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## **National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21\***

### **Thailand**

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\* The present document is being issued without formal editing.



## **I. Thailand's priorities on human rights: achievements and challenges on the path to empowerment and sustainable development (Recommendations 55-56, 70)**

1. Sustainability is at the heart of everything that Thailand endeavours to do. It is also intrinsically linked with democracy, peace and human rights. For Thailand, sustainability is not only a core value, but also an approach to living. In our external interactions, it serves as a tool, one that integrates the country's aspirations to achieve security, raise standards, enhance status and advance valuable synergies for all people living in Thailand.

2. This is translated into a comprehensive perspective on the promotion and protection of human rights. The role of academia, civil society, the private sector, volunteers, women and children and others has been promoted, in the firm belief that sustainability is only possible when everyone is empowered and meaningfully participates in society and governance. This principle was also reflected in Thailand's first Voluntary National Review (VNR) on the implementation of the Sustainable Development Goals (SDGs) at the High-Level Political Forum on Sustainable Development (HLPF) in 2017 and again in 2021.

3. Underscoring Thailand's approach is the Sufficiency Economy Philosophy (SEP) that focuses on strengthening resilience and promoting sustainability in response to crises at the individual, community and national levels and even as we continue our learning, Thailand will continue sharing our experience on SEP with others.

4. In the past two years, COVID-19 has revealed itself as an all-encompassing and cross-cutting issue which has affected the whole range of human rights in the country. More critically, it has brought about an acute awareness that sustainability can only be achieved if the recovery of societies and economies reflects all dimensions, including human rights, to enable countries to achieve the SDGs comprehensively and leave no one behind. For Thailand, this means achieving a future where empowered individuals live in resilient communities.

5. In the past five years since Thailand presented the second cycle Universal Periodic Review (UPR) report, and in particular the past three years since its Mid-Term Report in 2019, a number of factors have deeply altered social, economic and political conditions, both domestically and abroad. These transformations have, in turn, posed challenges for the Government in implementing timely measures and policies to ensure the safeguarding of human rights, while integrating actions needed from the Government, the private sector and the public. Notwithstanding these factors, concrete advances have been recorded in different areas that enhance access to rights and remedies, ensuring individuals and communities are empowered.

## **II. Methodology**

### **A. Implementation (Recommendation 54, voluntary pledge 3)**

6. After presentation of the second cycle UPR report in 2016, Thailand disseminated the report in Thai and English to stakeholders, both in hard copy and online. Meetings of the National UPR Committee, an inter-ministerial mechanism, were convened to develop an action plan based on the recommendations and voluntary pledges under the second cycle. On 31 January 2017, the Cabinet approved the Action Plan to implement the 187 accepted recommendations and seven voluntary pledges made. Immediately thereafter, several regional consultations were held to sensitise and raise awareness on these recommendations and pledges.

7. The Mid-term Report presented in 2019, as part of Thailand's voluntary pledges and a stepping stone to this report, particularly focused on benchmarking progress on the pledges and recommendations.

## **B. Drafting and consultation process (Recommendation 187, voluntary pledge 6)**

8. During the drafting process, consultations were held in five regions of the country to promote the exchange of views among all stakeholders on the human rights situation in the country, to assess recommendations and other human rights policies, as well as to acknowledge the challenges and concerns on the ground. Six additional issue-based consultations were held with the relevant agencies to pursue further in-depth discussions.

9. This report has been fully endorsed by the National UPR Committee and thereafter approved by the Cabinet, reaffirming the Government's commitments under the UPR mechanism.

## **III. Cooperation with international and regional mechanisms and institutions (Recommendation 186)**

10. Thailand has been playing an active role in the promotion and protection of human rights in the Human Rights Council (HRC), particularly in fostering constructive dialogue and cooperation among States and other stakeholders through capacity-building activities and technical cooperation in the field of human rights.

11. Thailand is the penholder of the resolution "Enhancement of technical cooperation and capacity-building in the field of human rights" (A/HRC/RES/45/32) and also a core group member of several other resolutions, such as "Promotion and protection of human rights and the implementation of the 2030 Agenda for Sustainable Development" (A/HRC/RES/43/19), "Human rights in the context of HIV and AIDS" (A/HRC/RES/47/14), and "Human rights education and training" (A/HRC/RES/31/21).

12. Thailand strongly supports the mandates of the respective UN human rights bodies and stands ready to engage with them in a constructive and meaningful manner. It has consistently responded to questionnaires and requests for information, and is engaging with the Office of the High Commissioner for Human Rights (OHCHR) on the National Recommendations Tracking Database (NRTD) to assist in facilitating implementation of recommendations by the various human rights treaty bodies.

13. It is also committed to working actively with the OHCHR and other partners in taking forward discussions on related issues and resolutions within the Third Committee and the Economic and Social Council (ECOSOC), focusing on synergies between various UN bodies.

14. At the regional level, Thailand fully supports the work of the ASEAN Intergovernmental Commission on Human Rights (AICHR) and has advanced within this regional mechanism, the promotion of the rights of persons with disabilities, business and human rights, and awareness-raising through supporting youth debate activities on human rights issues in ASEAN.

15. During its ASEAN Chairmanship in 2019, Thailand initiated the timely and necessary review of the Terms of Reference of the AICHR to enable the Commission to better respond to evolving human rights situations. Thailand's Chairmanship also saw the establishment of the ASEAN Centre for Sustainable Development Studies and Dialogue (ACSDSD) as well as the ASEAN Centre for Active Ageing and Innovation (ACAI), in Bangkok.

## **IV. National legal and policy framework (Recommendations 31-33, 49-50)**

16. Thailand's legislation, of which the supreme law is the Constitution of the Kingdom of Thailand B.E. 2560 (2017), reflects its obligations under seven core human rights treaties to which it is party. There is the recognition that further measures and the commitment to

pursue additional instruments are needed to implement human rights effectively and to ensure consistency with international standards.

17. The Constitution established a 20-Year National Strategy (2018-2037) for the country's development, to ensure stability and sustainability through the protection of rights and freedoms. Relevant provisions include Strategy 4 on creating opportunities and social equity and Strategy 6 on re-balancing and developing the Government administration system.

18. On 30 June 2020, the Cabinet formally endorsed the 4<sup>th</sup> National Human Rights Plan (2019-2022), which serves as a human rights framework for the various agencies in ten specific areas, covering 12 specific vulnerable groups.

19. The National Committee on Driving Forward Human Rights Work in Thailand is the mechanism driving implementation of the Plan with comprehensive responsibilities for human rights issues in the country. It is mandated to monitor outcomes from implementation of local human rights programmes and activities at central and provincial levels, through the Provincial Justice Offices in all 76 provinces.

