

Scholars at Risk's Submission to Third Cycle of the Universal Periodic Review of Thailand

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Introduction

1. Scholars at Risk (SAR) is an international network of higher education institutions dedicated to protecting threatened scholars and promoting academic freedom worldwide. Since 2013, SAR has benefited from Special Consultative Status with ECOSOC, and welcomes the opportunity, provided by the Office of the High Commissioner on Human Rights, to comment on conditions relating to higher education in Thailand.
2. This submission is the product of a joint effort between Scholars at Risk’s Academic Freedom Monitoring Project and the University of Turin International Human Rights Legal Clinic. SAR gratefully acknowledges the substantial research and drafting work of Turin faculty and students. This submission may not reflect the views of the Human Rights Legal Clinic, the University of Turin, Turin faculty and students, or individual Scholars at Risk Network members, institutions, or participating individuals.¹
3. This submission focuses on Thailand’s compliance with its obligations under international law to protect and promote academic freedom and related rights within its territory. Since 2016, nonviolent student activists – whose ranks include some of Thailand’s most prominent advocates of democratic reform – have faced alarming numbers of arrests, imprisonments, violence, and related pressures from the ruling government.

Applicable Legal Standards

4. Thailand is party to several applicable international human rights instruments including the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Social, Economic and Cultural Rights (ICESCR).
5. Academic freedom is fully and independently grounded in rights to freedom of opinion and expression, the right to education, and the right to the benefits of science, as articulated, respectively, in Article 19 of the International Covenant on Civil and Political Rights (ICCPR), Article 13 of the International Covenant on Economic, Social and Cultural Rights (ICESCR), and Article 15(3) of the ICESCR.
6. As the Committee on Economic, Social and Cultural Rights (CESCR) has affirmed, “the right to education can only be enjoyed if accompanied by the academic freedom of staff and students.”¹ The CESCR further observed:

Members of the academic community, individually or collectively, are free to pursue, develop and transmit knowledge and ideas, through research, teaching, study, discussion, documentation, production, creation or writing. Academic freedom includes the liberty of individuals to express freely opinions about the institution or system in which they work, to fulfil their functions without discrimination or fear of repression by the State or any other actor, to participate in professional or representative academic bodies, and to enjoy all the internationally recognized human rights applicable to other individuals in the same jurisdiction.²

7. The CESCR has likewise found that “the freedom indispensable for scientific research and creative activity” includes “a positive duty to actively promote the advancement of science through, *inter*

¹ This submission may not reflect the views of the University of Turin International Human Rights Legal Clinic, University of Turin faculty and students, or individual Scholars at Risk Network members, institutions, or participating individuals. Scholars at Risk invites comments on this submission or inquiries about our work at scholarsatrisk@nyu.edu.

alia . . . protection and promotion of academic and scientific freedom, including freedoms of expression and to seek, receive and impart scientific information, [and] freedoms of association and movement.”³

8. In a recent report on academic freedom, the United Nations special rapporteur on the protection and promotion of freedom of opinion and expression adopted and reaffirmed the standards articulated by the CESCR, stating:

[A]cademic freedom should be understood to include the freedom of individuals, as members of academic communities (e.g., faculty, students, staff, scholars, administrators and community participants) or in their own pursuits, to conduct activities involving the discovery and transmission of information and ideas, and to do so with the full protection of human rights law.⁴

9. The special rapporteur explicitly recognized that academic freedom involves protections for institutional autonomy and self-governance: “States are under a positive obligation to create a general enabling environment for seeking, receiving and imparting information and ideas. Institutional protection and autonomy are a part of that enabling environment.”⁵
10. UNESCO, the specialized agency of the United Nations whose mandate includes higher education, research and human rights, has likewise recognized and articulated the meaning and importance of academic freedom and institutional autonomy.⁶
11. The special rapporteur also observed that academic freedom includes not only traditional classroom expression, but also “extramural expression” – expression engaged in by academics “in their role as educators and commentators outside the institution.”⁷
12. Finally, the special rapporteur observed that peaceful student protests may be a form of protected academic expression.⁸
13. Restrictions on freedom of expression – including academic expression – must be provided by law, in pursuit of a legitimate aim, and necessary and proportionate.⁹ As the Human Rights Committee (HRC) has explained, “the mere fact that forms of expression are considered to be insulting to a public figure is not sufficient to justify the imposition of penalties”, bearing in mind that also those figures are “legitimately subject to criticism and political opposition.”¹⁰

