Nevertheless, as far as we can gather, there have been 14 people who have been prosecuted invoking the three Announcements. Most of the alleged offenders are anti-coup activists or politicians who do not want to cooperate with the NCPO including Chaturon Chaisang, a former Phue Thai MP, who posted in his personal facebook account declaring his intention to not report himself to the NCPO since he did not agree with the coup makers. As a result, he has been indicted with the military court for defying the summon order. In another case, Worachet Pakeerut, a renowned law professor was

abroad and could not come back in time to report himself. In most cases with defendant's confession, the Court has convicted the defendants and sentenced them to suspended jail term and a fine.

NCPO has continually used this summoning power as a tool to intimidate and scare people who want to express themselves socially and politically. According to our documentation, more than 1,300 individuals have been summoned to report themselves. For some, upon their arrivals at the military barracks, they would be held in custody there for up to seven days. The Announcements that penalize those who fail to report themselves have simply spurred the climate of fear among activists on public interest issues.

4. Offences relating to breach of agreement with the NCPO

- **The NCPO Announcements no. 39-40/2014 and**
- **the Head of the NCPO Order no. 3/2015: Breach of NCPO's condition is a legal offence**

The NCPO has invoked its power to summon individuals to report themselves and used it as tool to suppress dissenters. Martial Law and other powers have also been invoked to make the arrest, hold the persons in custody and charge them. Prior to releasing them, the persons held in custody are required to sign a contract, aka 'MOU' which sets out conditions, among others, the prohibition of political activity or support for any political activity.

The NCPO Announcements no. 39/2014 and 40/2014 impose release conditions for people summoned by NCPO and later held in custody. It is prescribed that anyone found to have breached the contract shall be punishable by an imprisonment not more than two years or a fine not more than forty thousand baht, or both. They also have to concede to having their financial transactions frozen as well. Later the NCPO issued the Head of the NCPO Order no. 3/2015. Its Article 11 prescribes punishment for the persons who have been released on conditions and have been found to commit a breach of conditions, albeit the punishment is reduced by a half and the person shall be punished with imprisonment not exceeding one year or a fine not exceeding twenty thousand baht, or both.

Nevertheless, the NCPO has used such Announcements to put all these released activists under their pressure in order to deter them from making carrying on any activism. People who have been prosecuted invoking the Announcements are for example, Wattana Muangsuk, who was prosecuted for breach of conditions for release after having posted a comment in his personal facebook to oppose the Draft Constitution. Another person is Sirawith Seritiwat, aka 'Ja New', a student activist who was charged for organizing an activity together with members of the Citizen Resistant Group. Previously, Sirawith was held in custody under Martial Law and was released after signing an agreement prepared by the authorities.

Issue 2

Announcements / Orders curtailing press freedom

During the seizure of ruling powers, the NCPO saw it necessary to control the flow of information to ensure their smooth ruling. They relied on traditional modus operandi including sending military personnel to control all major TV stations, temporarily halting broadcasting of all stations. The broadcasting has been resumed after it was ensured that they could control the situation.

On 22 May 2014, right after the seizure of power, the NCPO issued [the NCPO Announcement no. 14/2014](#) barring any media from interviewing people in a manner that may create more conflict, distortion or lead to confusion in the society. [The NCPO Announcement no. 15/2014](#) has led to the shutdown of 14 political TV channels and all community radio stations countrywide. And [The NCPO Announcement no. 18/2014](#) prohibits all media including online media from false information that is detrimental to national security and critical of the NCPO, or instigating people to rise up against the NCPO or inciting conflicts. Both Announcements were applied to all media and the content was very broad, basically covering almost everything the NCPO deemed unfit for broadcast. Later the NCPO has also issued a lot more Announcements and Orders which can be categorized as follows;

1. Announcements/Orders controlling mainstream media and authorizing NBTC with powers to interpret and punish

On 18 July 2014, the NCPO has issued the NCPO Announcement no. 97/2014 to control media replacing the NCPO Announcements no. 14/2014 and 18/2014, whereas the content of the new Announcement was barely different from the previous ones. The legal move was, however, met with fierce resistance from professional media organizations. Three days later, the NCPO has thus issued the Announcement no. 103/2014 to relax certain clauses. But the two Announcements contain no procedural clauses. Two years later, the Head of the NCPO, invoking his power per Section 44, has issued the Head of the NCPO Order no. 41/2016 to authorize the National Broadcasting and Telecommunications Commission (NBTC) many tasks.

- [NCPO Announcement no. 97/2014: Censor media from creating distortion](#)

Such announcement bars print and broadcast media from interviewing people in a manner that may create more conflict, distortion or lead to confusion in the society. All media including online media are required to broadcast information supplied by the NCPO and are prohibited from broadcasting false information that is detrimental to national security and critical of the NCPO, or instigating people to rise up against the NCPO or inciting conflicts. Furthermore, all Provincial Governors and Provincial Police Commanders were instructed to suppress any demonstration or activity to oppose the NCPO.

- [NCPO Announcement no.103/2014: Refer cases to professional media associations](#)

Such announcement was issued to amend the Announcement no.97/2014 changing from prohibiting any criticism against the NCPO to prohibiting any criticisms with unfaithful intent and based on false information and from the direct sanction by the NCPO to halt the broadcast, now, the matter shall be referred to the professional media organizations for an ethical investigation.