## V. Human rights mechanisms

### **National Human Rights Commission of Thailand (NHRCT) (Recommendations 37-47)**

20. The National Human Rights Commission of Thailand (NHRCT) is an independent organ operating under the Constitution, the **Organic Act on the National Human Rights Commission of Thailand B.E. 2560 (2017)**, and in accordance with the Paris Principles. The newly constituted NHRCT is the fourth Commission which started to perform its duties on 31 May 2021, reflecting a diverse set of expertise and gender balance.

21. Since its founding, the NHRCT was empowered to: examine and report on the correct facts in all cases of human rights violations and recommend appropriate measures or guidelines for the prevention or redress of human rights violations; prepare a report on assessment of the human rights situation of the country; recommend measures or guidelines for the promotion and protection of human rights, including amendment and improvement of laws, rules, regulations or orders so that they conform with human rights principles; and raise awareness of all sectors of society on the importance of human rights. In cases where human rights violations constitute a criminal offence and the injured person is not in a position to file a complaint, the Commission or the person assigned by the Commission shall have the power to do so on his/her behalf under the Criminal Procedure Code.

22. On 29 January 2021, the NHRCT approved the establishment of the first regional office in Songkhla province in the South, covering 14 provinces including the southern border provinces. This initiative is in line with the Paris Principles requiring a national human rights institution to enhance physical accessibility for the public, especially in remote areas.

23. The NHRCT currently holds B-level status and has made earnest efforts to return to A-level status. Documents have accordingly been submitted to the Sub-Committee on Accreditation (SCA) under the Global Alliance of National Human Rights Institutions (GANHRI). On 8 December 2020, the Sub-Committee conducted an online interview with the NHRCT and decided that further consideration of the re-accreditation application of the NHRCT will be deferred for 18 months (or three sessions).

## VI. The protection and promotion of human rights

### A. Economic, social and cultural rights / Right to development and poverty eradication (Recommendations 57, 58, 70-72, 91)

24. Thailand is implementing the 12<sup>th</sup> National Economic and Social Development Plan (2017-2021), which is based on the 20-Year National Strategy (2018-2037) and is drafting the 13<sup>th</sup> Plan.

25. The 12<sup>th</sup> National Economic and Social Development Plan consists of ten key strategies aimed at strengthening and developing human capital, promoting fairness in society and reducing social inequality, promoting environmentally-friendly growth for sustainable development, enhancing national security to ensure development leads to stability and sustainability, and promoting effective public administration, preventing corruption, and enhancing good governance in Thai society.

26. At present, the number of Thai people earning less than 1.9 USD per day (the international poverty line) has been zero since 2016, while the proportion of the population experiencing poverty has steadily decreased.

27. Thailand's actions to eradicate poverty have also addressed the lack of opportunity in various dimensions including social protection, access to public utilities, and being at risk. Thailand has identified four key dimensions in the National Multidimensional Poverty Index (MPI), namely, education, health, well-being and financial stability.

28. Notable grassroots economic development projects to build the capacity of the people and local communities include the "Kok Nong Na Model", a project to develop a model area for improving the quality of life according to the New Theory, and the distribution of property holdings and comprehensive infrastructure development. Moreover, the National Land Policy Committee is in the process of allocating land to the poor in the form of collective plots. When this is completed, more than 86,000 people will be allocated land of livelihoods. The Government has also developed Thai People Map and Analytics Platforms (TPMAP) to have a comprehensive and accurate information system on target groups of the poor.

29. However, the acute economic recession resulting from COVID-19 is dealing a severe blow to poverty eradication efforts in the country and the overall achievement of the SDGs, resulting in reduced income for 54 per cent of the Thai people and the risk of reversal of gains on a large number, if not all, of the SDGs. Moreover, COVID-19 has disproportionately impacted households that were already poor, especially the urban poor who are burdened by the high cost of living and fragile household groups. This has required the Government to urgently and aggressively enhance safety nets and targeted social protection strategies.

30. Immediate measures have focused on ensuring access to benefits and welfare for key target groups, namely the underprivileged and vulnerable, ensuring that informal workers, for example, can access the social security system more comprehensively. The Government has also amended laws and regulations to increase benefits and options for making financial contributions to insured workers. Moreover, a capacity-building project for low-income earners was established by dispatching mobile "Service Delivery Units" to provide access to comprehensive social security benefits. Since 2020, these teams have gone out 15,324 times and served 1,006,692 customers.

31. The Government has also been constantly rolling out other targeted measures to help those most affected by COVID-19. These have included: (1) providing grants of 5,000 Baht for three months to independent workers and farmers to compensate the lack of income; (2) providing subsidies of 1,000 Baht per month for three months to other vulnerable groups; (3) pursuing measures to help alleviate the cost of utilities, such as the "50-50 Co-payment" and "We Win" projects; and (4) measures to reduce the price of essential goods.

32. At the macro-level, the Government has empowered the Ministry of Finance to borrow up to one trillion Baht to revive the COVID-19 affected economy and further

reduce the economic and social impacts on vulnerable groups. In this regard, a plan has been initiated by the Ministry to create employment opportunities, generate income, and encourage occupational activities to support surplus workers migrating back to their local communities. This included skills-development courses to meet labour market needs in a post-COVID-19 era under “new normal” life and economic conditions.

## **B. Right to health (Recommendations 69, 74-77)**

33. Despite the challenges associated with realising Universal Health Coverage (UHC) in any country, compounded by the scope of the coverage needed due to COVID-19, the Government continues to promote health insurance policies to cover various groups in the country in a comprehensive manner.

34. UHC in Thailand currently covers 99.8 per cent of the population, including ten million workers. Healthcare is also accessible for foreigners living in Thailand both legally or illegally, the latter of which are mostly marginalised and low-income groups. In 2020, there were more than 690,000 migrant workers of four nationalities (Cambodia, Lao PDR, Myanmar and Viet Nam) under the country’s health insurance system.

35. Since the outbreak of COVID-19 in 2020, Thailand has been proactive in finding cases with the cooperation of both Thai and foreign health volunteers who disseminate accurate and vital information on public health measures, and provide non-discriminatory treatment for COVID-19 patients, especially at-risk Thais and migrant worker community groups.

36. In terms of COVID-19 vaccination policy, Thailand has the current goal to cover at least 70 per cent of the population within 2021. Everyone in Thailand will have access to vaccines, based on prioritizing groups at risk of infection, regardless of nationality. Therefore, should they fall into a prioritised group, migrant workers, both legal and illegal, and those in detention and incarceration settings, as well as other foreigners residing in Thailand, are able to access the national vaccination rollout.

37. Thailand has also pursued the Reform Plan for the management of public health emergencies, including national epidemics and emerging diseases (2021-2022) to enable communities to cope with future outbreaks and strengthen the country’s health security.

