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## **Summary prepared by the Office of the High Commissioner for Human Rights in accordance with paragraph 15 (c) of the annex to Human Rights Council resolution 5/1**

### **Thailand\***

The present report is a summary of 27 stakeholders' submissions<sup>1</sup> to the universal periodic review. It follows the structure of the general guidelines adopted by the Human Rights Council. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), nor any judgement or determination in relation to specific claims. The information included herein has been systematically referenced in endnotes and, to the extent possible, the original texts have not been altered. Lack of information or focus on specific issues may be due to the absence of submissions by stakeholders regarding these particular issues. The full texts of all submissions received are available on the OHCHR website. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review.

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\* The present document was not edited before being sent to United Nations translation services.

## **I. Background and framework**

### **A. Scope of international obligations**

1. Joint Submission (JS) 4,<sup>2</sup> Company of the Daughters of Charity (CDC),<sup>3</sup> Human Rights Watch (HRW)<sup>4</sup> and Institute for Human Rights and Business (IHRB),<sup>5</sup> recommended ratification of ICRMW. National Human Rights Commission Thailand (NHRC),<sup>6</sup> Amnesty International (AI)<sup>7</sup> and HRW<sup>8</sup> recommended accession to CED, with International Commission of Jurists (ICJ)<sup>9</sup> recommending enactment of legislation criminalizing enforced disappearance.
2. HRW<sup>10</sup> and JS10 recommended ratification of OP-CAT, to allow the prevention committee to visit detention centres so as to improve the facilities and practices and offer recommendations for judicial reform.<sup>11</sup>
3. AI recommended ratification of ICCPR OP-2 and enactment of legislation abolishing the death penalty.<sup>12</sup>
4. JS9 recommended that the Government ratify OP-ICESCR and immediately repeal its reservations to CEDAW, CRC, CERD and CAT.<sup>13</sup>
5. Equal Rights Trust (ERT),<sup>14</sup> CDC,<sup>15</sup> HRW<sup>16</sup> and AI<sup>17</sup> recommended ratification of the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol. ERT<sup>18</sup> recommended ratification of the 1954 Convention relating to the Status of Stateless Persons and JS9<sup>19</sup> recommended ratification of the 1961 Convention on the Reduction of Statelessness. NHRC<sup>20</sup> and JS4<sup>21</sup> recommended ratification of ILO Conventions Nos. 87 and 98 with JS4 also recommending ratification of the ILO Convention and recommendations concerning the work of domestic workers. JS10 recommended ratification of the Rome Statute.<sup>22</sup>

### **B. Constitutional and legislative framework**

6. Asian Legal Resource Centre (ALRC) indicated that Thailand had a history of attempted and successful coups, and each successful coup group had nullified the Constitution of the prior one. Although the 2007 Constitution retained some of the principles of the 1997 Constitution, it was flawed in three significant ways: it was drafted by a militarily-appointed assembly; legalized the coup; and removed citizens' participation from the selection processes of members of independent institutions, including the NHRC.<sup>23</sup> JS10 recommended that the 2007 Constitution should be amended to ensure full participation of civil society in the selection of the NHRC.<sup>24</sup>
7. JS10 referred to the Martial Law Act B.E. 2457 (1914), Administrative Decree on the State of Emergency B.E. 2548 (2005) and the Internal Security Act B.E. 2551 (2008) as suppressive laws.<sup>25</sup> ICJ provided details of specific provisions and powers under the security legal framework<sup>26</sup> and recommended the undertaking by Parliament of a regular review of the scope and application of special security laws, especially in southern Thailand.<sup>27</sup>
8. JS10 noted that some provisions of international treaties had not yet been reflected in domestic laws, including on arbitrary arrest and detention, rights of detainees and extrajudicial execution.<sup>28</sup> NHRC called for the amendment of relevant laws to fully comply with the obligations under CAT<sup>29</sup> with AI and ICJ recommending the enactment of legislation to criminalize torture<sup>30</sup> and JS8 the enactment of an anti-torture law.<sup>31</sup>

9. JS12 recommended that the Government: abolish the Internal Security Act (ISA) in its entirety and seriously take the path of civil democracy, preserving the freedoms guaranteed in the Constitution and adhering responsibly to the international human rights treaties it has ratified; and take measures to clearly and precisely define and limit the role of the military in civil administration. This may be supported by a constitutional ruling on the neutrality of the military in all matters of civil dispute.<sup>32</sup>

