

**Statement by**  
**H.E. Mr. Sihasak Phuanketkeow**  
**Permanent Secretary for Foreign Affairs**  
**and Special Envoy of the Royal Thai Government**  
**in response to comments by countries and other stakeholders**  
**at the Consideration of the Universal Periodic Review Report of Thailand**  
**19<sup>th</sup> Session of the UN Human Rights Council**  
**Geneva, 15 March 2012**

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**Madame Vice President,**

I wish to thank all delegations and stakeholders, especially the National Human Rights Commission of Thailand, with whom we have worked closely over the past couple of years within the context of the UPR process to enhance human rights protection and promotion in Thailand.

Due to time constraints, I will not be able to respond to all the concerns raised, but I will try to provide clarifications on some key concerns.

But let me say first and foremost that today we welcome the opportunity to hear the views and comments from the members of civil society.

On the issue of past incidents of political violence, let me reaffirm that we intend to exert every effort to further the process of national reconciliation by providing justice for all the victims as well as ensuring an inclusive process of political dialogue. We also attach highest priority to the rights of all vulnerable groups in Thailand, be they women, children, migrant workers, persons with disabilities, including sex workers, and we intend to do more in this regard.

With regard to Thailand's security laws, especially as they apply in addressing the situation in the Southernmost provinces of the country, I wish to reiterate that our policy is to move towards ending the use of security laws in certain areas of the country as the situation improves.

Specifically, regarding Section 17 of the Emergency Decree, it should be stressed that this provision does not grant immunity for State officials. It does not preclude the right of persons who have been mistreated by State officials to seek compensation for any wrongdoing.

While Thailand is not in a position to accept recommendations for us to repeal this provision of the Emergency Decree or to review our security laws in general, we do accept the recommendations for us to enhance our efforts to put an end to impunity. This reflects our determination to address this challenge, including through awareness raising on the rule of law and human rights principles for all law enforcement officers while ensuring justice for all affected persons.

On the 1951 Convention relating to the Status of Refugees and the 1967 Protocol, reference has been made to the fact that Thailand is not a State Party to the said instruments. However, if one looks at our record in fairness, Thailand has always lived up to our humanitarian obligations towards persons in need of protection outside their home countries. In fact, at present, Thailand still hosts over a hundred thousand displaced persons along the border. But our unique geographical location within Southeast Asia means that Thailand must also look at the implications of these instruments from a national security perspective, as other countries would do. But having said this, a mechanism is already in place to review our position on the said instruments and, as the situation evolves, we will indeed pursue further consideration of this matter.

With regard to the rights of migrant workers, I wish to point out that any country with around 3 million migrants, out of a population of 68 million, would have to handle the matter of migration carefully. As I noted during our review, Thailand has made considerable progress on the protection of the rights of migrant workers, such as in enhancing their access to health care and education. But more needs to be done, we agree with that, especially as we move towards realizing an ASEAN Community by the year 2015. Thailand will certainly study the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, though our final position on this matter will depend on the results of the study. I also wish to point out that Thailand has accepted several recommendations on migrant workers, including establishing a long-term policy in this regard and strengthening law enforcement.

On capital punishment, Thailand takes note of all the views and concerns raised. However, this is an issue in which more discussions at the national level are still needed as views still vary among different sectors of the society. Please rest assured that we take this issue very seriously and careful consideration is being placed on this matter.

Now on the question of freedom of expression, which seems to centre on the *lèse majesté* law and the Computer Crimes Act, we hear the concerns and views of various delegations on this matter. In this regard, those who understand the nature of Thai society and the place of the key pillars of the Thai nation will realize that this is an issue that only the Thai people themselves can sort out, and such a process is now ongoing.

**Madame Vice President,**

Human rights in Thailand is not a matter of rhetoric. We are firm in our commitments and firm in carrying out our commitments. Let me note that this session today marks the conclusion to Thailand's review under the UPR mechanism for the first cycle. But it does not mark the conclusion of Thailand's efforts on this matter. Rather, it marks the beginning of an even more

important phase of national implementation of the recommendations we have accepted. It is our hope, and intention, to make the best use of the UPR process as a tool to further advance human rights and our nation-building in Thailand. However, this is a task we cannot pursue alone. The Thai Government hopes to work with all relevant stakeholders, including the National Human Rights Commission of Thailand and CSOs, in the implementation of the accepted recommendations and voluntary pledges.

And as was announced by Thailand in October, we hope to be able to present a mid-term report to the Human Rights Council to provide an update on actions taken to implement accepted recommendations and pledges. We see this as another avenue to keep up the momentum of the UPR process in the country.

In concluding, Madame Vice President, Thailand wishes to thank all the delegations for their constructive recommendations during our review and for their additional comments today. We thank the National Human Rights Commission of Thailand and the CSOs for their constructive comments. We also wish to thank the Troika -- Indonesia, Nigeria and Cuba -- as well as the Secretariat for all their hard work and support, which we very much appreciate.

I thank you, Madame Vice President.

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