38. Other health priorities that have gained the attention of the Government are: mental health, which has suffered as a result of COVID-19, with particular attention to the mental health of persons with disabilities and youth; teen pregnancy, which is being addressed in part by ministerial regulations, tasking educational and other establishments in actively preventing and addressing the issue among employees and students who are adolescents; breast cancer, by actively pursuing efforts to educate women aged 30 to 70 years on conducting self-examinations; and health problems caused by environmental pollution, which is being addressed by strategies and plans for surveillance and a dedicated health fund.

## **C. Right to education (Recommendations 82-90, 143, 145)**

39. Education is a main engine for the country's development and the Government aims to provide everyone with equal access to quality education (12 years) and lifelong learning opportunities. Since 2005, education has been guaranteed for students without requiring evidence of civil registration or Thai nationality, including for ethnic groups, migrants, and children of foreign workers.

40. The latest National Scheme of Education (2017-2036) is based on a conceptual design of education incorporating the principles of Education for All, Inclusive Education, Sufficiency Economy Philosophy (SEP), the achievement of the SDGs and principles underscoring the participation of all sectors of society (All for Education).

41. Furthermore, the 3<sup>rd</sup> Educational Management Plan for Persons with Disabilities (2017-2021) enables people with disabilities of all ages to receive quality educational

opportunities in line with the needs of each individual in order to develop livelihood skills and be self-reliant.

42. COVID-19 and the disruptions experienced by children and schools nationwide have negatively impacted access to quality education. While there is increased emphasis on online learning, there is also the realisation that there is an online gap to be bridged and that other supportive measures are needed to enhance child-friendly services and appropriate support to families.

#### **D. Right to work (Recommendations 20, 59, 69)**

43. The Government places importance on protecting the rights of all workers regardless of their membership in an ethnic group, race or other status.

44. Thailand is party to the International Labour Organization (ILO) Work in Fishing Convention No. 188 and has issued the *Labour Protection Act in the Fisheries Sector B.E. 2562 (2019)* in order to enable vessel owners to protect the rights of fishers in accordance with international standards. The Government also continues its active cooperation with the ILO and all stakeholders to ensure full implementation of the Convention.

45. Since 2015, Thailand has established multidisciplinary teams to conduct integrated labour protection inspections on fishing vessels in 22 coastal provinces. The teams are responsible for all human rights-related issues, including human trafficking, labour rights, forced labour and child labour. As a result of integrated investigations, 2,512 cases of violations during 2018 to April 2021 were found and enforcement actions taken. Thailand has also organised training for employers, workers and workplaces to raise awareness on rights and duties at the Fisheries Workers' Coordination Centres in 22 provinces.

46. *The Labour Protection Act (No. 7) B.E. 2562 (2019)* has further increased employee benefits by including a requirement of consent from employees in order to change employers and increasing the right to leave days, maternity leave and the compensation rate.

47. The Government has also adjusted the minimum wage nationwide upward, now ranging between 313 – 336 Baht per day (from 1 January 2020). It has also promulgated the Labour Action Plan (2020-2022) to effectively respond to the current labour situation especially at the onset of the COVID-19 situation, which covers informal workers hired under the labour law but not insured under Section 33 of the *Social Security Act (No. 4) B.E. 2558 (2015)*. The Government has collaborated with the ILO to complete a gap analysis in early 2020, launching the process of amending ministerial regulations to better protect domestic workers in the informal sector.

48. To further cope with COVID-19, Thailand is also undertaking various measures to protect workers' rights, such as reducing the subsidy rate, increasing unemployment benefits, and introducing a co-payment system for new graduates, where the state partly supports their wages.

#### **E. Human trafficking (Recommendations 36, 60-68)**

49. In 2017, Thailand made key revisions to the anti-trafficking law and once again in 2019, leading to the *Anti-Trafficking in Persons Act B.E. 2562 (2019)*. The definitions and clarifications for the terms “exploitation for profit” and “forced labour or services” were added in the amended law, including additional measures to assist and protect victims of forced labour to comply with the 2014 Protocol supplementing the 1930 Forced Labour Convention, of which Thailand is party. Between 2017 and April 2020, the public prosecutor ordered the prosecution of 1,056 cases of human trafficking.

50. The Government has increased the number of labour inspectors to identify victims of trafficking and prevent oppressive work conditions for the country's 22 million workers. These inspectors have passed rigorous training courses organised by the Ministry of Social

Development and Human Security on how to screen victims of trafficking more effectively. Since 2016, close to 3,000 labour inspectors have been trained.

## F. Rights of specific groups

### Children (Recommendations 96, 99-107, 110, 112-114, 116-121, 171-172)

51. The 2<sup>nd</sup> Children and Youth Development Plan (2017-2021) places special emphasis on the importance of the participation of all sectors in promoting and protecting the rights of children. It advances a vision to provide children and youth with a good quality of life and age-appropriate development, promoting their roles as upstanding citizens and active partners in the development process.

52. The Government has also prioritised the protection of the rights and welfare of children through a multidisciplinary approach in accordance with the National Child Protection Strategy 2017-2021. It has enacted laws on child protection, such as the *Act on Regulating the Promotion of Food for Infants and Young Children B.E. 2560 (2017)*, which implements relevant World Health Organization (WHO) guidelines. Meanwhile, the *Act on the Protection of Children born through Medical Reproductive Technologies B.E. 2558 (2015)* addresses the issue of surrogacy for commercial purposes. The *Adolescent Pregnancy Prevention and Solution Act B.E. 2559 (2016)* protects the right of adolescents to decide for themselves.

53. Thailand has accelerated implementation of the Strategy to Promote and Protect Children and Youth in the Use of Online Media 2017-2021 by an *Act on amendment of the Penal Code (No. 24) B.E. 2558 (2015)* regarding sexual offences and adding to the definition of pornography. It also established a coordinated approach to protect children from online media comprised of the Action Plan on Building Shared Social Responsibility for E-Sports for Children, Phase I (2020-2022) and the Action Plan on Prevention and Mitigation of Impacts on Children and Youth from Online Gambling (2020-2022).

54. In recent times, children have become involved with the criminal justice system in increasing numbers. The relevant agencies have taken various actions to ensure juvenile cases are handled appropriately, with due consideration given to the best interest of the child and Thailand's international obligations. Counselling centres have been established to advise and assist victims and their families, particularly in criminal cases in juvenile and family courts. Training has also been provided for educational institutions to enable them to provide appropriate counselling aimed at reducing youth offences. Moreover, guidelines have been developed on child witnesses in criminal cases and consideration is ongoing on other appropriate procedures such as non-custodial measures for juvenile cases.

55. To tackle violence against children, Thailand is implementing its Strategies on the Prevention and Resolution of Violence against Children and Youth (2015-2021). The Government has also established an integrated action plan for the years 2019-2022 to prevent and address domestic violence and the problem of unexpected pregnancies. Furthermore, Thailand has developed child protection policies for all centres for children, provided skills training for parents and caregivers on quality childcare (to protect against using violence in child-rearing) in all provinces, and prepared a manual to protect children from dangers online. Most recently (July 2021), the Thailand Institute of Justice (TIJ) in collaboration with the Office of the Attorney General published a Thai translation of the UN Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice to create awareness among officials and operationalise the strategies and measures.