10. JS9 noted that Thailand was currently considering passing the Public Gathering Bill,<sup>33</sup> which NHRC stated must be reviewed and should be amended to promote and protect the exercise of the rights of public assembly without arms, guaranteed in Section 63 of the Constitution.<sup>34</sup>

11. Referring to the implementation of the Constitution's Clause 190,<sup>35</sup> JS3 recommended that Thailand amend the laws related to intellectual properties or access to pharmaceutical drugs, medical treatment or other agreements with participation from the people.<sup>36</sup>

### **C. Institutional and human rights infrastructure**

12. JS10 questioned whether the current NHRC complied with the Paris Principles.<sup>37</sup> JS12 referred to the ineffectiveness of the NHRC.<sup>38</sup> NHRC stated that the Government was slow in enacting the law allowing the Commission to discharge its additional functions prescribed by the 2007 Constitution. This draft law did not permit the NHRC to disclose any information obtained during the carrying out of its functions and imposed a penalty for such disclosure.<sup>39</sup>

13. JS10 recommended that an independent mechanism on women's rights be set up within the Prime Minister's Office to ensure women's equal participation in decision-making.<sup>40</sup>

### **D. Policy measures**

14. According to JS9, the Second National Human Rights Plan (2009–2013) emphasized open participation from stakeholders in every sector of society, however, the actual participation process was incomplete, unsystematic, hierarchical, and lacked proper consideration of people's opinions.<sup>41</sup> NHRC indicated that since 2001, due to the lack of an effective monitoring and evaluation mechanism, the plan was not seriously implemented by Government departments which were not held responsible for their inaction.<sup>42</sup>

15. JS10 recommended that the Government should set up an action plan to enable human rights defenders to act independently, free from fear and intimidation.<sup>43</sup>

## **II. Promotion and protection of human rights on the ground**

### **A. Cooperation with human rights mechanisms**

#### **1. Cooperation with treaty bodies**

16. JS10 noted that Thailand had not been successful in submitting most treaty body reports on time.<sup>44</sup> NHRC highlighted that many recommendations of treaty bodies had not been implemented and many human rights issues remained to be addressed.<sup>45</sup>

## **2. Cooperation with special procedures**

17. JS9 recommended that the Government invite the special procedures on arbitrary detention,<sup>46</sup> extrajudicial executions, freedom of expression, independence of judges and lawyers, enforced or involuntary disappearances and on torture to investigate the human rights situation in the country.<sup>47</sup> Justice for Peace Foundation (JPF) recommended that Thailand extend an invitation to the new special rapporteur on peaceful assembly.<sup>48</sup> Human Rights and Development Foundation (HRDF) recommended that Thailand extend an invitation to the Special Rapporteur on migrants to conduct a mission urgently.<sup>49</sup>

## **B. Implementation of international human rights obligations, taking into account applicable international humanitarian law**

### **1. Equality and non-discrimination**

18. JS10 expressed concern that discrimination and violation of women's human rights had intensified and become even more complex.<sup>50</sup> JPF stated that the "Gender Equality Bill" under consideration will allow for discrimination against women when grounded in academic or religious reasons or for the public good.<sup>51</sup> JS 10 stated that the Government must remove these three exceptions to meet its commitments to CEDAW.<sup>52</sup> JPF stated that sustainable solutions that empower women of the south to advocate for their rights are needed.<sup>53</sup>

19. JS7 observed that disability-based discrimination was more prevalent in education, employment, housing, transport, cultural life, and access to public places and services.<sup>54</sup> JS 10 recommended that Thailand honour the human rights of the disabled in accordance with CRPD.<sup>55</sup>

20. JS9 indicated that people living with HIV faced discrimination in society.<sup>56</sup> JS3 noted that many Government agencies refused to employ people living with HIV/AIDs (PLHA). HIV positive children were stigmatized, making it difficult to attend school.<sup>57</sup> JS3 recommended that the Government apply a human rights based approach to overcome HIV/AIDS issue without discrimination; amend laws that obstruct access to various services for PLHA; lift policies that stigmatize, discriminate or violate the rights of PLHA in employment, access to social services and welfare; amend rules and regulations to allow children below 18 years old access to voluntary counseling and testing services without parental consent.<sup>58</sup>

