

Statement of the Chairperson of the National Human Rights Commission of Thailand to the 19th session of the UN Human Rights Council on the report of the UPR Working Group concerning Thailand

Views on the UPR process

- The National Human Rights Commission of Thailand would like to thank the Human Rights Council for the opportunity to participate in the UPR process. Before going into the recommendations of the UPR Working Group, I would like to emphasize the importance of the participation of civil society organizations, including national human rights institutions, in the UPR. This has ensured that the inputs for the country review are more balanced and, in the case of Thailand, the Working Group recommendations reflect several major concerns of the civil society. We hope the Council will adopt a participatory process similar to the UPR in its future work.

134 Recommendations accepted by Thailand

- The National Human Rights Commission welcomes Thailand's acceptance of the majority of the recommendations of the UPR Working Group. These recommendations are not new as they are the obligations that Thailand has to fulfill as state party to seven core human rights conventions and many of them are in line with concluding observations of the relevant treaty bodies. However, the Commission would like to see the Thai government implement these recommendations with renewed commitment, with vigour, and with unyielding conviction, giving balance to security, economic and social development and protection of human rights.
- **The government should strive to strengthen the rule of law as it is a necessary framework for human rights protection.** It should ensure that laws are strictly enforced, allegations of human rights abuses promptly investigated, and victims' right to remedy effectively realized with no impunity allowed and condoned. This is especially relevant in the southern border provinces where a large number of people are affected by violent incidents.
- **Special protection should be provided to various vulnerable groups.** The government should double its efforts in combating violence against women and children, promoting equal access to public services of disadvantaged and vulnerable groups, such as persons with disabilities, minorities, the poor and those living in remote areas, and adopting a long term policy that protects basic rights of stateless persons, migrant workers and asylum seekers.

38 Recommendations not accepted by Thailand

- For the 38 recommendations not accepted by Thailand, the Commission would like to see more forthright and positive response and propose to the Thai government to work towards adopting more recommendations relating to the death penalty, freedom of expression, the rights of refugees and asylum seekers and the ratification of the Rome Statute of the International Criminal Court.
- **Abolishing the death penalty** is a controversial but desirable step toward ensuring respect for life. If Thailand is not yet ready to abolish the death penalty, the government should at

least limit its use to the most serious crimes as recommended by the Human Rights Committee. It should also opt for other crime deterrent measures to pave way for the abolition of the death penalty.

- **On freedom of expression**, the government should ensure that relevant laws are strictly enforced in accordance with their objects and purposes and allow constructive criticisms to be expressed freely. The Commission is undertaking a study on infringements on the freedom of expression arising from implementation of existing laws and will make appropriate recommendations to the government in due course.
- The Thai government should adopt a clear policy towards **refugees and asylum seekers** which recognizes their need for special protection. The Commission urges Thailand to consider becoming party to the Convention on the Status of Refugees to guarantee that protection. In its efforts to address the problem of asylum seekers in Thailand, the Commission is now looking into the possibility of amending the immigration law to provide for the definition of "refugees" and their proper treatment by the authorities concerned.
- **The Rome Statute of the International Criminal Court** is an important instrument that promotes international cooperation in the fight against the most serious and systematic violations of human rights. As signatory state of the Rome Statute, Thailand should concretize its political commitment by seriously addressing remaining contentious issues to enable her to ratify the Statute at an early date.

Follow up on the implementation of the UPR recommendations

- The National Human Rights Commission will follow up on the implementation of UPR recommendations by the Thai government as part of the monitoring mandate entrusted to us by the Constitution. Several internal meetings have been held to ensure that both the Commissioners and staff have a good understanding of the UPR and their role in the follow up process.
- In monitoring progress of implementation of UPR recommendations, the Commission will work with both the government and civil society organizations. Last month, the Commission organized a forum for government officials and members of CSOs to exchange views on the recommendations of the UPR Working Group, both the ones that are already accepted by the government and the ones that are not. The Commission has found the forum useful in promoting constructive dialogue and will organize more activities of this kind in our follow up process.

Thank you, Mr. Chairman.