56. The Government has also increased efforts to tackle child labour, which have shown tangible results, due in large part to the National Plan for the Elimination of the Worst Forms of Child Labour 2015-2020 driven by the policy and action coordination provided by a National Committee. In addition, the *Labour Protection Act (No. 5) B.E. 2560 (2017)* has been enacted to increase penalties in cases of child labour for dangerous work or for work in prohibited occupations.

57. During the COVID-19 pandemic, Thailand initiated a project to provide immediate assistance to children living in affected families, such as the provision of masks, necessary consumer products and assistance funds. It has tried to reduce the short and long-term impacts on children through expanding the number of social assistance centres. The HOTLINE 1300 was set up as a 24-hour counselling centre as well as the Children Youth and Family Counselling Centres located in 76 provinces and Bangkok tasked with providing advice on problems related to children, youth and families. In addition, the Government has developed specific guidelines for the prevention and protection of children during COVID-19 in establishments such as child development centres and other temporary care facilities for case management and child protection volunteers.

58. On 21 January 2019, seven government agencies signed a Memorandum of Understanding regarding guidelines for alternatives to detention for children in immigrant centres awaiting repatriation, allowing social workers or psychologists to assess the vulnerability of these children and their families and to formulate care plans. The seven agencies are the Royal Thai Police, the Ministry of Social Development and Human Security, the Ministry of Interior, the Ministry of Foreign Affairs, the Ministry of Public Health, the Ministry of Education, and the Ministry of Labour.

59. From October 2018 to June 2021, 304 children and their families in the Immigration Detention Centres have received assistance while awaiting repatriation or travel to a third country. Assistance measures include: allowing the parent (on bail) to stay in the community with their children; allowing mothers and their children to stay on a temporary basis in the Child Assistance Centres run by the Department of Child and Youth Affairs; searching for foster families for unaccompanied children; and allowing mothers and their children to stay in the Mother and Child Reception Centres run by the Immigration Bureau.

#### **Women (Recommendations 125-137, voluntary pledge 2)**

60. Five years after the enforcement of the *Gender Equality Act B.E. 2558 (2015)*, Thailand is now reviewing the said law for maximum efficiency. It is also amending the Ministry of Social Development and Human Security's *Ministerial Regulation on the Criteria and Procedures on the Submission and Consideration of Gender Discrimination Petitions B.E. 2559 (2016)* to be more consistent with changing social contexts.

61. Section 71, paragraph 4 of the Constitution ensures Gender-Responsive Budgeting (GRB) at national level, for which guidelines for government agencies will soon be approved by the Cabinet.

62. The Women's Development Strategy 2017-2021 comprises five strategies: (1) paradigm shift measures; (2) empowerment measures; (3) enabling condition measures; (4) protective and corrective measures; and (5) measures and mechanisms to strengthen women in development. This Strategy is supported by accompanying Action Plans, the latest of which (2020-2021) boasts vocational training courses and job placement free of charge to women and female youth who lack educational opportunities, face financial hardship or are unemployed.

63. On the issue of women in politics and decision-making, Section 90 of the Constitution requires political parties to take gender equality into account in preparing party lists. As a result, the number of female MPs rose to 15.7 per cent (78 persons) in 2019 from 5.4 per cent (13 persons) in 2014.

64. Thailand also places importance on women's economic empowerment by promoting gender equality in the workplace and providing advice and assistance to all employers of different sectors to improve gender equality in the recruiting process. Furthermore, the *Labour Protection Act (No.7) B.E. 2562 (2019)* extended paid maternity leave to 98 days.

65. The Government has also pursued women's economic empowerment at the regional and international levels. During its ASEAN Chairmanship in 2019, Thailand collaborated with the ASEAN Women Entrepreneurs' Network (AWEN) in advocating that companies maintained gender balance in the face of present-day challenges.

66. Under the purview of the Ministry of Public Health, diverse measures to eliminate violence against women and domestic violence have been undertaken, such as: integrating

WHO screening tools into hospital procedures to more effectively identify victims of violence; providing emergency shelters for women; promoting local networks to prevent and address violence against women; and establishing help centres at more than 899 hospitals nationwide. These centres provide care for victims of violence as well as preparedness and skills training to prevent sexual scams and harassment both in Thailand and abroad.

67. On 19 February 2020, the Constitutional Court ruled that the provisions in the Penal Code on abortion were contrary to principles and rights under the Constitution. Soon thereafter, amendments were made to Section 301 and Section 305, Chapter 3, on Abortion Offences and in the same month, the **Act on amendment of the Penal Code (No. 28) B.E. 2564 (2021)**, Section 305, provided that women could terminate their pregnancy within 12 weeks of gestation.

68. To address the problem of teen pregnancy, the Government has formulated national reproductive health policies and strategies to promote education on life skills and teen reproductive health through a multidisciplinary approach. As a result, the pregnancy rate among those between the ages of 15 and 19 has dropped from 5.1 per cent in 2015 to 2.3 per cent in 2019.

69. In April 2020, the Cabinet approved additional measures to prevent and tackle sexual harassment in the workplace. The Department of Women's Affairs and Family Development is also conducting a thorough review of the **Prevention and Suppression of Prostitution Act B.E. 2539 (1996)** in order to amend the law to suit the modern context, through Focus Group discussions with children and youth, sex workers, relevant government agencies, women and mothers and others.

70. During the COVID-19 pandemic, Thailand implemented the “Stay Home, Stay Safe, For the Nation” campaign to contain the outbreak. It had the unintended consequence of preventing victims of domestic and gender-based violence from avoiding dangerous situations because they were not able to leave their residences during the Government-imposed curfew and travel restrictions.

71. In order to protect the welfare and safety of victims during COVID-19, a number of targeted measures were taken, including increasing personnel at social assistance centres. The Government also provided temporary shelters for victims and homeless single mothers, as well as vocational training at all eight Women and Family Development Learning Centres nationwide.

72. Awareness raising is another important element in preventing violence against women in all settings. To this end, the TIJ, in collaboration with the Office of the Attorney General has published in Thai the Updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice.

#### **Older persons (Recommendations 70, 77)**

73. Government policies on the elderly include the 2<sup>nd</sup> National Plan on the Elderly (2002-2021), developed in accordance with the Madrid International Plan of Action on Ageing 2002 and the **Elderly Act (No. 3) B.E. 2560 (2017)**, which serves as a mechanism for promoting the rights and welfare of the elderly.

74. In December 2018, Thailand formally recognised aging society as a national agenda and started preparations for the 3<sup>rd</sup> National Plan on the Elderly (2021-2037) aimed at realising active ageing goals.