21. According to JS10, the invisible status of indigenous peoples and ethnic minorities invited discrimination and were allegedly seen as threats to national security, "blunders" of forests and natural resources and drug traffickers.<sup>59</sup> NHRC stated that there was not much progress in the naturalization of ethnic groups in the North and former Indochinese refugees in the Northeast. Additionally, former displaced Thai citizens who had not reacquired their Thai nationality were unable to enjoy such rights as the right to travel freely, right to work, right to education and right to health care.<sup>60</sup>

### **2. Right to life, liberty and security of the person**

22. AI noted that in January 2010, the Minister of Interior announced a campaign to extend the death penalty to drug offences under three existing laws.<sup>61</sup> JS12 indicated that at present there were 708 persons on death row<sup>62</sup> with, according to JS1,<sup>63</sup> 339 of them for drug-related offences, 68 of whom were women. JS12 recommended that the Government immediately take steps towards the abolition of the death penalty as promised in the national human rights action plan.<sup>64</sup>

23. JPF stated that Thailand under various Governments had responded to protests with unnecessary and/or excessive force, including the suppression of protests related to the Thai-Malaysian natural gas pipeline and gas separation plant project; suppression of the protests in Tak Bai; and the dispersion of “Red Shirt” protesters in April and May 2010. JPF alleged that the police and security forces employed excessive force during security operations. Prominent examples included events in southern Thailand (including the 28 April 2004 Krue Se Mosque killings). Under the Thaksin Government, the war on drugs resulted in 2,800 killings in a three month period.<sup>65</sup>

24. According to AI, a polarization of Thai society emerged in 2006, reflecting the conflict between the People’s Alliance for Democracy (PAD) and the United Front of Democracy against Dictatorship (UDD).<sup>66</sup> JS10<sup>67</sup> and AI<sup>68</sup> referred to violence between PAD demonstrators and the police, in 2008. In October 2008, two PAD supporters died and at least 440 others, including police, were injured.<sup>69</sup>

25. AI reported that between 10 April and 19 May 2010, 74 protesters or passersby, 11 members of the security forces, four medics, and two journalists were killed during sometimes violent anti-government protests in Bangkok and elsewhere in the country.<sup>70</sup> HRW stated that many UDD members had experienced torture and forcible interrogations, arbitrary arrest and detention and overcrowded detention facilities.<sup>71</sup>

26. NHRC stated that the enforcement of special security laws in southern Thailand, over a long period of time, had given rise to human rights violations.<sup>72</sup> NHRC,<sup>73</sup> HRW<sup>74</sup> and JS8<sup>75</sup> reported on complaints of extrajudicial killings, enforced disappearance, arbitrary detentions and torture, including for obtaining confessions.<sup>76</sup> AI referred to numerous reports of torture and other ill-treatment at Ingkharayuthboriharn Army Camp in Pattani province and of unofficial detention centres where detainees were held without access to the outside world and thus were particularly vulnerable to torture and other ill-treatment. Reports alleged that there were at least 21 unofficial detention sites.<sup>77</sup> JS8 was concerned that government medical examiners were allegedly predisposed to provide inconclusive or vague reports on abuse.<sup>78</sup> ICJ stated that conditions of detention often amounted to cruel, inhuman or degrading punishment, specifically when shackles were used; and there was a lack of judicial scrutiny and regular independent monitoring of detainees.<sup>79</sup> ICJ recommended that the Government undertake regular review of the scope and application of the special security laws regarding the problem of arbitrary detention, including in Southern Thailand.<sup>80</sup> JS8 recommended that regulations issued by ISOC commander region 4 under Article 11 of the Emergency Decree dated 1 February 2008 must be revoked.<sup>81</sup>

27. JS2 indicated that Thai drug users and suspected drug offenders faced stigmatization and an elevated risk of violence from the Government’s hard line and anti-drug campaigns.<sup>82</sup> JS2 reported that the police maintained a list of drug offenders, which was used each time there was a campaign to round up drug offenders.<sup>83</sup> HRW expressed concern that government policy continued to subject drug users to compulsory treatment at centres run by the military and the Interior Ministry.<sup>84</sup> JS1 reported that harm-reduction services were not available in all prisons.<sup>85</sup> Out of 30,020 female prisoners 17,170 of them were in prisons for drug offences.<sup>86</sup> JS2 recommended that the Government fully review forced detention and rehabilitation in terms of effectiveness and possible violation of human rights, with the support of external experts.<sup>87</sup>