Relevant Domestic Law

14. Thailand’s Constitution provides protections for free expression and academic freedom, albeit with significant, concerning limitations:

A person shall enjoy the liberty to express opinions, make speeches, write, print, publicise and express by other means. The restriction of such liberty shall not be imposed, except by virtue of the provisions of law specifically enacted for the purpose of maintaining the security of the State, protecting the rights or liberties of other persons, maintaining public order or good morals, or protecting the health of the people.

Academic freedom shall be protected. However, the exercise of such freedom shall not be contrary to the duties of the Thai people or good morals, and shall respect and not obstruct the different views of another person.¹¹

15. Following its last Universal Periodic Review cycle in May 2016, Thailand accepted recommendations that it revise relevant legislation to comply with international human rights standards. To date, this has not occurred.

Discussion

16. As part of its advocacy work, SAR monitors and analyzes attacks on higher education around the world, including within Thailand. During this UPR period, SAR has received reports from colleagues within and outside Thailand, as well as from media, describing overall pressures and attacks on higher education within and outside the country as a result of state authorities' actions and/or policies.

Wrongful Prosecution and Arrest

17. Thai authorities have routinely used arrest and prosecution to prevent or punish nonviolent political expression. Because students and academics have frequently been at the vanguard of democratic reform movements, many laws used to punish nonviolent expressive activity represent a direct threat to student-protest, academic expression, and to the higher education space more broadly. Laws criminalizing *lèse majesté* and sedition in particular – and previously national security-related measures imposed during the rule of the National Council of Peace and Order (NCPO) – have made up a single (non-exclusive¹²) set of tools consistently used to punish student expression in particular.¹³
18. Thailand's ***lèse majesté* law**, Criminal Code Section 112, provides for up to 15 years' imprisonment per count for anyone who "defames, insults or threatens the King, the Queen, the Heir apparent or the Regent." Between 2018 and November 2020, following international expressions of concern,¹⁴ prosecutions under Section 112 ceased, and the law was briefly suspended.¹⁵ However, enforcement began again in November 2020, with *lèse majesté* prosecutions spiking in the months since.¹⁶ From November 24, 2020, to March 5, 2021, at least 76 individuals – including several university students and academics – have been charged with *lèse majesté*.¹⁷ According to SAR sources, the criminal courts have detained the defendants and denied bail in all of these cases, on the grounds that the gravity of the punishment makes flight likely.¹⁸
19. Student activists and scholars recently charged with *lèse majesté* include:
- Thammasat University student activist **Parit "Penguin" Chiwarak**, facing at least 20 counts of *lèse majesté*, for, *inter alia*, 12 different speeches and four social media posts between August 2020 and February 2021.¹⁹
 - Thammasat University student **Panusaya "Rung" Sitthijirawattanakul**, facing at least 9 counts of *lèse majesté*, for, *inter alia*, four speeches and two social media posts between August 2020 and February 2021.²⁰
 - Ramkhamhaeng University student **Panupong "Mike" Jadnok**, facing at least 8 counts of *lèse majesté*, for, *inter alia*, four speeches and two social media posts between August 2020 and February 2021.²¹
 - Khon Kaen University student activist **Jatupat "Pai" Boonpattaraksa**, arrested on December 3, 2016 and charged with *lèse majesté* after sharing a BBC article about the new Thai king over Facebook. In August 2017, following a secret trial, after multiple denials of his bail, he was sentenced to two-and-a-half years in prison. He received a royal pardon and was released shortly before the end of his prison term in May 2019.²² As of this report, Pai (no longer a student) is detained

in connection with another *lèse majesté* charge, based on a September 2020 speech.²³

20. The “**Sedition Law**,” Criminal Code Section 116, criminalizes acts of expression aimed, *inter alia*, at raising “unrest and disaffection amongst the people in a manner likely to cause disturbance” or to “cause the people to transgress the laws of the Country.”²⁴ Individuals convicted of sedition face up to seven years in prison. Since July 2020, sedition charges have spiked, with at least 23 protesters facing charges under Section 116. Unlike *lèse majesté*, sedition cases typically involve fines or suspended sentences – although, as described below, many student activists face charges for both crimes. Recent sedition cases include those of:

- **Jutatip Sirikhan**, a Thammasat University student and president of the Student Union of Thailand (SUT), who was arrested on September 1, 2020 while on her way to attend classes. Authorities obtained a warrant for Jutatip’s arrest based on her participation in a “Free Youth” rally on July 18. She was charged with breaching internal security and coronavirus regulations and sedition.²⁵
- Thammasat University student leaders **Panusaya “Rung” Sithijirawattanakul** (discussed above) and **Nathchanon Pairoj**, both arrested on October 15, 2020 by plain-clothes police. Panusaya was charged with sedition, while Nathchanon was charged with violating the Emergency Decree limiting public gatherings. Both were later released on bail²⁶ (although Panusaya was subsequently jailed on her *lèse majesté* charge).²⁷
- Prior to his detention on *lèse majesté* (described above), Ramkhamhaeng University student **Panupong “Mike” Jadnok**, was arrested on August 7, 2020, and again on August 24, for his participation in two student protests. He was charged with sedition, assembly with intent to cause violence, violating a ban on public gatherings, and other offenses.²⁸
- In addition to facing *lèse majesté* (described above), Thammasat University student activist **Parit “Penguin” Chiwarak**, was arrested and charged with sedition on August 14, 2020, after participating in a July 18 “Free Youth” rally in Bangkok in which protesters called for political reforms, and at least two other protests, on June 5 and 24.²⁹

21. During this review cycle, the National Council of Peace and Order (NCPO), the military junta that controlled Thailand until July 2019, also enacted measures – **including especially Head of the NCPO Order No. 3/2558**, which, among other things, banned gatherings of more than five people and gave law enforcement sweeping powers to “deal with actions intended to undermine or destroy peace and national security,” – with grave impacts on academic expression, including arrests of large groups of student protesters and professors.³⁰ These cases typically did not involve long-term detention. All public assembly-related charges were dropped in December 2018 in anticipation of the 2019 election campaign in which the NCPO sought to hold rallies. For example:

- On **June 23, 2016** soldiers arrested a group of 13 students and union activists, including six students from Ramkhamhang University and four from Thammasat University, who were distributing political flyers advocating that voters reject the military junta’s draft charter. The activists were charged in a military court with, *inter alia*, violating the ban on gatherings of five or more people.³¹
- On **June 24, 2016**, police officers arrested seven student activists for holding a demonstration and distributing a newspaper outside Bangkok’s Laksi monument, where they had gathered to observe the 84th anniversary of the Siamese Revolution,

a nonviolent coup credited with transforming Thailand from an absolute to constitutional monarchy. The apparent basis for the arrest was violation of Head of the NCPO Order No. 3/2558, although the students were released later that day and not charged.³²

- On **September 26, 2016**, authorities issued summonses for five individuals who participated in a July 31 referendum talk at Khon Kaen University (KKU). They were accused of violating Head of the NCPO Order No. 3/2558.³³
- On **August 6, 2016**, police arrested student activists from Khon Kaen University and Wasin Prommanee of Sunaree University of Technology for distributing leaflets critical of Thailand’s draft constitution, charging them with violating Article 61 of the Public Referendum Act, banning the spreading of “false,” “rude,” “inciting” or “intimidating” publications or messages concerning the draft constitution.³⁴
- On **June 25, 2017**, Thai authorities reportedly arrested Thammasat University student activist Rangsiman Rome, in connection with his efforts a year earlier to organize a campaign against the 2016 draft constitutional charter. He had previously been arrested on June 23, 2016 – and detained for two weeks – for the same acts, and charged under Head of the NCPO Order No. 3/2558, as well as a law criminalizing campaigning against the draft constitution before the referendum on it in August 2016. Rome was released on bail, on the condition that he refrain from travelling abroad and participating in political gatherings.³⁵
- On **August 14, 2017**, attendees at an academic conference at Chiang Mai University were arrested – along with the conference organizer – under Head of the NCPO Order No. 3/2558 after police photographed the attendees bearing a sign reading “an academic conference is not a military base” as part of protest.³⁶

