



# ASIAN LEGAL RESOURCE CENTRE

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Oral intervention by the Asian Legal Resource Centre during the 19<sup>th</sup> session of the Human Rights Council

Item 6 – consideration of UPR reports – Thailand

Speaker: Mr. Norman Voss

*Check against delivery*

Thank you Madam President,

The ALRC welcomes Thailand's UPR, which has highlighted many of its concerns with regard to human rights issues in the country, notably concerning torture, forced disappearances, extrajudicial killings, freedom of expression and *lèse majesté*, prison conditions, corruption, impunity, violations in the southern provinces, as well as the need for review of problematic laws, institutional reform, and a standing invitation to Special Procedures.

The ALRC welcomes the government's signing of the international convention on disappearances in January, but this is only a first step, with effective legislation that defines and criminalises disappearances an urgent must. Eight years this week after the disappearance of renowned human rights lawyer Somchai Neelapaijit, his family have been prevented from achieving truth, justice and remedies in court, in large part due to the lack of such legislation. They continue to face grave threats and harassment. That Somchai's is the only case of forced disappearance to have reached prosecution in court in Thailand speaks to the need for action by the government concerning disappearances and protection of witnesses and family-members.

Despite the government's efforts to outwardly appear to be making positive efforts on human rights, the ALRC has noted with concern a pattern of growing threats to political freedom in Thailand, concerning which it has submitted written information to this session of the Council. Following a number of lengthy sentences having been handed out abusively concerning *lèse majesté* under Article 112 of the Criminal Code and the 2007 Computer Crime Act, including several since Thailand's UPR review in October 2011, in recent months, academic and human rights defenders who have called for reform of Article 112, have been threatened by high-ranking state and military officers and received explicit death threats from vigilante actors. There has been a dramatic increase in *lèse majesté* cases since the 19 September 2006 coup, and despite numerous domestic and international calls for action, the government has refused to review these laws to date. The ALRC calls on the government of Thailand to halt the afore-mentioned threats and abusive use of *lèse majesté*, and to allow a country visit by the Special Rapporteur on freedom of expression as a priority.

The ALRC notes with concern that the UPR process has not addressed the increasingly grave problem of rights violations connected to development projects, as well as land and natural resources grabbing. In addition to concerns for the numerous affected communities, the ALRC condemns the reported threats and attacks, including abusive legal attacks and a number of extra-judicial killings, to which human rights defenders working on environmental issues are increasingly being subjected.