28. JPF highlighted that Malay Muslim women had been affected by the violence in southern Thailand and faced trafficking, domestic violence and health issues.<sup>88</sup> JS9 indicated that more than 2,188 were widowed and sexual violations including rape of women and girls were widespread.<sup>89</sup> JS9 referred to reports that 5,111 children in the south were orphaned due to the loss of their custodian and that children aged 13 and above had lost their lives and been detained in army camps with adults.<sup>90</sup>

29. JPF referred to the persistence of children's involvement in *Chor Ror Bor* (Government-established village defence volunteer units), as well as their continued involvement in armed opposition groups in southern Thailand. It highlighted the need for the Government to end children's recruitment and use by all armed parties.<sup>91</sup> JS8 stated that the martial law should not be applied to children under the age of 18 in any circumstances.<sup>92</sup> JS10 stated that special attention must be paid to children and youth who were accused of committing criminal offences related to political rallies and political unrest in the Deep South.<sup>93</sup> NHRC stated that the detention and treatment of juveniles below 18 years was not in accordance with international standards.<sup>94</sup>

30. Global Initiative to End All Corporal Punishment against Children (GIEACPC) noted that corporal punishment was lawful in the home and alternative care settings<sup>95</sup> and continued to be used in schools.<sup>96</sup>

31. JPF expressed concern about the impact of violence on the Thai eastern border with a neighbouring country, especially the displaced. Human rights violations along the border related to the violence should be monitored by independent monitors.<sup>97</sup>

32. NHRC stated that, despite measures taken, the problem of human trafficking persisted with reports of corruption among officials and inability to prosecute traffickers.<sup>98</sup> JS6 reported that the 1996 Prevention and Suppression of Prostitution Act had created an environment where police and local authorities felt emboldened to take abusive actions against "sex workers".<sup>99</sup> JS6 alleged that misrepresentation in media encouraged sectors of society to feel they can act against sex workers with impunity,<sup>100</sup> hindering access to health services.<sup>101</sup> JS6 recommended revision of legislation to protect the rights of persons that enter into the sex industry;<sup>102</sup> application of the Thai Labour Act and Social Security Act to all Entertainment Places and allowing self-employed "sex workers" to join the Social Security Scheme<sup>103</sup> and access to comprehensive health services for migrant sex workers.<sup>104</sup>

### **3. Administration of justice, including impunity, and the rule of law**

33. ICJ noted that the continued use of overlapping special security laws in the south increased the military's power at the expense of democratic accountability.<sup>105</sup> According to JS9, the Government had used aggressive draconian laws to govern, imposing rule by law rather than respecting the rule of law<sup>106</sup> and the courts of law were increasingly regarded with distrust.<sup>107</sup>

34. ICJ highlighted that impunity of State officials continued to be a serious problem in Thailand. It stated that under the *Martial Law Act*, military personnel were immune from criminal prosecution and civil suits. Under section 17 of the *Emergency Decree*, officials were immune from civil, criminal or disciplinary liabilities so long as they were acting in good faith and in a manner not unreasonable to the circumstances. According to ICJ, in practice, this clause was interpreted to provide immunity for actions taken pursuant to superior orders, in contravention of international standards.<sup>108</sup>

35. ALRC referred to cases of persistent impunity for torture, massacre and disappearance.<sup>109</sup> ICJ reported that the recent Appeal Court judgment in the Somchai Neelapaijit case absolved the State of any responsibility for his enforced disappearance.<sup>110</sup> Regarding the 2004 police and army personnel killing of all 32 suspected insurgents who had fled inside the Krue Se mosque, the Attorney-General issued a non-prosecution order on 10 February 2009 on the grounds that the force used was reasonable in the circumstances.<sup>111</sup> In connection with the deaths by suffocation of 78 civilian protestors from Tak Bai during transit to a detention facility, and despite the findings that senior military officers failed to discharge their command responsibilities properly, the Attorney-General issued a non-prosecution order in 2010, without explanation.<sup>112</sup> The 2008 case of Imam Yapa Kaseng, in which an inquest hearing concluded that an imam was tortured and

killed by members of the Thai military, remained at the investigative stage with no public information available.<sup>113</sup> ICJ recommended that the Government end impunity of state officials in high profile emblematic cases such as Somchai Neelapaijit, Imam Yapa Kaseng and Tak Bai; and ensure that the right of victims and families to truth, justice and an effective remedy in law is ensured.<sup>114</sup>

