



## THAILAND

### Joint UPR Submission to the UN Universal Periodic Review

### 39<sup>th</sup> Session of the UPR Working Group

### Elderly Rights in Thailand

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Submission by:

**FOPDEV** is the Foundation for Older Persons' Development based in Chiang Mai, Thailand. The Foundation for Older Persons' Development (FOPDEV) is a national non-government organisation with the aim on seeking to improve the quality of life for older people throughout Thailand by working with and for older people nationwide to address their physical, psychological, social, educational, and economic needs base on the older people's rights stated in the Elderly Act 2003 improved 2009 and 2017.

**Manushya Foundation** is a women-led and innovative non-profit organization with the goal to reinforce the power of local communities, in particular women human rights defenders, so they can advance their human rights and fight for equality and social justice. Manushya means "Human Being" in Sanskrit; it was founded in 2017 to engage, mobilise and empower local communities across Asia to be at the center of decisions and policies that affect them by: connecting humans through inclusive coalition building and; by developing strategies focused at placing local communities' voices at the centre of human rights advocacy and domestic implementation of international human rights obligations and standards. Manushya Foundation strengthens the solidarity and capacity of communities and grassroots to become Agents of Change fighting for their rights and providing solutions to improve their lives, their livelihoods and the human rights situation on the ground.

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## 1. Introduction

1.1 In this submission, the FOPDEV and Manushya Foundation examine the compliance of the Thai Government with the recommendations received during the 2nd UPR cycle of Thailand, particularly in relation to the protection of the rights of elderly people. In this context, we analyse the efforts made by the government to implement recommendations received concerning the compliance of national legislation with international human rights obligations of Thailand in relation to the rights of older persons, and the enhancement of their access to health, pension and welfare. The authors then draw specific, measurable and result-oriented recommendations to ensure that the rights of elderly persons in Thailand are respected and upheld.

1.2 During the 2<sup>nd</sup> UPR cycle, Thailand received a total of 11 recommendations related to the rights of elderly people. Of these recommendations, the Royal Thai government accepted all. However, only one recommendation specifically refers to “elderly”<sup>1</sup>, therefore showing a lack of understanding of the necessity to enhance their rights and protection.

1.3 We are deeply concerned with Thailand’s treatment of elderly people, who are facing severe challenges in accessing their human rights, as the Thai government has failed, until now, to put in place a comprehensive approach to enhance their rights, to provide sufficient pension and welfare allowance, and to ensure their access to information, justice and seek remedies. In recent years, there have been taken some positive steps to recognise the rights of the elderly under Thai law. We can recall the Elderly Person Operational Plan (2020-2022) focusing on preparation for old age, promotion of elderly person’s careers, and the development of professional careers. However, their rights have not been enhanced and they continue to face substantial challenges.

1.4 This submission indicates that elderly persons face severe challenges in accessing their human rights, in the following manner:

- Section 2 discusses the gap in the national legislation to protect and uphold the rights of the elderly.
- Section 3 discusses the right to retirement.
- Section 4 examines insufficient allowances and pension schemes.
- Section 5 tackles the lack of access to the care required.
- Section 6 entails physical and mental abuse faced by elderly persons.
- Section 7 discusses the challenges faced by the elderly to use public infrastructures.
- Section 8 examines discrimination of elderly in employment, and the particular vulnerability of elder women.
- Section 9 discusses lack of assistance for elderly struggling with mental health issues.
- Section 10 entails the Thai Government’s inactivity in addressing climate change-related issues.
- Section 11 discusses the elderly’s lack of access to justice and effective remedy.

- Section 12 includes recommendations to the Thai government, addressing the challenges and rights violations discussed in foregoing sections.

## Section 2. Gap in the national legislation to protect and uphold the rights of elderly.

2.1 During the 2<sup>nd</sup> UPR cycle, the Thai government did not receive any recommendations specifically addressing legislation protecting the rights of the elderly. By the end of 2021, Thailand will have reached the criterion of a ‘complete-aged society’, whereby at least one in five members of the population is aged 60 years or older.<sup>2</sup> Despite such a large population of elderly, the country lacks sufficient and effective legislation to protect and uphold their rights, with the current legislation protecting the elderly’s rights being insufficiently enforced.