75. A number of educational institutions currently provide opportunities for the elderly to obtain various levels of education. 1,545 schools nationwide have been established through the joint collaboration of various institutions, agencies and communities and provide learning opportunities for the elderly on age-appropriate content in the four areas of health, society, economy, and environment.

76. Everyone, including the elderly, is entitled to receive quality health care in accordance with Thailand's UHC policy. The Government is committed to providing long-

term care for dependent elderly and in 2019, the Government cared for 219,518 such elderly persons.

77. Under the 20-year Housing Development Master Plan (2017-2036), the Government has set long-term goals for the improvement of 447,618 homes for the elderly. It plans to collaborate with the private sector to improve 14,500 state housing units for low-income elders.

78. In order to prepare for an aging society, Thailand has also developed a policy to promote employment for the elderly by extending the retirement age of civil servants from 60 to 63 years by the year 2024. In addition, the Ministry of Labour has surveyed and registered the elderly who wish to work, and established training centres for them in the central and provincial areas. The Government has further enacted a *Royal Decree issued under the Revenue Code on Tax Exemption (No. 639) B.E. 2560 (2017)* to determine tax benefits for elderly persons in the workforce. Moreover, in 2019, the Elderly Fund provided start-up loans for 8,991 elderly persons. In addition to receiving money through the state welfare card, elderly persons can also receive financial support from this Fund.

79. The Elderly Act also provides for measures to assist abused and exploited elderly persons. If it is found that a criminal offense has been committed, it must be reported to the investigating officer for prosecution in order to proceed immediately with physical and mental rehabilitation.

80. The Government has prioritised the protection of the elderly during the COVID-19 pandemic. The Department of Older Persons Affairs has increased the amount of grants available to elderly persons while the Elderly Fund has announced a one-year debt moratorium on start-up loans. Furthermore, a local care volunteer project was set up to look after dependent elderly affected by the closure of elderly care facilities and at present, there are close to 16,000 elderly care workers across the country.

#### **Persons with disabilities (Recommendations 139-142, 144)**

81. The *Persons with Disabilities Empowerment Act B.E. 2550 (2007)* continues to be the main legal mechanism for the promotion and protection of the rights of persons with disabilities for all agencies. The Government is working on amendments to the Act to ensure more effective and comprehensive implementation in accordance with the Convention on the Rights of Persons with Disabilities.

82. The Government is currently implementing the 5<sup>th</sup> National Plan on the Empowerment of Persons with Disabilities (2017-2021) which advances a vision of “persons with disabilities enjoying full access and living independently in society, together and sustainably” under a strategy that promotes equality, the empowerment of persons with disabilities, the development of the quality of services for persons with disabilities, and the eradication of discrimination. The National Plan has succeeded in completing 805 projects for a total of 2,096,931 persons, which includes persons with disabilities, their families and communities and the general public.

83. The Ministry of Education has revised its policies and projects to integrate persons with disabilities into the education system, from primary to higher education. This has been pursued through preparing personnel in schools, reducing various obstacles to learning and accessing learning materials and facilities, and adjusting teaching methods. The Ministry has also promoted and supported sports for persons with disabilities, the participation of those with disabilities in community activities, and the preparation of integrated information regarding education and persons with disabilities.

84. In order to provide access to inclusive education and other services, the Government has accelerated the development of a central database system to issue nationwide identification cards for persons with disabilities. Up until March 2020, there were 121,883 children under 18 years of age who have been issued cards nationwide.

85. Thailand also places importance on ensuring that copyright rules benefit persons with disabilities and on 28 January 2019, became party to the Marrakech Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or

Otherwise Print Disabled. The Ministry of Commerce has issued relevant announcements and published a manual to promote understanding about the exercise of such rights.

86. Thailand is fully cognisant that persons with disabilities are more impacted by natural disasters than others. As a result, the 1<sup>st</sup> Natural Disaster Management Plan for Persons with Disabilities (2017-2021) was formulated through public hearings benefitted by views of disabled persons and their families, guardians and communities. Training sessions have been organised for persons with disabilities, disability organisations, personnel and volunteers in the field of social development and human security on what to do during disasters. A manual on the rehabilitation of persons with disabilities due to natural disasters was also published.

87. In terms of public health, the adoption of the 2<sup>nd</sup> Healthcare Plan for Persons with Disabilities (2017-2021) and Natural Disaster Management and Medical Plans for Persons with Disabilities (2017-2021) has led to the development of a One Stop Service in 83 major provincial hospitals.

88. To reduce the impact of COVID-19 on persons with disabilities, the Government has pursued additional safety nets and enhanced livelihood development opportunities through: (1) the increase of the monthly disability allowance from 800 Baht to 1,000 Baht; (2) the efficient disbursement of the Fund for the Empowerment of Persons with Disabilities to assist 1,223,192 people in need of assistance; and (3) the announcement of a temporary debt moratorium for 86,732 people accessing the Fund for the Empowerment of Persons with Disabilities.

#### **Ethnic groups (Recommendations 57, 69, 97)**

89. The Government has been proactive in efforts to protect the way of life and cultural rights of ethnic groups in order to prevent racial discrimination and enhance understanding of cultural differences. This is reflected in the Government's support for the restoration of the cultural activities of ethnic groups, activities to promote local cultures, the establishment of a local museum for ethnic groups, and the conservation of local wisdom and language.

90. Section 70 of the Constitution states that "the State shall promote and provide protection for different ethnic groups to ensure their right to live in society according to the traditional culture, custom, and ways of life voluntarily, peacefully and without interference...". The Government places importance on promoting the cultural rights of ethnic groups not only because it promotes ethnic identity in a multicultural society, but because it is an important mechanism in advancing national security by reducing cultural bias and creating a society that embraces cultural diversity.

91. The Sirindhorn Anthropology Centre (Public Organization) under the Ministry of Culture has drafted the *Protection and Promotion of the Way of Life of Ethnic Groups Act B.E. ...* to serve as a mechanism to guarantee that ethnic groups enjoy basic rights without discrimination. This will be pursued through the establishment of principles and guidelines for the protection of ethnic groups, as well as the creation of a clear and effective system of participation. The draft Act contains the following important principles: protection of cultural rights; capacity-building for ethnic groups; and equality in the face of ethnic differences.

92. The draft Act received at least 10 more hearings during April-June 2021, and is scheduled to be submitted to the Cabinet in September 2021 for further consideration to be enacted as law within 2022.

93. Furthermore, various government agencies are jointly implementing and reviewing implementation outcomes of the Plan to Promote Coexistence under a Multicultural Society in Thailand 2018-2021. The Plan is aimed at promoting coexistence in a multicultural society; encouraging the participation of different groups in the country's development and in resolving various issues and situations; and promoting knowledge and understanding among various actors about Thailand's diverse society.