36. JS8 reported that the use of arrest warrants had allegedly led to re-arrests, arbitrary detention and forced participation in military camps,<sup>115</sup> under the present administration of justice there was a long delay in the completion of trials in Southern Thailand and it was not easy for the under-trial prisoners to secure bail.<sup>116</sup> Society for Threatened Peoples (STP) stated that this fundamental lack of justice fuelled a feeling of state abuse and bitterness among the indigenous Muslim Malay population in south Thailand.<sup>117</sup>

37. HRW noted little progress in prosecuting government officials identified as being responsible for ordering police to use excessive force to disperse the PAD protesters rallying in front of the Parliament on October 7, 2008.<sup>118</sup> HRW noted that, while UDD protest leaders and rank-and-file protesters had been arrested and charged, impunity for the government security forces remained.<sup>119</sup> HRW recommended that the Government should ensure that the Centre for the Resolution of Emergency Situation (CRES), the Thai military and other government agencies should cooperate with all information requests from the NHRC and the Truth and Reconciliation Commission and other official inquiries; and that all political movements and political parties should cooperate and participate fully with the efforts to investigate human rights violations and violence.<sup>120</sup>

38. JS9<sup>121</sup> and AI highlighted the sharp increase in *lèse majesté* cases and the number of persons that may have been convicted.<sup>122</sup> ALRC recommended that the Government cease prosecutions for alleged cases of *lèse majesté* under Article 112 of the Criminal Code and the 2007 Computer Crimes Act and immediately publicly disclose the full number of cases under investigation.<sup>123</sup>

39. JS10<sup>124</sup> and JS2<sup>125</sup> recommended that the Government immediately and fully investigate the 2,500 extra-judicial killings and other human rights abuses in the context of the 2003 war on drugs and bring the perpetrators of human rights violations to justice. This should be open to the public and monitored by the NHRC and civil society.

#### **4. Right to privacy**

40. JS5<sup>126</sup> and JS9<sup>127</sup> was concerned that there was no legislation recognizing sex change and same-sex marriages, resulting in discrimination against homosexual couples in regard to inheritance, immigration, child custody, social security benefits, health and pension schemes. According to JS5, as all male-born citizens were required to present military discharge documents with their job applications, transgender people had difficulties getting employment, due to "mental illness" being stated as the reason for their discharge.<sup>128</sup> ERT urged the Government to take steps to adopt comprehensive anti-discrimination legislation and policies,<sup>129</sup> which JS9,<sup>130</sup> JS10<sup>131</sup> and JS5<sup>132</sup> recommended should implement the requirements of ICCPR, including for recognition of changed "sex" for transsexuals and same-sex relationships.

#### **5. Freedom of religion or belief, expression, association and peaceful assembly and right to participate in public and political life**

41. Islamic Human Rights Commission (IHRC) highlighted discrimination against Muslims practising their religion.<sup>133</sup> AI highlighted the fact that in August 2010, the police dropped all charges against a former paramilitary ranger alleged to have been involved in an attack in 2009 on the Al-Furqan mosque in which 10 Muslims were killed.<sup>134</sup> STP stated that four other alleged accomplices remained at large.<sup>135</sup> IHRC recommended, inter alia,

that Muslims should be given the freedom to practice Islam according to their religious belief, without military interference.<sup>136</sup>

42. According to AI, since the *coup d'état* in late 2006, the Government had greatly restricted freedom of expression, primarily in response to those who opposed the *coup*, supported the deposed Prime Minister, or criticized the constitutional monarchy.<sup>137</sup> AI was concerned at the increased use by the authorities of the 2005 Emergency Decree, the *lèse majesté* law and the 2007 Computer-related Crimes Act (CC Act) in a growing trend of censorship to silence peaceful political dissent.<sup>138</sup> Human Rights Implementation Centre-University of Bristol (HRIC-UoB)<sup>139</sup> and JS11<sup>140</sup> indicated that the *lèse majesté* law can be exploited against any activity that is considered a threat to national security. Related concerns were expressed by ARTICLE 19,<sup>141</sup> JS11,<sup>142</sup> JS12,<sup>143</sup> ALRC,<sup>144</sup> JPF<sup>145</sup> and JS9<sup>146</sup>. ICJ recommended that the Government review and amend restrictions on freedom of expression in times of emergency and normalcy, and disclose information regarding freedom of expression cases to the Special Rapporteur on freedom of expression and to the general public.<sup>147</sup>