2.2 While Section 27 of the Constitution of Thailand provides that discrimination based on age is prohibited, in paragraph 2, it is noted that “measures determined by the State in order to eliminate an obstacle to or to promote persons’ ability to exercise their rights or liberties on the same basis as other persons or to protect or facilitate children, women, the elderly, persons with disabilities or underprivileged persons, shall not be deemed as unjust discrimination.”<sup>3</sup> The legal and institutional framework on the protection of the elderly also includes the 2003 Elderly Person Act, National Committee of Senior Citizens, and the Second National Plan for Older Person (2002–2021). Nevertheless, while these provisions are in place, they are insufficiently enforced. In reality, the elderly face severe violations of their rights and are subject to discrimination and violence.

## Section 3. Elderly inability to retire at the set retirement age of 60.

3.1 During the 2<sup>nd</sup> UPR cycle, the Thai government received no recommendation specifically addressing the retirement of the elderly at the age of 60. Despite the fact that employees have the legal right to retire at the age of 60, they often lack adequate savings, access to retirement plans and pension schemes, making them choose to continue working. In 2018, the Labour Force Survey by the Thai National Statistical Office (NSO) found that 37% of elderly Thais are still gainfully employed, which is 4.4 million persons out of the total elderly population of 12 million person.<sup>4</sup>

3.2 The amended Labour Protection Act in 2017, for the first time, stipulated that retirement is a case of termination of employment due to old age, and that retirees are eligible for the same entitlements normally granted in case of termination, including severance pay. Prior to this law, people were required to work as long as possible, until they would submit their resignation, and would then not be entitled to any benefits.<sup>5</sup>

3.3 Under a national reform plan, and to address the country’s ageing society, in April 2018, measures to raise the official retirement age for government and state enterprise officials from 60 to 63 years old were promulgated in the Royal Gazette. However, this accounts only for positions that are deemed essential and that do not require a high level of physical fitness. The government expects that the raised retirement age would be in effect only in 2024. However, in September 2020, a subcommittee of Thailand’s Senate Committee on Social Development and Affairs of Children, Youth, women, Elderly People, and Under-privileged people, proposed to rethink and delay the rise of the retirement age.<sup>6</sup>

## Section 4. Insufficient allowances and pension schemes

4.1 During the 2<sup>nd</sup> UPR cycle, the Government of Thailand received no recommendation directly addressing the allowances and schemes provided to the elderly. Section 11(11) of the 2003 Elderly Person Act provides that elderly shall have the right to extensive and fair provision of monthly old-age pension. However, in reality, Thailand's welfare system is not extensive, and the elderly are receiving insufficient allowance and pension to make ends meet during their old days.<sup>7</sup>

4.2 Thailand has pension schemes in place. However, they were established mainly for civil servants and employees of state-owned enterprises, comprising only ten percent of the country's total workforce. The pension scheme in Thailand was introduced late, and payouts only started in 2014. When the scheme was introduced, it was only mandatory for employers employing over 20 employees, and only in 2002 other businesses were required to join. Consequently, numerous workers reached their retirement age without being enrolled in the scheme for the required period of fifteen years, and do not qualify.<sup>8</sup> Data suggest that almost half of the population has no retirement pension, and only 35.8 percent of older persons have savings.<sup>9</sup>

4.3 The elderly with Thai citizenship who are not covered by pension scheme receive Old Age Allowance monthly as following: elderly between 60 and 69 years old receive 600 THB, those aged 70 to 79 receive 700 THB, those aged 80 to 89 receive 800 THB, and elderly over 90 years old receive 1,000 THB. Given that the current minimum wage in Thailand is 313-336 THB per day, this is clearly a small amount of money.<sup>10</sup> Not receiving sufficient allowance to cover the living cost and even basic necessities, research conducted in 2017 demonstrated that one out of three elderly lived in poverty.<sup>11</sup> In times of recession and economic downturn, such as those during and following the COVID-19 pandemic, older persons are particularly at risk of falling into extreme poverty.