### People and nature (Recommendations 56, 92)

94. From 2016-2019, the Government has been overhauling its policy vision on land and forest management in order to better integrate and coordinate efforts in the management of conservation areas. This has been pursued through land conservation and rehabilitation, alongside improving the quality of life and well-being of local communities. Moreover, several key policies based on people-centric approaches have been pursued to achieve a balance between social and economic interests, and environmental considerations. For example, the National Land Policy Committee was established with the aim to address land tenure problems by integrating efforts of various agencies as well as promoting comprehensive land management, afforestation, reforestation and the establishment of community forests.

95. Much needed amendments to the relevant laws were also made, notably the *Wild Animal Conservation and Protection Act B.E. 2562 (2019)*, *National Park Act B.E. 2562 (2019)*, and *Community Forest Act B.E. 2562 (2019)*. The Acts now contain new provisions which promote participation of local communities and access to land and other natural resources and biodiversity. The *National Reserved Forest Act B.E. 2507 (1964)* continues to be another important legal measure to address protracted land problems relating to livelihood and habitation of the local communities.

96. The Department of National Parks, Wildlife and Plant Conservation has also been empowered to survey land in national parks, wildlife non-hunting areas meant to support the right of the villagers to live in the area and pursue their livelihoods for periods of 20 years each. Although integration and coordination challenges persist, the Government will continue its efforts to improve the quality of life and well-being of the local communities, including addressing issues of enforcement, compensation and remedies.

97. With the aim of promoting a participatory approach to land management, a Memorandum of Understanding was signed on 8 February 2019 among six competent agencies, namely the Department of National Parks, Wildlife and Plant Conservation, the Royal Forest Department, the Department of Marine and Coastal Resources, the Department of Local Administration, the Office of the Decentralization to the Local Government Organization Committee and the Community Organizations Development Institute (CODI). The MoU provides the framework for a pilot project involving activities such as public hearings to support the participation of stakeholders, concerned communities and the public on issues such as determining, expanding or revoking different types of forest areas or giving input on management plans for communities living there. Local governments are encouraged to manage, conserve, maintain and restore natural resources, the environment and biodiversity, including through drafting forest fire prevention and control plans.

98. The MoU has designated the CODI as an agency responsible for linking development needs and problem-solving at the local level to policy levels. The CODI also ensures that every sub-district has a widely accepted One Map and that every community has a system that jointly pools capital for the people and their sub-district fund group. Furthermore, community networks are to be utilised as a mechanism to link problem-solving to area development. The CODI has implemented the Rural House Security project with the community for this purpose. During 2017-2021, the Institute has launched this project in 1,717 sub-districts throughout the country.

### LGBTI+

99. The Government places importance on the promotion and protection of the human rights of LGBTI+ persons, with significant developments, as follows:

- After five years of implementation, the *Gender Equality Act B.E. 2558 (2015)* is being amended to ensure more efficient protection and promotion of the rights of all, including LGBTI+ persons, and to support the work of the Committee on the Determination of Unfair Gender Discrimination (The Committee on DUGD).
- The *Civil Partnership Act (B.E. ....)* was drafted to allow LGBTI+ persons to register as life partners, thus entitling them to certain rights and benefits equal to

married couples under the Civil and Commercial Code. The draft Act promotes the right to marriage and family and at present, the Ministry of Justice is in the process of reviewing the draft before resubmitting it to the Cabinet.

- Since 2019, the Committee on the Empowerment of Families has amended its definitions related to family to include same-sex married couples.

100. In 2019, Thailand saw the election of the first transgender Member of Parliament to the House of Representatives.

#### **Migrant workers (Recommendations 95, 146-149)**

101. Thailand pursues proactive efforts to ensure that migrant workers can access rights as prescribed by applicable laws, from their countries of origin to their countries of destination, including during repatriation, in order to prevent problems such as debt bondage and the worst forms of child labour, in line with SDG 8 and international labour standards.

102. The Government enacted the *Emergency Decree on Management of Foreign Workers' Employment B.E. 2560 (2017)* in order to enforce the *Alien Workers Act B.E. 2551 (2008)* and the *Emergency Decree on Rules on Bringing Migrant Workers to Work with Employers in the Country (No. 2) B.E. 2561 (2018)*, thereby enhancing efficiencies in implementing policies to prevent labour trafficking. The Emergency Decrees also cover enhanced labour regulation, prevention, protection, remedy and coordination between the relevant sectors to benefit migrant workers and workers in the fisheries industries.

103. As host country to large numbers of migrant workers from neighbouring countries, Thailand has consistently tried to broaden cooperation with countries of origin on the management of migrant workers through MoUs with the respective countries of origin (Cambodia, Lao PDR, Myanmar and Viet Nam). These efforts are also directed at preventing the exploitation of migrant workers.

104. In the area of public health, the Government has a clear policy on providing access to UHC for legal migrant workers, with rights equal to Thai workers. The Government now permits the Ministry of Public Health and the Ministry of Interior to sell health insurance cards at 1,600 Baht per year to migrant workers holding valid work permits in Thailand.

105. In the context of COVID-19, the Government further recognises the critical importance of access to information for migrant workers. It has developed different mechanisms and channels for migrant workers to access information and to submit complaints in various languages, through interpreters and ten migrant worker assistance centres which have already provided support to around 17,957 migrant workers in 2020.

106. On 29 December 2020, the Cabinet passed a resolution to extend the stay permit for migrant workers of three nationalities (Cambodia, Lao PDR and Myanmar), allowing them to continue working legally on an exceptional basis due to a new wave of COVID-19. In accordance with the Resolution, workers had to register via an online system by 13 February 2021, and were permitted to work and stay in the Kingdom for two years until 13 February 2023. Illegal migrant workers were also able to access healthcare in order to get COVID-19 tests, purchase health insurance and have access to identity documents. In line with this Cabinet Resolution, 496,000 migrants have already registered.

#### **Displaced persons and Persons of Concern (POC) (Recommendation 95)**

107. Thailand has had a long experience in managing situations of mass influx of people coming from neighbouring countries, especially during the Cold War in which over a million displaced persons fled the violence in neighbouring countries.

108. Although Thailand has not ratified the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol, Thailand respects the principle of non-refoulement, in accordance with its humanitarian tradition and international obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

109. With regard to Myanmar Displaced Persons, Thailand has provided shelter for this group since 1984. Presently, about 81,000 such persons continue to stay in nine temporary shelters located in four border provinces of Kanchanaburi, Mae Hong Son, Ratchaburi and Tak. Thailand and Myanmar have jointly established working groups to discuss repatriation for this group and since 2016, 1,039 Myanmar displaced persons have been repatriated on four different occasions. However, voluntary returns have had to be postponed due to COVID-19.

110. Thailand is also providing humanitarian assistance to approximately 5,000 Persons of Concern (POC) in urban settings (as designated by the UNHCR) who have entered the country illegally.