Violence, Surveillance, and Intimidation

22. On **April 11, 2018**, a group of Chulalongkorn University (CU) students protested an appearance by General Prayuth Chan-ocha, then leader of the NCPO. Students held signs reading “Chula people love Prayuth Dictator.” In the subsequent days, the students reported being followed, surveilled, visited at home, and intimidated by undercover police.³⁷
23. On **October 16, 2020**, roughly 2,000 students and members of civil society held a nonviolent protest at the Pathumwan intersection, a Bangkok landmark. Police used water cannons containing a blue dye both to disperse and mark the protesters, so that officers could identify them for arrest. Protesters reported that the dye irritated their skin and eyes. At least three protesters and five officers were reportedly injured.³⁸

Institutional Pressures

24. On **August 3, 2017**, Chulalongkorn University (CU) officials reportedly retaliated against eight student-activists for engaging in a peaceful protest during a student ceremony, by deducting the students’ “behaviour points” – a punishment that effectively stripped five students of their positions on CU’s Student Council.³⁹
25. On **February 26, 2017**, Mahidol University announced an administrative investigation and possible disciplinary actions against faculty members of the university’s Institute of Human Rights and Peace Studies (IHRP), in response to a statement they issued the previous day condemning the amount of power held by the NCPO.⁴⁰

Conclusion and Recommendations

This UPR cycle has been marked by grave pressures on students and other members of the higher education community exercising the rights to academic freedom, freedom of expression, and freedom of assembly. These pressures are increasing: while disruptions of nonviolent protests and arrests are, on their own, significant human rights violations, the recent detentions of a growing number of individuals charged with *lèse majesté* raise the stakes considerably. And the fact that many of those charged are student activists sends an unmistakable, chilling message to Thailand's entire higher education sector. According to the Academic Freedom Index (AFI), since 2014, the year the NCPO took power, respect for academic freedom in Thailand dropped from a score of 0.52 in 2013 to 0.15. Thailand's AFI score in 2020 was 0.13 – placing it among the very lowest scoring countries worldwide.⁴¹ Indeed, despite the March 2019 election and transition away from military rule, protection for academic freedom has not improved, and may in fact have deteriorated.

This situation is unsustainable, and threatens permanent damage to Thailand's higher education sector. Accordingly, Scholars at Risk respectfully urges UN member states to call on Thailand to:

- a. Release and reverse all charges against student activists and others currently facing conviction under the *lèse majesté* law, and repeal Criminal Code Section 112; pending such release, ensure detainees receive humane treatment, due process, and access to family and counsel;
- b. Amend Criminal Code Section 116 to ensure clarity and compliance with relevant international human rights laws, including especially ICCPR Article 19;
- c. Draft implementing legislation to ensure that protections for academic freedom under the Thai Constitution are consistent with relevant international standards, including ICCPR Article 19, ICESCR Articles 13 and 15(3);
- d. Refrain from *de jure* or *de facto* policies targeting student activists, including abusive use of prosecutions and arrest under *lèse majesté*, national security- or public order-related laws;
- e. Extend a standing invitation to UN Special Rapporteurs, particularly the Special Rapporteurs on the protection and promotion of the rights to freedom of opinion and expression, and the rights to freedom of peaceful assembly and of association to investigate alleged threats to these freedoms.

¹ CESCR, General Comment No. 13: The Right to Education (Article 13) (8 December 1999), para. 38.

² *Ibid.*, para. 39.

³ CESCR General comment No. 25 on Science and economic social and cultural rights Art. 15.1.b, 15.2, 15.3 and 15.4. 20 April 2020, para. 46.

⁴ Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, David Kaye, on Academic Freedom, UN Doc A/75/261, 28 July 2020 (“SR Rept. on Academic Freedom”) at para. 8.

⁵ *Ibid.* para. 9.

⁶ UNESCO Recommendation Concerning the Status of Higher-Education Teaching Personnel (1997), recognizing, *inter alia*, that “[a]utonomy is the institutional form of academic freedom and a necessary precondition to guarantee the proper institutional form of academic freedom and a necessary precondition to guarantee the proper fulfilment of the functions entrusted to higher-education teaching personnel and institutions. [...] Member States are under an obligation to protect higher education institutions from threats to their autonomy coming from any source.” paras. 18-19.

