

**King of Thailand Bhumibol Adulyadej  
(Rama IX)  
Grand Palace  
Bangkok  
Thailand**

**Brussels, 20 January 2015**

**Re: Concerns regarding the interruption by the military of a meeting between Ms Sor Rattanamanee Polkaw, a human rights lawyer, and her clients**

Your Majesty,

I am writing to you on behalf of the Council of Bars and Law Societies of Europe (CCBE), which, through the national Bars and Law Societies of the Member States of the European Union and the European Economic Area, represents more than 1 million European lawyers. In addition to membership from EU bars, it also has associate and observer representatives from a further thirteen European countries' bars.

The CCBE, through its Human Rights Committee, places great emphasis on respect for human rights and the rule of law. The CCBE is particularly concerned by the situation of human rights defenders in the world.

The CCBE writes to express its serious concern over the interruption of a meeting between Ms Sor Rattanamanee Polkaw, a human rights lawyer, and her clients. According to our information, Ms Polkaw visited the Udon Thani region in North-Eastern Thailand to provide legal consultations to eight provincial communities along the Mekong river basin. On 11 November 2014, Ms Polkaw had a meeting with her clients (the Community Resources Centre and members of the local communities) to discuss the possible defence of the rights of those communities under Martial Law in a case against the Electricity Generating Authority of Thailand concerning the Xayaburi dam project. The case relates to the environmental impact of the construction of the Xayaburi hydroelectric dam on the Lower Mekong River. About 45 participants were expected to attend this meeting with Ms Polkaw, which was scheduled for 2 pm at a local hotel.

We were informed, however, that at approximately 1 pm on that day, four military personnel and three Special Branch Police officers arrived at the hotel and requested information about the meeting from the hotel reception. When Ms Polkaw arrived at the hotel to attend the meeting and saw the military presence, she enquired about their reasons for being there. The officers responded that they were aware of the meeting and informed her that she is obliged to ask permission from the military authorities every time she planned to have such a meeting. Ms Polkaw explained that it was a legal consultation with community members and therefore a legitimate activity within her functions as a lawyer. Moreover, she stated that she had never heard that such meetings required special permission. The military argued that, under Martial Law, permission is required. The meeting subsequently started as scheduled, but with the presence of the military. The next day, on 12 November 2014, Ms Polkaw asked for permission to continue the legal consultations and the military authorities again attended the meetings.

In this context, the CCBE wishes to draw to your attention the following Principles of the United Nations Basic Principles on the Role of Lawyers (1990):

Principle 16 states that:

*Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics.*

Furthermore, Principle 22 says that:

*Governments shall recognize and respect that all communications and consultations between lawyers and their clients within their professional relationship are confidential.*

In view of the above, the CCBE respectfully urges you to guarantee that Ms Sor Rattanamanee Polkaw is allowed to carry out her work as a lawyer, and is able to meet and communicate with her clients without interference or threat to the principle of lawyer-client confidentiality. In addition, the CCBE asks you to take all necessary measures to guarantee that all lawyers in Thailand are able to perform their professional duties freely without fear of reprisal, hindrance, intimidation or harassment.

I look forward to hearing from your Majesty urgently.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'M. ŚLazak', written in a cursive style.

Maria ŚLAZAK  
President