- [The Head of the NCPO Order no. 41/2016: NBTC shall take the power without accountability](#)

Such announcement practically makes any broadcast content in violation of the NCPO Announcement no. 97/2014 and 103/2014 unlawful per Section 37 of the Broadcasting Business Act B.E. 2551 (2008). As a result, the NBTC is authorized to investigate and punish owners of broadcasting stations with a fine not exceeding 50,000 baht or to stop its broadcasting or to close down the station that violates the law. Meanwhile, apart from empowering the NBTC to control news and information, it also exempts officers who faithfully took action from being held liable in criminal or civil litigation or from any disciplinary action.

In addition to the three Announcements, the NCPO has invoked its power to issue NCPO (specific) no. 12/2014 on 19 June 2014 to set up the Committee to Monitor the Dissemination of News and Information to monitor and review the dissemination of news and information and to invite concerned persons to give information and to refer the case to the attention of NBTC which shall mete out a punishment against the media. The Order has yet to be disclosed to the public, so we have no idea as to the members of the Committee.

In practicality, apart from the direct enforcement of NCPO Announcements, according to mainstream TV stations, the NCPO has also resorted to other methods including inviting media for a discussion, sending them a warning letter, without invoking its power as to the Announcements. As a result, most media have been put under soft control. Such subtle control does not provide record to the public making it difficult to investigate. Still, the impacts on the censorship is not different from direct enforcement of the Announcements.

According to our information, most media that have been subject to stringent control by the enforcement of the NCPO Announcements are most those featuring political content and show their stands opposed to the NCPO. Some case studies can be presented here.

Case studies: PeaceTV warned, shut down, only saved by injunction from the Administrative Court

In April 2015, the Taskforce to Monitor Broadcasting Business has found the '*Mong Thang Klai*' program by PeaceTV featuring content that in a manner that may create more conflict, distortion or lead to confusion in the society, or that may lead to division in the Kingdom. The case was referred

to the NBTC on 23 March 2015 and by majority vote, a decision was made to send PeaceTV a written warning.

Later on 30 March 2015, by majority vote, the NBTC decided to suspend broadcasting licenses of PeaceTV for seven days as a result of the broadcast of '*Mong Thang Klai*' '*Kid Rob Dan*', '*Dern Na Tor Pai*' and '*Khao Jai Trong Kan Na*' programs being effective from 10-17 April 2015.

After PeaceTV has resumed its broadcast, the Taskforce continued to refer to NBTC more complaints against the channel. On 27 April 2015, by majority vote, the NBTC decided to revoke licenses of PeaceTV, basically to shut it down permanently claiming a recurrence of offence, even it had received warnings and had its licenses suspended already. PeaceTV decided to file the case with the Administrative Court to revoke the NBTC's order. The Court has granted an injunction and as a result PeaceTV could resume its operation again.

On 9 August 2017, the NBTC yet again decided to suspend its PeaceTV's licenses for 320 days as a result of the broadcast of '*Khao Jai Trong Kan Na*' and '*Hong Khao Lao Rueng Sud Sapda*' " in September 2017 claiming the station has breached a condition in the MoU.

Case study: VoiceTV, the usual suspect subject to 14 inquiries

Under NCPO rule, the executives of VoiceTV have been punished by NBTC 14 times including receiving warnings, having some programs suspended, having some news anchors suspended, having the whole channel suspended, etc. All of the broadcast that has led to sanctions against VoiceTV was always relating political hot issues, for example;

30 March 2015: NBTC made an inquiry into VoiceTV's Wake Up Thailand featuring a discussion with reporters on the Reporters' Day and about the tax money which has been used to support the junta-appointed National Reform Steering Assembly. As a result, VoiceTV received a written warning and was instructed to be more careful and to review their content prior to broadcast as well as to review the qualifications of the news anchors. VoiceTV was basically told to refrain from featuring critical and violence prone content and the featuring of personal opinions.

15 February 2016: NBTC made an inquiry into 'The Daily Dose' on the issue concerning the minority who refuse to accept majority rule. The content was deemed a violation to the NCPO Announcements no. 97/2014 and 103/2014. As a result, 'The Daily Dose' was suspended for three days.

15 August 2016: NBTC made an inquiry into Wake Up News on social consensus that the NCPO shall not draft the next Constitution, on Prayudh declaring his intent to stay long and it does not matter of the Draft Constitution would be endorsed or not, and on other issues. NBTC made its ruling based on two issues which were deemed a breach of the NCPO Announcements no. 97/2014 and 103/2014. As a result two news anchors, Nattakorn Devakula and Atukkit Sawangsuk, were suspended for ten days.

27 March 2016: NBTC suspended VoiceTV's broadcast for seven days deeming four of its programs are in breach of the NCPO Announcements and Section 37 of the Broadcasting Business Act B.E. 2551 (2008).

Press control Announcements lifted, but normal laws are waged against 'unlawful' content

Principally, media regulation should fall in the hand of professional media regulator composed of representatives from the media who understand about how the press work or members of the public who can be directly affected by media. But according to normal laws, the NBTC can invoke its power per Section 37 of the Broadcasting Business Act B.E. 2551 (2008) to prohibit any broadcast of content deemed to aim at destabilizing a constitutional monarchy and causing impacts on national security, social order and moral high ground in society or featuring obscene content or causing severe mental or public health deterioration. The conditions set forth are so vast and seem to cover everything and it is apparently unnecessary to have the NCPO Announcements to broaden the provisions of the law.