111. Finally, the Cabinet approved the Regulation of the Office of the Prime Minister on a National Screening Mechanism B.E. 2562 (2019), which came into effect on 22 June 2020. The relevant agencies are now in the process of drafting related regulations to operationalise the national screening mechanism. Once completed, Thailand will have in place a comprehensive system to identify people in need of protection and to grant them legal status and access to the necessary public services, permitting them temporary stay in the Kingdom and pursuing sustainable solutions. This has been a historic development enhancing Thailand's actions on these issues.

#### **Stateless persons (Recommendations 97-98)**

112. Thailand has registered 480,549 persons with 13-digit identification numbers in the civil registration system (as of 31 December 2020) in the stateless category, ensuring their access to basic services.

113. Up until now, Thailand has granted full nationality to about 290,000 stateless persons, which was completed at a rate of about 10,000 persons per year between 2017 and 2020.

114. On the issue of the reduction of statelessness for children, Thailand has recently enacted the *Civil Registration Act (No.3) B.E. 2562 (2019)*, which authorises registrars to accept the birth registration of children whose origins cannot be identified or who cannot show official proof of Thai nationality. Moreover, if there is proof that the child has resided in Thailand continuously for at least ten years, they now have the right to request Thai citizenship.

## **G. Civil and political rights**

### **Freedom of opinion and expression, and freedom of assembly (Recommendations 152-158, 160-161)**

115. The Government respects and protects freedom of opinion and expression as well as freedom of the media. These freedoms are enshrined in the Constitution which prioritises the participation of the people and different sectors of society in the administration of the country. Because opinions can be wide-ranging, diverse and at odds with one another, the Government is mindful to ensure that the exercise of freedom of expression is done in a constructive and appropriate manner, and does not insult or slander any person or institution, nor does it disrupt national security, social order, public health, and public morality.

116. For the benefit of achieving a peaceful society that is inclusive of all people, the Government has encouraged the use of forums that provide a space for candid and constructive discussion and an exchange of views regarding national reform and constitutional amendments as well as amendments to other laws by all sectors of society both within the country and abroad.

117. Thailand is a country where the monarch is highly revered as the Head of State. The *lèse-majesté* law, which is part of the Penal Code, aims to protect national security and the institutions of Thai society. It is not aimed at restricting people's rights to freedom of opinion or expression or freedom of the media, designating a clear scope for the exercise of

these rights so that it does not affect national security, law and order and the rights of others.

118. Noting the concerns raised with regard to this law, proceedings on related cases have been carefully conducted in accordance with due process. As at 2021, several mechanisms rigorously screen cases, with due consideration given to their impact on national security and related sensitivities, while a channel is also maintained for obtaining royal pardon.

119. During the COVID-19 pandemic, the Government had to declare a state of emergency and enforce special laws and measures to prioritise the protection of lives. Thereafter, on 4 June 2020, Thailand exercised the right to derogate from its obligations (Article 12 on freedom of movement) under Paragraph 1 of Article 4 of the International Covenant on Civil and Political Rights (ICCPR). The Government has tried its utmost to minimise the impacts of these laws and measures on the exercise of the people's rights and freedoms. Even within this context, the people still have been able to freely express their opinions in society.

#### **Prohibition of torture and enforced disappearances (Recommendations 11, 22-29, 173-174)**

120. The draft **Act on the Prevention and Suppression of Torture and Enforced Disappearance (B.E. ....)** is a key mechanism for enhancing implementation of the Convention against Torture (CAT) and enabling the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), the latter of which Thailand signed in 2012.

121. Further to Thailand's Mid-term Report, while the draft Act is still under consideration of the Parliament, the National Committee for Managing Cases Relating to Torture and Enforced Disappearance, chaired by the Minister of Justice and comprising representatives from 13 related agencies, continues to carry out its duties.

122. Supported by four subcommittees (on monitoring, investigating, remediation, prevention and screening cases) the Committee has engaged in efforts to promote transparency in its work by including the OHCHR and CSOs in visits to relatives of victims, and conducting seminars and workshops to promote understanding about CAT and ICPPED.

123. The Rights and Liberties Protection Department has trained law enforcement officers and medical personnel on these Conventions, as well as the Istanbul and Minnesota Protocols.

#### **H. Administration of justice (Recommendations 135, 178, 181)**

124. The Government places importance on the administration of justice and has consistently promoted the use and adaptation of related measures, such as the Justice Fund to ensure that every citizen has full access to legal assistance provided by the Ministry of Justice. This includes the cost of bail, lawyers, court fees, forensic examinations as well as legal assistance to the poor. The latter is provided by the Office of the Attorney General and includes the provision of legal counsel and assistance during judicial proceedings.

125. In order to better serve the needs of the people, the Ministry of Justice has worked hard to resolve the obstacles in accessing the Justice Fund. This has included designating faster consideration times for disbursing assistance, and tasking the Fund to meet more than once monthly to review requests. In addition, the Office of the Justice Fund is currently studying various approaches to developing further different methods of disbursing assistance. The Office has also been working to review standards, criteria and practices in order to promote transparency and good governance. This has been pursued through training sessions for its personnel, effective policy communication as well as a public relations campaign promoting efficiency, integrity, transparency and good governance.

126. The Government has also extended legal assistance to non-Thais, through the provision of interpreters for defendants and plaintiffs during the investigation process,

considered a crucial starting point with the potential to significantly shape the judicial process, apart from existing assistance provided by civil society.

127. In addition, the Ministry of Justice has set up a HOTLINE service and 76 Happy Justice Centres across the country.

128. In response to COVID-19, the Office of the Attorney General has pursued measures to facilitate the administration of justice by speeding up various processes related to the filing of suits in court and launching an AGO-Tracking application to enable the public to monitor the status of cases and make appointments online.

## **I. The criminal justice system and the rights of prisoners (Recommendations 34-35, 163-170, 185, voluntary pledge 2)**

129. The criminal justice system is one of the 11 areas included in national reform efforts in accordance with the Constitution. The ultimate goal is for the criminal justice system to operate with clear timelines at all stages with mechanisms that assist people equally, to achieve a system that strictly enforces the law, a criminal investigation process with checks and balances, and a forensic system that meets international standards, all with a view to creating an organisational culture that prioritises the professional and effective provision of justice.

130. Moreover, the Government has undertaken projects to enhance assistive mechanisms such as the provision of lawyers at the police station, organising training for mediators under the *Dispute Settlement Act B.E. 2562 (2019)*, improving 93 prison facilities across the country, adopting an online system to provide interpreters in courts of first instance, and developing a system for electronic submission of documents and pleas (e-Filing V.3). The Government has also set up community mediation centres, with plans to expand nationwide.