4.4 In September 2017, a reverse mortgage system was introduced by the Government Savings Bank. Through the system, the elderly could borrow money to pay for their living cost by using land or houses as collateral. However, the elderly face challenges using this system due to poor financial literacy, the risk of fluctuations in interest rates and property prices, and the risk that people will outlive their assets.<sup>12</sup>

## Section 5. Elderly's lack of access to senior care.

5.1 During the 2<sup>nd</sup> UPR cycle, Thailand Government did not receive any recommendation concerning elderly care, and it received 7 recommendations regarding access to healthcare, of which it supported all. One specifically called for ensuring equal access to health services for all and giving special attention to the needs of the elderly. However, the government failed to implement any. The elderly does not have adequate access to the care they require, even though Section 10(4) of the 2003 Elderly Person Act provides that various government agencies shall establish community-based care systems for elderly.<sup>13</sup> This stems from two reasons: the unsustainable traditional care system for the elderly by their relatives, and the underdeveloped and costly public senior care systems in rural areas. A study demonstrated that elderly care is in 40 percent of cases provided by daughters, and in 30 percent by spouses, while only a few receive fee-based care in facilities specialised in providing senior care.<sup>14</sup> However, the traditional care system with children taking care of their elderly parents is unsustainable due to changing population balance and an increase in rural-urban migration of children seeking employment in cities. Consequently, older Thais are 20 percent less likely to live with their adult children compared to 25 years ago.<sup>15</sup> Also, according to statistics of the National Statistical Office, in 2017, 11 percent of the elderly lived alone, compared to only 6 percent in 2002.<sup>16</sup> Those living alone are disproportionately from poorer households.

5.2 Relying on the traditional care system, the public senior care system in Thailand is underdeveloped: (1) there is a lack of skilled personnel, including doctors, nurses, assistant nurses, nutritionists, and therapists to take care of the elderly, and (2) facilities fail to meet senior care demands. This is particularly problematic given the fact that the number of bedridden elderly people will severely increase in the coming decades. As of 2017, there were about 180,000 bedridden elderly in Thailand. However, this number is expected to exceed 300,000 by 2030, and 500,000 by 2040. These numbers are in line with the growth in the number of people of 80 years and older, who are at high risk of having illnesses.<sup>17</sup>

5.3 Across Thailand, the Department of Social Welfare manages a total of 20 residential homes for the elderly and additionally, there are homes owned by private organisations in seven provinces. Over 50 hospitals also offer private elderly care services. However, the large majority of elderly care facilities are located in urban areas and are expensive. Some senior care facilities are reportedly providing substandard services and there have been complaints about inadequate care and inability to handle deaths of elderly people.<sup>18</sup> Therefore, elderly care services are particularly inaccessible to elderly residing in the countryside, while most elderly care facilities are located in urban areas, mostly Bangkok with only ten percent of the elderly residing in the Bangkok Metropolitan Region and the majority in other regions of the country.

## Section 6. Elderly face physical and mental abuse.

6.1 During the 2<sup>nd</sup> UPR cycle, the Government of Thailand received no recommendation concerning the necessity to provide assistance to the elderly facing physical and mental abuse. Section 71 of the Constitution of Thailand of 2017 states that “The State should provide assistance to children, youth, women, the elderly, persons with disabilities, indigent persons and underprivileged persons to be able to have a quality living and shall protect such persons from violence or unfair treatment as well as provide treatment, rehabilitation and remedies to such injured persons”.<sup>19</sup> Despite such provisions in the constitution, elderly people face violence and abuse.