Even without the Head of the NCPO Order no. 41/2016, NBTC could already exercise its power to review and sanction media, though they can be held liable for such actions, similar to other government agencies and officers who could be held to account. But as long as this Order becomes effective, NBTC is allowed exercise its unchecked powers and it paves the way for arbitrary use of power.

In addition, if any media are found to have broadcast unlawful content, those concerned including the producers, editors and the stations' executives can be held liable for each of the provision of the laws, for example, lese majeste case for the violation of Section 112 of the Penal Code, inciting public unrest per Section 116, libel per Section 328 of the Penal Code, etc.

As the country is transiting toward democracy, press freedom and their ability to efficiently criticize the power that be is very pivotally significant. They should be subject to punishment simply for being deemed 'instigating conflicts', or 'creating confusion' per the NCPO Announcements/Orders. The Announcements/Orders that have been issued to deal with an abnormal situation should therefore be rescinded and the authorities should resort to using normal regulatory laws instead.

2. Three Announcements for regulating online media deemed carrying inciting content

Online media's unique characteristic is they just do not belong to any single and clear broadcasting outlet. As a result, it is impossible for the NCPO to contain such media by despatching troops to lay siege to a particular station. Right after the coup, online media continues to serve as a venue through which people can gain access to information different from what has been featured by mainstream media. Thus, the NCPO found it pertinent to promptly issue Announcements to put online media under its control including;

- [The NCPO Announcement no. 12/2014: Seeking cooperation from online media](#)

Such announcement was issued in order to seek cooperation from online media dated since 22 May 2014. Basically, all the media operators are asked for cooperation to not disseminate information that may incite, instigate and harbour violence and defiance of the laws and incredible information as well as any information deemed critical to the NCPO. The Announcement also prescribes that if any media is found to not act in compliance with the NCPO's instructions, their broadcasting rights shall be immediately terminated and they can be held liable criminally as well.

- [The NCPO Announcement no. 17/2014: internet providers must remove 'national security' content](#)

Such announcement was issued on the same date. All the ISPs are instructed to monitor, investigate and suppress the dissemination of distorted news and information which may have led to an unrest in the Kingdom or may impact national security or moral high ground of the public. All the ISPs were summoned for a meeting at the Office of the NBTC the next day.

- [The NCPO Announcement no. 26/2014: Special taskforce to block websites](#)

Such announcement authorizes the Permanent Secretary of the Ministry of Information and Communication Technology (MICT) (which has since been transformed into the Minister of Digital Economy and Society - DE) to establish a taskforce whose powers include the following;

- 1) To monitor or gain access to internet traffic and the content that is aimed at inciting, instigating and harbouring violence, a lack of truth, and a lack of respect for the law, as well as antagonism toward the NCPO.
- 2) To suppress the dissemination of websites whose content is deemed as (1).
- 3) To coordinate with the NCPO to exercise power against concerned parties.

Concerns about broad meaning of the Announcements and their misuse

The three NCPO Announcements bestow on NCPO immense and omnipotent power concerning the control of online communication. There are three major concerns including;

(1) NCPO Announcements pave the way for misuse of legal procedure According to Section 20 of the current CCA, it prescribes that the censorship of any content can only be done with prior approval from the Minister of Digital Economy and Society (DE) and the Court. As to access to internet traffic, per Sections 18 and 19, the access can be done at different levels. For unencrypted data, the authorities can request for it directly from the ISPs. But to gain access to encrypted data, a warrant from the Court is needed. But the NCPO Announcement no. 26/2014 authorizes the newly established Taskforce to carry out the decryption directly.

In addition to, the NCPO Announcement no.12/2014 prescribes that if the ISPs fail to suppress the dissemination of information, NCPO has the power to shut down the operation of the ISPs. Such

power is unprecedented. As a result, the ISPs are compelled to suppress the dissemination of information, otherwise, it might deal them a fatal blow.

(2) The NCPO Announcements set out broad criteria over the unlawful content, for example, the use of terms such as “distortion” “inciting” “instigating” “harbouring violence” “a lack of credibility and a lack of respect for the law” “affecting national security and moral high ground of the public” “opposition to the NCPO”, etc. Internet users can hardly know the boundaries as to what kind of information they can lawfully disseminate. It has incurred among ISPs enormous burden to monitor their own content. The use of such broad terms has paved the way for the discriminatory interpretation and enforcement, targeting certain kinds of information and certain groups of individuals that are deemed a target of the NCPO.

(3) The NCPO Announcements no. 12/2014 and 17/2014 aim at forcing the ISPs to, instead of the authorities, monitor and suppress the dissemination of content. There are both pros and cons letting the ISPs carry out the tasks. On one hand, it helps make it easy and prompt, on the other, since ISPs are individual private entities, they may use their own discretion to carry out the actions which can be different from one to another depending on the legal opinions of each of the ISPs. Certain ISPs may deem it fit to censor certain content whereas other ISPs may act otherwise. In addition, the access and censorship of the dissemination of the content by the ISPs can be done using stealth technologies of each of them leaving no trace for investigation which censor is made by whom. And people may not be aware of such surveillances and censorships and the underlying reasons. This makes it different from normal procedure whereby the authorities are required to first seek a warrant from the Court since all the actions shall be recorded in the Court’s database. Such information is retrievable. If there is any misuse of the procedure, it would be easy to trace back liabilities.