⁷ SR Rept. on Academic Freedom, A/75/261, 28 July 2020 at para. 20.

⁸ SR Rept. on Academic Freedom A/75/261, 28 July 2020 at para. 52.

⁹ Legitimate aims may include protection of the rights or reputations of others, national security, public order, public health, or public morals. *See* ICCPR Art.19(3).

¹⁰ HRC, General Comment No. 34: The Freedom of Opinion and Expression (Article 19) (21 July 2011), para. 21, 23:

<https://docstore.ohchr.org/SelfServices/FilesHandler.ashx?enc=6QkG1d%2fPPRiCAqhKb7yhsrdB0H115979OVGGB%2bWPAXiks7ivEzdmLQdosDnCG8FaJ7cpkH%2fR9YlpwV%2bAPs%2bmcJcHS14VEHaUJAAZCeS1gKdFOTIUSHQDT3EiNHS2mKIF> (last viewed 3/16/2021).

¹¹ Constitution of Thailand, Section 34, available at

https://www.constituteproject.org/constitution/Thailand_2017.pdf?lang=en.

¹² As demonstrated below, it appears that the state of emergency resulting from the COVID-19 pandemic has also been used to target student protest (*see* para. 20, *infra*). The Emergency Decree, declared on March 25, 2020, states that “it is prohibited to assemble, to carry out activities, or to gather at any place that is crowded, or to commit any act which may cause unrest in areas determined by the Chief Officer responsible for remedying the emergency situation on matters relating to security.” (*See* Section 9). Violation of the decree is punishable by imprisonment of up to two years or a fine of forty-thousand baht, or both. These provisions appear to be inconsistent with the OCHCR’s recent guidance concerning protection of the right to freedom of assembly during the COVID-19 crisis: “[s]tates should ensure that the right to hold assemblies and protests can be realized, and only limit the exercise of that right as strictly required to protect public health.” OHCHR, “Civic Space and COVID-19: Guidance”, 4 May 2020, p. 3., available at

<https://www.ohchr.org/Documents/Issues/CivicSpace/CivicSpaceandCovid.pdf> (last visited 3/16/2021). While originally set to end in October 2020, the State of Emergency was extended that month, on the basis of alleged threats to peace, national security, and order. *See* Reuters, *Thai government announces emergency decree over protests*, October 14, 2020, available at <https://www.reuters.com/article/us-thailand-protests-measures-idUSKBN26Z35X> (last visited 3/16/2021).

¹³ Thailand’s Computer Crime Act also raises major concerns about suppression of academic expression. The act prohibits publication of “false computer data in a manner that is likely to damage the country’s security or cause public panic”, and individuals convicted of violating the act face a potential sentence of five years in prison, a fine of up to 100,000 baht, or both. Human rights organizations, have raised significant concerns about the law’s incompatibility also with international human rights standards relating to freedom of expression. Joint Briefing by Article 19 and Thai Lawyers for Human Rights, October 25, 2020, available at <https://www.article19.org/wp-content/uploads/2020/10/2020.10.25-Thailand-Protest-Briefing-final.pdf> (last visited 3/16/2021).

Since 2020, Thai authorities have applied the Computer Crime Act to punish individuals criticizing the monarchy and the government, and those using online platforms to organize pro-democracy protests. With the intensification of the protests, the government adopted even more drastic measures: in August, the government ordered Facebook to block a particularly famous page used as a blog to discuss the Thai monarchy. In addition, the Ministry of Digital Economy and Society (DES) attempted to compel social media sites to assist in the suppression of material critical of the monarchy: in September, a complaint was lodged against Facebook and Twitter because they failed to comply with a takedown order. More than 2,000 websites and social media pages have reportedly been blocked on the grounds they contain “content that harassed the monarch”. Finally, in October 2020, the DES attempted to shutdown Telegram, an instant messaging platform, particularly used by protesters because of its encryption security. *Ibid*.

¹⁴ For example, in 2017, the HRC expressed concerns about the law in its Concluding observations on the second periodic report of Thailand, CCPR/C/THA/CO/2, 25 April 2017, para 37, available at <https://www.refworld.org/docid/591e9d914.html> (last visited 3/10/2021).