6.2 Elderly people often rely on others with regards to care. This dependence leaves them vulnerable, leading to violations of their rights. Abuse of the elderly can take a multitude of forms such as (1) neglect, including inadequate food, shelter, clothing, medical care/assistance, hygiene, medication; (2) mugging, verbal or psychological abuse, including social isolation, verbal abuse, treating them like children; (3) sexual abuse; (4) financial abuse, including abuse of power of attorney, theft, and pressure to change their will or become guarantors, and (5) physical violence. Neglect and abuse can also result from pressure on children to take care of their elderly parents as Section 1563 of the Civil and Commercial Code provides that “children are bound to maintain their parents”,<sup>20</sup> indicating that children have the duty to take care of their parents and serve as their guardians. However, due to financial pressure and stress this role accumulates, relationships between children and parents may deteriorate, and children may end up abusing or abandoning their parents. This occurs even though Section 17 of the Elderly Person Act provides that caretakers of a parent without sufficient income for sustaining a living are entitled to tax reduction<sup>21</sup>. Yet, this tax deduction is generally insufficient, and many families struggle to access this provision. Abandonment of the elderly has led to an increase of homeless elderly, causing severe violations of the elderly’s rights.

6.3 Elderly are also subject to financial theft, committed both by family members and outsiders who target old people living alone. Financial theft occurs in the form of physical robberies, online theft, telesales theft, and phishing whereby scammers steal personal and bank account details. According to the Royal Thai Police, the number of cases in which the elderly has been conned increased over

the past five years.<sup>22</sup> When elderly people are being abused, they oftentimes do not speak out, fearing creating problems for their family members.

## Section 7. Public infrastructures are inaccessible to elderly people.

7.1 During Thailand's examination under the 2<sup>nd</sup> UPR cycle, the Government received no recommendation that specifically mentions the lack of access to public infrastructures by elderly people. Barriers to use public transport also limit the elderly's ability to access other public services, such as healthcare facilities. Prior to November 2015, the elderly and disabled enjoyed free rides on public transport, however, the Ministry of Transport discontinued the program and now charges them 50 percent of the fares.<sup>23</sup> Only in December 2019, the Marine Department introduced the same scheme for boat transport. This occurred despite the fact that Article 11(6) of the 2003 Elderly Person Act provides that the elderly shall receive assistance in the transportation fee as appropriate.<sup>24</sup>

7.2 The elderly face barriers while using public infrastructures, particularly in Bangkok. Sidewalks are uneven and often narrow with congested pavements, and roads are often to be crossed by crossovers which only have stairs. As well, Bangkok's public transport system is not wholly accessible for the elderly or those committing with wheelchairs: only some parts of BTS stations have lifts, ramps, and escalators. Additionally, in Bangkok, only one in four residents lives within a 1.5 kilometres radius of a public park, and only eight percent of the elderly claim that they are able to go to parks.<sup>25</sup>

7.3 A lack of public and affordable transportation remains challenging in accessing health services among older people, particularly in rural areas. Those who are poor and rely solely on monthly allowances are the most vulnerable group as they simply cannot afford to pay for travel to health facilities, especially if the distance means that food and accommodation are required.<sup>26</sup>

## Section 8. Discrimination of elderly in employment, and the particular vulnerability of elder women.

8.1 During Thailand's examination under the 2<sup>nd</sup> UPR cycle, the Government received no recommendation mentioning the discrimination suffered by the elderly in employment, and 4 concerning the imperativeness to reduce discrimination against women, of which it accepted all but failed to implement any. According to section 27 of the Constitution of Thailand, unjust discrimination against a person on the ground of age shall not be permitted.<sup>27</sup> Despite this provision in the Constitution, the elderly face severe discrimination in employment and challenges finding formal employment with social protections, which is particularly important for elderly workers.