After the powers seized, the use of normal laws should be restored

After the NCPO has issued the Announcement no. 17/2014 to summon all ISPs to meet with the NBTC and to be informed of guidelines they are required to follow. Therefore, the three Announcements exist simply to intimidate ISPs making them feel they are compelled to act in their compliance. And whenever the NCPO finds it pertinent to exert its special power to regulate internet content, it can do so by invoking the three Announcements.

Moving to 2018, there are no apparent attempts to act in defiance of the rule of the NCPO. NCPO virtually seizes the ruling powers under the new Constitution and a transition is being made toward the new elections. The three NCPO Announcements which have been issued to bestow on the authorities enormous powers to contain immediate situation are therefore out of date and irrelevant. Even if the current government wants to regulate online media’s content, it can still have a recourse to do so via enforcing the Computer Crime Act (CCA) which generally enables it to do so. CCA also

provides for clearer procedures when compared to the NCPO Announcements and prescribes checks and balances to regulate the exercise of powers by the authorities.

Issue 3

Announcements/Orders affecting justice process

During the rule of the NCPO, military authorities have been empowered to have a direct role in the justice process. The NCPO has issued at least eight Announcements to bestow on the military authorities jurisdiction and power over criminal cases. They are authorized to summon any individual for inquiry or to interrogate any civilian for certain criminal offences. The jurisdiction of the military court over political-related offences and the designation of off-limit areas have been used to criminalize many individuals including;

1. Announcements/Orders concerning trying civilians in the military court

On 25 May 2014, three days at the seizure of power by the NCPO, two Announcements were issued to expand jurisdiction of the military court over certain legal actions against civilians.

- **The NCPO Announcement no. 37/2014 to try civilians in the military court in politically motivated cases**

The NCPO Announcement no. 37/2014 bestows on the military court power to try cases against civilians on the following offences;

- (1) An offence against the monarchy per the Penal Code's Sections 107 - 112
- (2) An offence against national security per the Penal Code's Sections 113-118 and
- (3) An offence against the NCPO Announcements/Orders, i.e. failure to report oneself as summoned, or holding a political assembly with five persons and upward, among others.

- **The NCPO Announcement no. 38/2014 expanding jurisdiction of military court over related cases**

The NCPO Announcement no. 38/2014 has been issued to expand the implication of the Announcement no. 37/2014. It essentially authorizes the military court to try civilians on related offences. For example, by posting offensive messages against the monarchy, one can be held liable for offences against several legal provisions including the violation of the per Penal Code's Section 112, which already falls under jurisdiction of the military court per the Announcement no. 37/2014 and

the violation of the CCA's Section 14(3), which does not fall under jurisdiction of the military court. But if the person has committed such an offence, they can be tried in the military court. Or if one is alleged to have violating a ban against political assembly, the offence of which falls under jurisdiction of the military court per the Announcement no. 37/2014 and if during the assembly, a physical assault has been committed. Such offence does not fall under the jurisdiction of the military court. But given the Announcement, both cases can be indicted with the military court.

The announcement no. 37/2014 reasons that by trying civilians in the military court, it can ensure peacefulness and maintain public order. As to the issuance of the Announcement no. 38/2014, the NCPO claims that it can help to ensure prompt and fast trials. Therefore, the military court should have power to also adjudicate related cases as well.

- **The NCPO Announcement no. 50/2014 requiring civilians to stand trial in the military court on weapon possession charges**

After 30 May 2014, the NCPO has issued the Announcement no. 50/2014, which essentially bestows on the military court power to adjudicate cases concerning possession of war weapons or possession of weapons that cannot be issued with licenses.

Whereas the Announcement no. 37/2014 shall be effective since its enactment, the Announcement no. 50/2014 can apply retrospectively to offences that have been committed after 16.30 of 22 May 2014, when the seizure of power was declared. As a result, a number of civilians have to stand trial in the military court, even though their alleged offences had been committed before the Announcement was enacted, for example, the 24 suspects in 'Khon Kaen Model' case, whose arrests were made on 23 May 2014.

- **the Head of the NCPO Order no. 55/2016 revoking jurisdiction of the military court for offences committed after September 2016**

The NCPO Announcements that require civilians to stand trial in the military court has continued to be effective, until 12 September 2016, when the Head of the NCPO invoked power per Section 44 of the 2014 Interim Constitution to issue the Order no. 55/2016 to transfer cases against civilians that fall under the jurisdiction of the military court to the jurisdiction of the Courts of Justice, if the alleged offences are committed since the day the Announcement becomes effective. The cases relating to the offences committed before continue to, however, fall under jurisdiction of the military court. Therefore, for cases relating any offences committed between 22 May 2014 until 12 September 2016, regardless when the suspects are arrested, they shall stand trial in the military court.

The Head of the NCPO claimed it was necessary to issue the Order since the Constitutional Referendum in August 2016 had been carried out smoothly and the majority of voters endorsed the

Draft Constitution showing how the majority of people had been giving their cooperation to ensure public order. It is stipulated in the Order as well that should the Head of the NCPO finds it pertinent, he shall have the power to review the Order. In other word, if found necessary, the Head of the NCPO may repeal the Order and require civilians to stand trial in the military court again.