131. Thailand has progressed on various recommendations received during the UPR process, namely: (1) on 18 December 2018, the Cabinet approved the results of a study on the death penalty and recommendations forwarded by the Ministry of Justice, removing the death penalty for officials who committed wrongdoings through Section 173 of the *Organic Act on Corruption B.E. 2561 (2018)*; and (2) increasing the minimum age of criminal responsibility from 10 to 12 years, through a draft *Act on amendment of the Penal Code (No...)* currently being submitted to the Parliament for consideration.

132. Thailand has also placed importance on the effective management of various types of detainees and the conduct of prison officers, while taking into account human rights principles in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules). Since its adoption in 2010, Thailand has also pursued training and further dissemination of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules) domestically and with partners in an expanding number of countries.

133. Improvements to the space utilised by detainees is also a priority for the Government. The Department of Corrections is planning to propose expansions, in line with the guidelines of the United Nations Office for Project Services (UNOPS) and the International Committee of the Red Cross (ICRC), to the Cabinet within September 2021.

134. In response to COVID-19, a Memorandum of Understanding between the Department of Corrections and the Office of the Court of Justice was signed on 24 March 2020 to enhance security within correctional facilities and improve the management of prison sentences through requests for deferment, temporary release, or witness statements through electronic means. Also, the President of the Supreme Court has made specific recommendations on case management during the pandemic, including trial deferral, personnel management and site management to ease congestion. As various clusters were discovered in prison settings mid-2021, COVID-19 measures were strengthened throughout the entire process of detainee reception to release, with vaccinations being pursued for both detainees and prison officials.

135. Thailand continues to be proactive at the international level. It has promoted cooperation on justice innovation through the work of the TIJ and regional efforts through the ASEAN Conference on Crime Prevention and Criminal Justice (ACCPCJ). Most recently, Thailand submitted two resolutions to the Thirtieth Session of the United Nations Commission on Crime Prevention and Criminal Justice (CCPCJ) in May 2021, namely “Strengthening criminal justice systems during and after the coronavirus disease (COVID-19) pandemic” (E/CN.15/2021/L.8/Rev.1) and “Integrating sport into youth crime prevention and criminal justice strategies” (E/CN.15/2021/L.7/Rev.1). Both resolutions were adopted by consensus at the CCPCJ and will be forwarded to the United Nations General Assembly for adoption.

## **J. Business and human rights (Recommendation 48, voluntary pledge 5, 7)**

136. On 31 May 2017, the National Human Rights Commission of Thailand, the Ministry of Justice, the Ministry of Foreign Affairs, the Ministry of Finance, the Federation of Thai Industries, the Thai Bankers' Association, the Thai Chamber of Commerce and the Global Compact Network Thailand signed a Declaration on Collaboration on the Implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs).

137. Thailand also continues to advance implementation of the UNGPs in the country and facilitated a visit of the Working Group on the Issue of Human Rights and Transnational Corporations and Other Business Enterprises to Thailand during 26 March-4 April 2018.

138. On 29 October 2019, the Cabinet approved the National Action Plan on Business and Human Rights Phase I: 2019-2022 (NAP on BHR). The NAP was drafted based on comments received from nation-wide public consultations between government agencies, state enterprises, businesses and civil society in all regions of the country and focuses on the three pillars of rights promotion which include actions to Protect, Respect, and Remedy which are deeply linked to Thailand’s national context. The Government also ensured that the NAP was consistent with the National Strategy, the National Human Rights Plan, the human rights situation in Thailand, and related policies and regulations as well as international standards.

139. Its adoption underscores Thailand’s commitment and intention to protect and promote human rights, which was further demonstrated in the follow-up and evaluation of the implementation of the NAP in early 2021. At present, discussions are ongoing with prominent business corporations regarding the possible elaboration of policies on Strategic Litigation Against Public Participation (SLAPP).

## **VII. Work in progress and future directions (Recommendation 91)**

140. Thailand appreciates that there is much work ahead. Among others, dramatic developments in information technology and access to the internet have led to increased communications and intensified use of social media platforms, with intensive debate on the role of cyberspace. The Government supports open platforms of communication and greater access to information for the people’s benefit, noting the need to bridge the digital divide that continues to persist. At the same time, the Government is aware of the challenge of preventing the exploitation of cyberspace by malicious actors. Managing activities and information flow in cyberspace while maintaining the people’s rights to freedom of opinion and expression will become more challenging. It has made promoting effective communication and building trust between the Government and the public even more vital.

141. Another emerging challenge will be the need for increased effectiveness and humanity in the management of urbanisation and cross-border migration, which has placed considerable pressure on the Government. In this regard, the Government recognises the importance of migrant workers, who contribute significantly to national economic development and advancing Thailand 4.0 policies. It will continue to exert efforts to improve legislation and practices to ensure migrant workers have the same rights as

nationals in accessing essential services. The COVID-19 pandemic has underscored the critical importance of providing these services, even as it has revealed the fragility and vulnerability of urban societies to poverty and widening inequalities.

142. In May 2021, Thailand joined a group of countries sponsoring the “Sustainable Recovery Pledge: Building a better future for all, with human rights at its heart” within the UN. The initiative highlights the importance of human rights and sustainable development in the implementation of COVID-19 recovery measures. It underlines the need to mainstream the SDGs into the promotion and protection of human rights and vice versa, and to pursue efforts in a collaborative manner with all of society, as such echoing Thailand’s long-held approach.

143. The Government has made strong efforts throughout the past five years to improve overall protection and promotion of human rights, as well as ensure progress on specific issues. These efforts have focused on raising awareness of state agencies as well as the people on the importance of human rights as a critical foundation of society. In the next phase, the Government must provide more open platforms for a constructive dialogue and cooperation.

144. The Government is currently gearing up for the 13<sup>th</sup> National Economic and Social Development Plan (2023-2030) which will continue to focus on human-centred development to achieve security, prosperity and sustainability. The National Reform Plan, driven in accordance with the 20-Year National Strategy (2018-2037) and relevant Cabinet decisions, will act as an implementation mechanism to push much of this work forward, with methods and procedures for each reform area, including time frames for expected outcomes to be achieved by 2022. For this purpose, the National Reform Plan (Revised Edition), approved by the Cabinet on 25 February 2021, will further help lay a foundation for sustainable development and a sustainable democracy based on the rule of law, good governance and human rights.

145. Finally, actions in the bilateral and multilateral frameworks can only further reinforce domestic commitments and achievement of the SDGs in this Decade of Action. Thailand is committed to enhancing cooperation on human rights through all relevant regional and global mechanisms. This includes AICHR and other frameworks in ASEAN, the Bali Process, the Global Compact on Refugees (GCR) and the Global Compact on Safe, Orderly and Regular Migration (GCM), for which Thailand has the honour of serving as a champion country, as well as the Human Security Network and Group of Friends on Human Security. These and other existing and new mechanisms will be key in anchoring the gains achieved and in addressing human rights problems effectively, promoting cooperation and capacity-building to advance human rights in the country, the region and around the world as we press on in an undefined post-COVID era.

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