8.2 While Thailand has laws in place that should serve to protect the rights of workers, such as the Labour Protection Act, which does not specifically refer to elderly workers. Many elderly persons did not receive any form of formal education. Therefore, they have limited opportunities in the job market, and are often forced to work in the informal sector where they earn little. Analysis of 2017 and 2018 Labour Force Survey data demonstrated that the elderly are largely undertaking menial labour that is unsuitable for their age and physical capabilities. 77 percent of elderly are employed in

agriculture or work as assistants in smaller shops. Meanwhile, only nearly 10 percent of working elderly are employed in non-formal sector jobs that offer labour protections.<sup>28</sup>

8.3 While there is a disparity in socio-economic status between elderly women and men, Thailand's government policies tend to be gender-neutral and do not address issues specifically faced by women. Life expectancy in Thailand stands at 81.3 years for women and 74.2 years for men.<sup>29</sup> As women outlive their husbands, these widows are likely to live alone without the support and resource they require. Approximately 31 percent of older Thai, especially women, had not received any formal education; thereby they struggle to find ways to support themselves financially.<sup>30</sup> Consequently, elderly women disproportionately shoulder the burden of an ageing society and are more vulnerable than men.

### **Section 9. Elderly people struggle with mental health issues and do not have access to help.**

9.1 During the 2<sup>nd</sup> UPR cycle, the Thai Government received 7 recommendations regarding the necessity to enhance access to healthcare, of which it supported all. However, none of them specifically entails the mental health issues with which elderly people struggle, who often do not have access to help.

9.2 Thailand has a high suicide rate, for which the elderly account for a significant part. They commit suicide due to financial difficulties, deterioration of relationships with people close to them, and chronic health issues which lead to depression. Due to social stigma regarding mental health issues in Thai society, elderly persons are unable to seek help if they require any. In 2017, 769 elderly Thai committed suicide, comprising 18.61 percent of all suicide deaths. The highest rates of suicide were those aged between 60 and 69, and their suicides were caused by deteriorating family relationships, physical chronic diseases, and depression.<sup>31</sup> Additionally, among the public, there is a severe lack of awareness about suicide and depression as a public health issue, and people lack knowledge of prevention strategies. Consequently, there are currently insufficient support networks for older persons struggling with mental health issues. In 2016, there was only one licensed psychiatrist for every 250,000 people.<sup>32</sup>

### **Section 10. Thai Government's inactivity in addressing climate change-related issues.**

10.1 During Thailand's examination under the 2<sup>nd</sup> UPR cycle, it received no recommendation with respect to climate change-related issues. The Thai Government has been largely unwilling and inactive in addressing issues related to climate change, pollution, and environmental degradation. Additionally, the government contributes to environmental degradation, largely because it prioritises economic development over the well-being of its people. Although this may not appear as an issue directly related to the elderly's rights, environmental degradation threatens their livelihoods.

10.2 Elderly persons are disproportionately affected by the impacts of climate change and environmental degradation as they tend to be weaker with underlying health issues, due to their older age; thereby they are less able to cope with for instance pollution and extreme weather. When extreme weather occurs, such as floods, elderly people are at higher risk of injury, illness, and death, as they are less mobile. Elderly women are even more vulnerable than men, due to their generally lower socio-economic status.

10.3 The Thai government continues to pursue economic development through projects that are harmful to the environment, such as coal-fired power plants, severely affecting the livelihoods of communities living in surrounding areas, as well as the environment and natural resources on which

they are dependent. This will severely affect the elderly, as they will lose access to resources and land, forcing them to change their lifestyles.<sup>33</sup> A 2015 study by the University of Washington and supported by the World Bank, revealed that in Thailand, air pollution contributed yearly to nearly 50,000 deaths, and children and the elderly are the most at risk.<sup>34</sup>

## **Section 11. Elderly people lack access to justice and effective remedy when their rights are violated.**

11.1 During the 2<sup>nd</sup> UPR cycle, the Thai Government did not receive any recommendation with respect to the lack of access to justice for elderly people. In Thailand, the elderly do not obtain information regarding their rights and complaint mechanisms, while legal assistance is costly. Additionally, on many occasions, the elderly refrain from submitting complaints due to social stigma and discrimination experienced by legal practitioners.