According to the Thai Lawyers for Human Rights (TLHR) based on figures from the Judge Advocate General's Department, until 30 November 2016, 2,177 civilians have been tried in the military court in altogether 1,716 cases. Of this number, the trials of 1,300 cases have been completed leaving 416 pending cases. 44 of them were cases concerning violation of the NCPO Announcements/Orders, 86 concerning violation of the Penal Code's Section 112 and nine concerning violation of the Penal Code's Section 116. And thanks to the NCPO Announcement no. 50/2016, civilians are being tried in the military court on 1,577 cases concerning war weapons. Many of the suspects are being tried in the military court simply for having in possession ancient arms for their home decoration, but such arms cannot be issued with licenses.

Why do the trials of civilians in the military court must stop?

The military court is affiliated to the Ministry of Defence. All the military judges are government officials affiliated to the Ministry of Defence. Many of the military judges are military officers without any legal knowledge. This has given rise to concern about its independence, particularly in cases between the military vs civilians. The defendants know full well that it is hard for them to expect the right to fair trial.

For cases tried by the military court, if the alleged offences were committed while Martial Law was in place, the accused shall be deprived of the right to appeal to a higher court. The decision by the Lower Court is final.

Apart from these fundamental problems, the trials of civilians in the military court are also fraught with problems including;

1) Protracted trial procedure

The hearing schedule fixed by the military court is generally staggering. In certain cases, the Court fixes witness examination once or twice a month and if any witness fails to turn up, the hearings have to be put off. In a simple cases, it may end up take too long time such as the trial of Jittra Cotchadet for failure to report herself as summoned. The first hearing took place in September 2014 in the military court and the verdict was just delivered in July 2017. During the trial, the plaintiff failed to turn up at the hearing at least four times and it had to be rescheduled. Or in the lèse majesté case against Samak, the first hearing took place in July 2014 and witness examination took place from January to July 2015. During the witness examinations, the prosecution witness had failed to turn up

and the hearing had to be rescheduled three times in a row. Given the protracted witness examinations and such frequent rescheduling, coupled with the pretrial custody, it forced the defendant to plead guilty in order to bring an end to the trial as soon as possible.

2) Secret trial

In many cases, the military court ordered the hearings to be conducted secretly barring other people from attending the hearings, particularly the trials of cases concerning the violation of the Penal Code's Section 112. According to our documentation, the military court has conducted at least 15 secret trials in cases concerning Section 112. As a result of such secret trials, it has deprived the suspects in such politically motivated cases to communicate with the public and they may themselves subject to an unfair trial.

3) Harsh sentencing

According to our documentation, in lese majeste cases, the Court of Justice stick to the precedent of sentencing the accused to a five-year-imprisonment for each of the count. But in several such cases tried by the military court, the Court sentenced the accused to as much as ten years per count or seven or eight years in other cases. Once a defendant in lese majeste case was sentenced to more than 50 years in jail, though his punishment was automatically reduced as a result of his pleading guilty to the charges, for example, the case of Thiansutham who was convicted and sentenced to 50 years in jail for the violation of Section 112 as a result of his facebook messages. In another case, Pongsak was sentenced to 60 years of imprisonment for posting six facebook messages or Wichai who was sentenced to 70 years for posting ten facebook messages.

4) Incompetence of military court personnel

That the military court is authorized to try cases against civilians shows misplaced duties since the military court has been establish to review cases in which military officers are accused of committing an offence, or an infraction of the military discipline. In such cases, deep understanding of the chain of command of the military is needed. But in cases against civilians, particularly cases stemming from the expression of political views which are complicated and warrant legal and political science knowledge in the adjudication, these cases may not benefit from the specialties of the military court. Meanwhile, the military court has not sufficient manpower as it has not been established to deal with an influx of cases. As a result, the trials have become protracted.

2. Announcements / Orders authorizing the military to hold individuals in custody for up to seven days

● The Head of the NCPO Order no. 3/2015 authorizing the military to handle politically motivated cases

On 1 April 2015, the NCPO lifted Marital Law and invoked Section 44 to issue the Head of the NCPO Order no. 3/2015. The Order empowers the military as "Peace Keeping Officer" and can

perform the roles of law enforcement officers to suppress four kinds of crime including (1) offenses against the King (2) offenses against national security (3) offenses under the laws on firearms (4) violations of the NCPO Announcements/Orders. The military officers are authorized to summon individuals for inquiries, make an arrest, participate in an investigation, search any building, seize assets, and especially the power to hold an individual in custody for up to seven days in an undisclosed place without having to press them with charges.

Also, any act committed by the military per this Order shall not be subject to the jurisdiction of the Administrative Court and shall not yield any civil or criminal or disciplinary action/liabilities if it has been committed in good faith.

● **The Head of the NCPO Order no. 13/2016 authorizing the military to suppress influential persons**

On 29 March 2016, the NCPO invoked Section 44 again to issue the Head of the NCPO Order no. 13/2016 to authorize military officers as 'Prevention and Suppression Officer' and perform the roles of law enforcement officers to suppress influential persons and have similar roles as prescribed for in the Head of the NCPO Order no. 3/2015. The new Order has simply expanded the types of offences that the military can get involved more 27 offenses including offenses concerning peacefulness in society, offenses concerning freedom, extortion, thief, robbery, fraud, offences against the Land Transportation Act, offenses against the Immigration Act, the Gambling Act, offenses against the Labour Protection Act, offenses against the Anti-Trafficking in Person Act, etc. The military can replace the police in the handling of almost all criminal cases.