¹⁵ Thai Lawyers for Human Rights, “The number of prosecutions under lèse majesté in 2021-2021”, 5 March 2021, available at: <https://tlhr2014.com/en/archives/24103> (last visited 3/10/2021).

¹⁶ *Ibid*.

¹⁷ *Ibid*.

¹⁸ *See* Thai Lawyers for Human Rights, *The Court of Appeal did not grant bail. 4 People’s leaders pointed out that the speech caused detriment to the monarchy. Even though no judgment* available at: <https://tlhr2014.com/archives/25971> (last visited 3/24/2021).

¹⁹ *Ibid*.

²⁰ *See* Thai Lawyers for Human Rights, *The Number of Prosecutions under ‘Lèse Majesté’ in 2020-2021*, available at <https://tlhr2014.com/en/archives/24103> (last visited 3/24/2021).

²¹ *Ibid*.

²² *See* Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2016-12-03-khon-kaen-university/> (last visited 3/24/2021).

²³ *See* Thai Lawyers for Human Rights, note 20, *supra* <https://tlhr2014.com/en/archives/24103>.

²⁴ The full text of the law reads:

Whoever makes an appearance to the public by words, writings or any other means which is not an act within the purpose of the Constitution or for expressing an honest opinion or criticism in order:

1. To bring about a change in the Laws of the Country or the Government by the use of force or violence;
2. To raise unrest and disaffection amongst the people in a manner likely to cause disturbance in the country; or
3. To cause the people to transgress the laws of the Country, shall be punished with imprisonment not exceeding seven years.

Available at <https://library.siam-legal.com/thai-law/criminal-code-offense-internal-security-sections-113-118/> (last visited 3/24/2021).

²⁵ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2020-09-01-thammasat-university/> (last visited 3/16/2021).

²⁶ See Monitor, *Authorities Escalate Crackdown on the Youth-Led Protest Movement in Thailand*, 10/30/2020, available at <https://monitor.civicus.org/updates/2020/10/30/authorities-escalate-crackdown-youth-led-protest-movement-thailand/> (last visited 03/24/2021).

²⁷ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2020-10-15-thammasat-university/> (last visited 3/16/2021).

²⁸ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2020-08-24-ramkhamhaeng-university/> (last visited 3/16/2021).

²⁹ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2020-08-14-thammasat-university/> (last visited 3/16/2021).

³⁰ <https://voicefromthais.files.wordpress.com/2015/04/order-number-3-2558-3-2015-of-the-head-of-the-ncpo-on-maintaining-public-order-and-national-security.pdf> (last visited 3/16/2021).

³¹ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2016-06-23-thammasat-university-ramkhamhang-university/> (last visited 3/12/2021).

³² See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/2016/06/seven-student-activists-arrested-peaceful-demonstration/> (last visited 3/12/2021).

³³ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2016-09-26-khon-kaen-university/> (last visited 3/12/2021).

³⁴ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2016-08-06-khon-kaen-university-sunaree-university-technology-0/> (last visited 3/12/2021).

³⁵ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2017-06-25-thammasat-university/> (last visited 3/16/2021).

³⁶ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2017-08-14-chiang-mai-university/> (last visited 3/16/2021).

³⁷ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2018-04-11-chulalongkorn-university/> (last visited 3/16/2021).

³⁸ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2020-10-16-various/> (last visited 3/16/2021).

³⁹ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2017-08-03-chulalongkorn-university/> (last visited 3/16/2021).

⁴⁰ See Scholars at Risk Academic Freedom Monitoring Project Report, available at <https://www.scholarsatrisk.org/report/2017-02-26-mahidol-university/> (last visited 3/16/2021).

⁴¹ AFi scores are a composite of five expert-coded indicators: freedom to research and teach; freedom of academic exchange and dissemination; institutional autonomy; campus integrity; and freedom of academic and cultural expression. For more information about the AFi, see Kinzelbach et al, “Free Universities: Putting the Academic Freedom Index Into Action,” March 11, 2021, <https://www.gppi.net/2021/03/11/free-universities> (last visited 3/23/21) The AFi dataset can be accessed at <https://www.v-dem.net/en/data/data/v-dem-dataset-v11/>.