11.2 Section 11(8) and 11(9) of the Elderly Person Act, 2003 provides that elderly shall receive assistance when they face danger, torture or unlawful exploitation or abandonment, as well as advice and consultation on other proceedings in connection with a case or the remedy of family problems.<sup>35</sup> However, in reality, elderly persons face severe restrictions accessing justice and effective remedies when their rights are violated. Due to lack of confidence, feelings of shame, geographical isolation, distrust of the legal system, including limitations, gaps, and loopholes in the law, the elderly are often reluctant to complain about issues affecting them.

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## **Section 12. Recommendations to the Thai Government**

Manushya Foundation and FOPDEV make the following specific recommendations to the Thai government and call on to guarantee that elderly persons' rights are upheld and protected.

### **12.1 Regarding the lack of sufficient and effective legislation to protect and uphold the rights of elderly**

- a. Ensure the effective enforcement of domestic legislation to protect and uphold the rights of the elderly.
- b. Support the development and adoption of the proposed Convention on the Rights of Older persons, that would provide a clear baseline, enshrined in law, to guide better policies, laws and services in future.
- c. Strengthen and amend existing labour protection laws and establish new regulations to ensure that whilst promoting active ageing, elderly people's rights in the workplace are protected in line with General Comment No. 6 and Article 7 of the ICESCR. This must include regulations on the safety and ergonomics of the physical working environment for employees who have reduced physical capabilities.

### **12.2 Regarding the inability to retire at the age of 60 and insufficient financial resources**

- a. Take all necessary measures to further reduce poverty, paying special attention to disadvantaged and marginalized individuals and groups, including older persons, as suggested in CESCR Concluding



Observations 27 (2015).

b. Ensure that older people with disabilities have access to retirement benefits and programs; Take urgent measures to significantly increase the state pension and welfare allowances so as to be in line with current prices and the average cost of living in Thailand, by approving the draft of the National Pension Act which advocates the idea of a universal pension.

c. Related laws such as those regarding pensions and benefits must be amended accordingly to match the new retirement age. An extension in the retirement age should also be accompanied by government efforts to expand healthcare policies and public campaigns to place more focus on preventative healthcare measures and the maintenance of good health. Such measures could include annual health check-ups, fitness memberships and healthy work canteen food.

d. Disseminate information to provide guidance and support to Thai citizens of all ages on saving, pensions, investment and careers; provide alternative channels for those who do not have access to internet or devices required; disclose knowledge on digital payment methods and financial technologies in order that older persons who do have access to the internet are able to navigate the system to access their welfare allowances and pensions with ease.

### **12.3 Regarding elderly's lack of access to the care they require**

a. Incentivise and provide training for Thai and foreign nationals to become professional caretakers for the elderly and consider incorporating the externalities of healthcare provision, such as transport and accommodation costs of those who live far away from healthcare services.

b. Promote the development of purpose-built, elderly-friendly residential communities with support systems and physical environment suited to their needs, following the WHO's set of policy recommendations which focus on three pillars of active ageing and in line with the Madrid International Plan of Action on Ageing (MIPAA).

c. Introduce stringent regulations and a regulation governing body to ensure that those who are providing services and care for older persons are doing so in line with internationally accepted human rights standards.

d. Expand and improve the quality of the current community-based LTC program led by the National Health Security Office, to ensure that all people in need have access to care services and support.

e. Make all the necessary efforts to support, protect and strengthen the family unit to support elderly members in such a way that is culturally and contextually appropriate.

### **12.4 Regarding physical and mental abuse faced by elderly**

a. Amend existing national legislation concerning physical, mental and financial abuse, so as to specifically refer to "older persons" and to address abusive relationships between individuals.

b. Establish support systems and networks to ensure that older persons who fear they may be at risk from or are currently experiencing abuse are able to access help. This may be through the provision of emergency healthcare button devices, helplines or local community support networks and neighbourhood watches.

### **12.5 Regarding the inaccessibility of elderly people to public infrastructures**

a. Promote and invest in age-friendly and universal design in urban and rural planning, infrastructure and public transport scheme to ensure that the transportation needs of older persons are met in line with recommendation 22 of the Vienna International Plan of Action on Ageing and with the 1991 General Assembly's Principles for Older Persons.