The Head of the NCPO Order no. 3/2015 has been used as a political tool to quash freedom of dissenters in many ways including;

1) Summoning individuals for "attitude adjustment" and being deprived of liberty in military barracks for up to seven days

The persons summoned or arrested by the military can be subject to custody in a military barrack and deprived of access to contact their relatives or legal counsels for up to seven days. Each individual can be subject to custody for different durations and there are not certain criteria. Their release shall be entirely dependent upon the arbitration of the authorities. For example, on 1 July 2016, Charoenchai Tang was held in custody for seven days by the military during which time he was told to refrain from expressing his political views via facebook. On 27 March 2016, Wattana Muangsuk was held in custody for three days as a result of his posting his opinions regarding the Draft Constitution. On 4 October 2015, "Zia Thairath", a political cartoonist, was summoned to report himself and was released on the same day. On 18 February 2017, five protesters against Krabi coal-fired power plant were arrested and held in custody with no charges at the 11th Military Circle Army Camp for one night.

Many who have been summoned and then held in custody have been released without charges. Yet, a number of them, after being released from the custody in the military barracks, have found themselves summoned back again and this time have to face charges. They may deny the charges and want to defend themselves in the Court. But people outside hardly know about what has happened to them while they were being deprived of liberty. For example, Thanet who was arrested on 13 December 2015 and held in custody for six days. He then was charged for violating Section 116 as a result of this anti-NCPO facebook posts.

The military is authorized to hold an individual in custody at the military barracks for interrogation or attitude adjustment without giving them access to people outside and their legal counsels, can make the individuals highly vulnerable to abusive treatment of the authorities during that captive time. For example, on 9 March 2015, Sansern Srioonruan was held in custody by the military and was accused of throwing a grenade into the Criminal Court's compound. According to the physical examination report, he was found to sustain bruises and burn wounds on his thighs, which happened while he was deprived of liberty. On 21 October 2015, Pol Maj Gen Prakrom Warunprapa, a suspect accused of violating Section 112 appeared in the military court with his head shaved after being held in custody for seven days. It was reported that Pol Maj Gen Prakrom informed the Court that he was subjected to physical abuse while being held in custody. He was, however, remanded in military camp by the Court order, and was later found dead and there has been neither an autopsy report nor a post mortem inquest.

According to our information until late 2017, at least 1,300 individuals have been summoned to report themselves invoking such special power. Many who have been summoned to report themselves and held in custody for seven days recalled similar accounts that while staying in the military barracks, there were several others who were detained there at the same time. But since they were barred from chatting to each other, they could not quite verify the actual information regarding the people who were detained there.

2) House search and home visit

After an arrest is made against any suspect, what usually ensues is house search by the police to look for any illegal articles, i.e. weapons, narcotic drug and communication devices that shall be seized to collect incriminating evidence. Many of the searches have been conducted without court warrant and before charges are laid out against the suspects. Charges, however, can be initiated depending on the articles found during the search. For example, on 20 December 2016, 'Nut' was arrested at a house which the authorities believed has been used as a place to launch cyberattack against several government's websites. Computers, firearms and cannabis were also seized as evidence supporting the charges. At dawn on 6 May 2017, the officers raided the dormitory where Ekkarit stayed claiming only to invoke "Section 44". Ekkarit was arrested and taken away. He was later charged for violating Section 112.

In addition to conducting house search to look for incriminating evidence, in many instances, the military has also conducted 'home visit' to talk to the people. But such visit can be intimidating since it was made unnotified. And once the military is there, it is not possible to deny them an entry into the house. For example, on 29 February 2016 at nighttime, 20 police, military and administrative officers have gone to the house of Thanyaras, a core member of the group opposed to gold mine in Phichit. They were there to talk her out of going to Bangkok to submit a letter of petition. Or the case of Fah Deaw Kan, a political periodical, which has been visited by the ^๔ military almost every month. They want to know that what they are doing.

3) Involvement in criminal investigation

Traditionally, a criminal investigation has been carried out by police. A concern has arisen as during the rule of the NCPO, military authorities have intervened in the investigation of politically motivated cases in order to ensure that the anti-NCPO activists be pressed with severe charges and to accelerate the indictment. But the Orders no. 3/2015 and 13/2016 stipulate clearly that the military has the power to support or participate as an investigator. Prior to that, the military had made an attempt to exercise such power though they allowed the police to take the lead in the investigation and charging. Suspects in some cases have been informed informally by the police that the charges have been made in consultation with the military. Without the two Orders, the 'consultation' with the military would have rendered the police's conduct lack of independence and the investigation unlawful.

3. "Off-limit zone" Orders / Announcements, an increase of power of law enforcement officers

● The Head of the NCPO Order no. 5/2017 and the special power to raid Wat Phra Dhammakaya

After the former abbot of Wat Phra Dhammakaya, Phra Dhammajayo, had failed to report himself to answer to the charges concerning conspiracy and being complicit in money laundering and receiving stolen property. The Head of the NCPO invoked Section 44 to issue the Head of the NCPO Order no. 5/2017 late at night of 15 February 2017 to declare Wat Phra Dhammakaya an "off-limit zone" and bestow on the officers special power to raid the compound and carry out the arrest. In the next morning, a combined force of DSI, police and military, 4,200 officers altogether, have laid siege to Wat Phra Dhammakaya. On 19 February, DSI cordoned off the compound and instructed all the monks and lay people to vacate the temple within 15.00. Anyone who failed to act as ordered shall be punished by an imprisonment not exceeding one year and a fine not more than 20,000 baht or both. On the same day, Pol Col Paisit Wongmuang, former DSI Director General, invoked the Head of the NCPO Order no. 5/2017 to summon Phra Dhammajayo and other monks in the temple, altogether 14 of them to report themselves to the authority. On 24 February 2017, Pol Col Paisit revealed that

coordination had been made with concerned agencies to jam phone signal and cut off internet access around Wat Phra Dhammakaya invoking the Head of the NCPO Order no. 5/2017.

During the 23 days, power has been invoked per the Head of the NCPO Order no. 5/2017 and violators of the NCPO Order have been prosecuted in 43 cases. 316 individuals have been summoned to report themselves by either the military or DSI and 80 more have been summoned by court warrants. Even after the revocation of the off-limit zone order, but the Head of the NCPO Order no. 5/2017 has not been rescinded, as a result the Head of the NCPO still has the power to declare any area an off-limit zone as necessary in the future.

The declaration of off-limit zone to carry out the arrest is a disproportionate exercise of power. It has not only failed to enable the officers to successfully arrest the target person, Phra Dhammajayo in this instance, it has also led to at least two deaths, one of whom has taken own life to protest against the invocation of Section 44 and another died of asthma. If there was not cordon and obstruction that impeded access to medical treatment, the patient might not have died.

Issue 4

Announcements / Orders that infringe on community rights and the environment

Under the NCPO, authorities has made attempts to get involved with issues concerning land, forest and natural resources and to suspend the enforcement of 'normal laws' including the city and town plan law and the Enhancement and Conservation of National Environmental Quality Act which have been functioning as a safeguard of people's rights to protect the environment and quality of life. Powers have been invoked per NCPO Orders and the Head of the NCPO Orders to facilitate the implementation of the government's projects. The issues that the NCPO has tried to intervene could be categorized as follows;

1. People have been evicted from 'forests' making them landless farmers

Management of forest land is one of the priorities pledged by the NCPO. Three Orders have been issued concerning the management of forest land including the NCPO Orders no. 64/2014, 66/2014 and the Head of the NCPO Order no. 4/2015. All of them have been decreed to compel all authorities concerning forestry affairs and the military to implement the 'forest reclamation policy'. Basically, it has led to the centralization of power to manage forests in the hand of the military, namely the Internal Security Operations Command (ISOC).

The three Orders have given rise to arrests and prosecutions of destitute farmers who have been eking out in the forest areas. But no arrests and prosecutions have been made against organized crime that has benefited for logging and rich people who have been supporting encroachment of forest areas. It has simply added to more grievances already suffered by the landless farmers.

Until now, the NCPO Order no. 64/2014 has still been used as a major tool. According to ISOC's information, 1,785 villagers have been arrested with 552 of them charged and 151,386 rais of farmland in the forests have been seized by the authorities.

- **The NCPO Order no. 64/2014 'Forest Restoration' Operation**

On 20 Jun2 2014, the NCPO issued an order no. 64/2014 to authorise Ministry of Defence, Ministry of Interior the Royal Thai Police, Ministry of Natural Resources and Environment, Peace and Order Maintaining Command, the Royal Thai Army's Border Guard Forces, and the Royal Thai Navy to carry out an arrest, intercept and suppress those who encroach, occupy, destroy or act in any way that has led to the deterioration of the forest or to carry our illegal logging of precious tree or prohibited trees, and to prohibit the import and export of illegal wood. The authorities shall have the duties to control and investigate wood processing operations or possession of prohibited wood or the making of crafts from prohibited wood, follow up prosecutions and restore to the same condition.

- **The NCPO Order no. 66/2014 designating ISOC to "forest restoration" mission**

7 days later, the NCPO issued an order no.66/2014 to authorize ISOC to be another organization with mandate to carry out an arrest, intercept and suppress those who encroach, occupy, destroy or act in any way that has led to the deterioration under the order no. 64/2014.

- **The Head of the NCPO Order no. 4/2015 take military forces in the "forest restoration"**

On 8 April 2015, the Head of NCPO exercise the power unde Section 44 to issude an order no. 4/2015 allows law enforcement officers to seek force from military unite to solve the encroachment of public land or protected area (National Park and Forest Reserve). The Head of the NCPO can also appoint military officers as competent officers with powers and duties identical to that of administrative officers or high-ranking police officers per the Criminal Procedure Code.

2. Reclaim the misuse public land

In addition to managing forest area, the NCPO has made the attempts to deprive the right to land and to designate the reclaimed land to serve certain purposes. As a result, a number of villagers have been deprived of the right to land and become landless. And agricultural land has been transformed to serve non-agricultural purposes. For example, agricultural land has been supplied to

the polluting industrial sector as a result of the two Head of the NCPO Orders, the Head of the NCPO Orders no. 17/2015 and 31/2017.

- **The Head of the NCPO Order no. 17/2015 to acquire land for Special Economic Zone**

The Order has turned public land including Forest Reserve, Permanent Forest Land, land per the Royal Decree on Land Designation in the 5 boarder provinces of Tak, Mukdahan, Srakaew, Trat, and Nong Khai into Ratchapassadu land making it accessible and exploitable by public authorities or to develop into an industrial complex.

- **The Head of the NCPO Order no. 74/2016 to add two more provinces**

The Order has amended the order no. 17/2015 to add two more provinces which are Nakorn Phanom and Kanchanaburi

- **The Head of the NCPO Order no. 31/2017 allows the use of Agricultural Land Reform land for non-agricultural purposes**

The Order authorizes the Committee for Agricultural Land Reform established by the Agricultural Land Reform law to approve the use of Agricultural Land Reform land for non-agricultural purposes.