### **12.6 Regarding elderly discrimination in employment, and the particular vulnerability of elder women**

a. Provide further incentives to companies and businesses to employ older persons in jobs suitable for their physical capabilities and with flexible working hours, and establish more training programmes for the elderly, in line with Article 6(2) of the ICESCR and the 1991 General Assembly's Principles for Older Persons.

b. Improve social protection for informal workers, including older workers, and recognise the economically significant role they play.

b. Abolish discriminatory practices, strengthen and amend existing labour protection laws, and establish new regulations to ensure that whilst promoting active ageing, elderly people's rights in the workplace are protected in line with CESCR General Comment No. 6 and Article 7 of the ICESCR.

c. Ensure the equal right of women to social security, including in old age, their participation in development policy design to ensure their unique needs are met.

d. Include older women's informal work when realising the ILO's Decent Work Agenda.

### **12.7 Regarding elderly people's struggle with mental health issues and the lack of access to help.**

a. Make a concerted effort through public health campaigns to improve public understanding of mental health, by including the dissemination of information on how to access psychological support services for older persons.

b. Enhance efforts to promote the Time Bank scheme and other support networks in order to relieve pressure on healthcare providers and family members to provide psycho-social support and reduce loneliness.

c. Encourage communal living for older persons or senior housing projects to provide older persons with social interaction and reduce isolation.

### **12.8 Regarding Thai Government's inactivity in addressing climate change-related issues**

a. Ensure that the State itself and persons or corporations operating on Thai territory must not severely affect the natural resources, environmental quality, health, sanitation, quality of life or any other essential interests of the people, community or environment.

b. Enhance public awareness and empower older persons by strengthening existing older people's community-based organisations to enable them use their knowledge and skills so as to contribute to the design and implementation of elderly-sensitive climate change actions at local, national and regional levels.

## 12.9 Regarding elderly people's lack of access to justice and effective remedy

- a. Put in place a regulatory monitoring system whereby it is ensured that the conditions and services being provided in long-term care facilities in Thailand conform with internationally accepted human rights standards.
- b. Empower older persons to be able to access information and justice in line with Article 8 of the UDHR, Article 2 and Article 14 of the ICCPR.
- c. Ensure that information and methods of applying for redress or placing complaints are available in a variety of methods, including in printed copies, by telephone and online.

## Endnotes

<sup>1</sup> Human Rights Council, Thirty-third session, Report of the Working Group on the Universal Periodic Review, 2016, available at: [https://www.upr-info.org/sites/default/files/document/thailand/session\\_25\\_-\\_may\\_2016/a\\_hrc\\_33\\_16\\_e.pdf](https://www.upr-info.org/sites/default/files/document/thailand/session_25_-_may_2016/a_hrc_33_16_e.pdf)

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<sup>3</sup> Thailand's Constitution of 2017, available at: [https://www.constituteproject.org/constitution/Thailand\\_2017.pdf](https://www.constituteproject.org/constitution/Thailand_2017.pdf)

<sup>4</sup> The National Committee for the Elderly (NCE), *Situation of the Thai Elderly*, (2018), available at: [http://www.dop.go.th/download/knowledge/th1586350958-261\\_0.pdf](http://www.dop.go.th/download/knowledge/th1586350958-261_0.pdf)

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<sup>7</sup> Elderly Person Act (2003), available at: [http://web.krisdika.go.th/data/outside/outside21/file/Elderly\\_Person\\_Act\\_BE\\_2546\\_\(2003\).pdf](http://web.krisdika.go.th/data/outside/outside21/file/Elderly_Person_Act_BE_2546_(2003).pdf)

<sup>8</sup> Shotaro Kumagai, Thailand's Efforts to Cope with a Rapidly Aging Population, *Pacific Business and Industries* Vol. XIX, 2019 No. 71, (2019), available at: <https://www.jri.co.jp/MediaLibrary/file/english/periodical/rim/2019/71.pdf>

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