3. Suspension of normal laws, enhancing vulnerabilities of the environment and public health

The city and town planning law and building control law as well as comprehensive town plan law and the Enhancement and Conservation of National Environmental Quality Act are a major fortress to protect the environment. The laws can disallow the use of any land for both agricultural and industrial purposes and are related to the assessment of environmental impacts as well.

Nevertheless, as the Head of the NCPO issued an Order to suspend the enforcement of such safeguard laws, it has compromised the power of the people to protect the environment and increased vulnerabilities to impacts from the implementation of state projects. For example, the land reclamation in the Map Ta Phut Industrial Estate Phase III, which was not feasible if the normal laws were enforced, since the implementation would have contravene the Rayong city and town plan. But since the NCPO suspends the enforcement of the city and town plan law, the Map Ta Phut Industrial Estate's land reclamation can proceed instantly even though it may render grave impacts on the environment and public health.

The Head of the NCPO invoked Section 44 to issue at least four Orders on the issue including the Head of the NCPO Orders no. 3/2016, 4/2016, 9/2016 and 47/2017.

- **The Head of the NCPO Order no. 3/2016 suspending city and town plan and building control law in the Special Economic Zone (SEZ)**

As the Order has become effective, any Ministerial Regulations concerning comprehensive town plan, other Ministerial Regulations and local ordinances what designate no-building zone and the Announcements of the Department of Public Works and Town & Country Planning that set out rules regarding the utilization of properties in the ten Special Economic Zones shall be suspended pending new Ministerial Regulations by the Ministry of Interior.

- **The Head of the NCPO Order no. 4/2016 suspending comprehensive town plan, offering exemptions to certain enterprises**

The Order has led to the suspension of the enforcement of town planning law on certain industrial factories, i.e. waste to energy power plant, biomass power plant and other power plants using other types of fuel, waste disposal plant, etc.

- **The Head of the NCPO Order no. 9/2016 allowing subcontracting large-scale projects to private sector prior to the approval of EIA**

The Order provides exemptions to transportation infrastructure, dam and irrigation project construction, public disaster prevention, hospitals, and housing projects. It allows the authorities to award the contracts to private contractors to implement the projects without having to wait for the approval of the Environmental Impact Assessment (EIA).

- **The Head of the NCPO Order no. 47/2017 suspending the enforcement of town planning law in the Eastern Economic Corridor (EEC) (อีอีซี)**

The Order provides that the Committee for the Management and Development of the Eastern Economic Corridor must complete the policies and overall plans, land use plan, basic infrastructure development plan and the Office for the Development of the Eastern Economic Corridor in collaboration with other authorities to complete detail of the 'plan' for land use and the development of basic infrastructure within six months.

During the development of the plan, the enforcement of the town plan law shall be suspended. And after the plan has been completed and approved, the 'comprehensive town plan' shall be rescinded per the law concerning town planning of the Eastern Economic Corridor. Then, the Department of Public Works and Town & Country Planning shall develop a new town plan to accommodate to the plan developed by the Committee for the Management and Development of the Eastern Economic Corridor and such plan has to be completed within one year.

4. Centralizing natural resource management powers

An approach used by the NCPO, in terms of the management of natural resources in each area is to 'centralize powers in the hand of the state'. There are two relevant Orders in this regard including the NCPO Order no.72/2014 regarding the appointment of the Special Economic Zone Committee, chaired by the Head of the NCPO and with members including many high-ranking government officers. Their duties are to develop all master plans concerning the areas that have been designated as Special Economic Zones (SEZs). The Head of the NCPO Order no. 46/2017 has been issued to centralize decision making power for the prevention and for solving floods in economic areas of Bangkok and metropolitan. Related to the Disaster Prevention and Mitigation Act B.E. 2550 (2007), it has led to impediment of public participation for the preparation to prevent and solve floods.

- **The NCPO Order no. 72/2014 appointing Special Economic Zone Committee**

The Order appoints the Special Economic Zone Committee composed of the Head of the NCPO as chairperson, Deputy to the Head of the NCPO as vice-chairperson and 16 high ranking government officers, the President of the Chamber of Commerce, the President of the Industrial Chamber, and the President of Thai Banks as members. Their duties are to develop criteria and regulations to support the operation of the Special Economic Zone and the drafting of the master plans, action plans, and other plans as well as to monitor and evaluate the performance per the master plans relating to the policies of the Special Economic Zone (SEZ).

- **The NCPO Order no. 109/2014 appointing two more committees**

The Order appoints two more committees into the Special Economic Zone Committee composed of the head and the deputy of the economic issue of the NCPO.

- **The Head of the NCPO Order no. 46/2017 to establish the National Office for the Management of Water Resources**

As a result of the Order, the Reorganization of Ministry, Sub-ministry, and Department Act BE 2545 (2002) is to be revised paving the way for the Office of the Prime Minister to be mandated to manage water resources and the National Office for the Management of Water Resources shall report to the Prime Minister. It shall ensure integration of information, set out action and budgetary plans and carry out monitoring and evaluation. In an emergency situation, the National Office for the Management of Water Resources shall have the power to set up a taskforce and to seek cooperation from other government authorities or agencies to help them do their work.