43. JS12 stated that Thailand was assiduous in blocking access to web sites that carried a different message from the strictly controlled state media.<sup>148</sup> ARTICLE 19,<sup>149</sup> JS12,<sup>150</sup> JS11,<sup>151</sup> HRW,<sup>152</sup> ALRC<sup>153</sup> and ICJ<sup>154</sup> referred to the particular case of Ms. Chiranuch Premchaiporn's prosecution under the Computer Crimes Act. AI stated that if she were sentenced it would consider her a prisoner of conscience.<sup>155</sup>

44. According to ARTICLE 19, powerful elites, companies and politicians frequently used both criminal and civil defamation to intimidate, bankrupt and imprison critics;<sup>156</sup> big corporations had sought exorbitant damage claims;<sup>157</sup> and journalists tended to exercise self-censorship on issues regarding the military, monarchy and judiciary.<sup>158</sup> ARTICLE 19 recommended that the rights of the military and the government to own and control the media should be restricted by law.<sup>159</sup> JS11 recommended that the Thai authorities lift the ban on 204 book titles<sup>160</sup> and limit the foreign publication banning powers of the Head of police.<sup>161</sup> According to ARTICLE 19, the Official Information Act fell short of international standards and the Official Information Commission was not independent.<sup>162</sup>

45. JPF recommended that the Government respect the rights of journalists especially their right to life, and issue direct orders to security personnel that human rights defenders including journalists must not be attacked, including when monitoring protests.<sup>163</sup>

46. JPF highlighted that Thai authorities, particularly security personnel, insurgents in southern Thailand and companies posed a serious threat to human rights defenders;<sup>164</sup> and women human rights defenders faced higher risks in the south.<sup>165</sup> JS9<sup>166</sup> and JS10<sup>167</sup> indicated that those defending the rights of marginalized groups faced intimidation.<sup>168</sup> JPF stated that individuals attempting to hold businesses and officials accountable for corruption, environmental damage and violations of labour rights had been harassed, charged with offences and killed.<sup>169</sup> JS10 called for the Witness Protection Scheme to be improved.<sup>170</sup>

## 6. Right to work and to just and favourable conditions of work

47. JS7 noted unskilled workers and those belonging to ethnic minorities without regular identity cards were being particularly disadvantaged in the labour market with a persistence of discrimination in access to work.<sup>171</sup> JS7 recommended that the Government, inter alia, focus on the main causes, such as non-birth registration and education.<sup>172</sup>

48. JS10 reported that 62.7 per cent of employed were from the informal sector<sup>173</sup> and indicated that "Contract farming" in the agriculture sector was not protected by the new Home Workers Protection Act.<sup>174</sup> JS10 recommended that Thailand ensure the work safety and development of the children of workers in the Informal Sector.<sup>175</sup>

49. IHRB recommended that Thailand enhance protections for groups whose rights are particularly affected by private sector activity, such as migrant workers and child labourers and pursue companies that violate labour laws, particularly in industries with a high incidence of human rights abuses, such as shrimp processing.<sup>176</sup>

## **7. Right to social security and to an adequate standard of living**

50. NHRC explained that inequality was deep-rooted in Thai society and remained a serious problem which led to widespread violations of human rights. The people did not have access to resources and lacked equal opportunity to self-development. This phenomenon was structural, which could not be solved by law enforcement or centralized development policy. Recently, the Government had shown its support to the national reform process initiated by the civil society to address social injustice and inequality, but there have not yet been concrete results.<sup>177</sup>

51. NHRC noted that the Government's exploitation of natural resources had usually had negative impacts on the rights of people in rural areas. One problem was the issuance of land utilization certificates to some Government departments and individuals in areas occupied by locals.<sup>178</sup> NHRC referred to the Mab Ta Pud community as severely affected by industrial pollution. Community leaders who rallied against large industrial projects often faced a life threatening situation, and some had been killed and the perpetrators had not been prosecuted.<sup>179</sup>

52. JS3 indicated that Thailand was a top destination for medical/health tourism causing negative impacts on access to health services and inequality in the public health system,<sup>180</sup> including from a brain-drain of specialists from medical schools and Government hospitals to private hospitals.<sup>181</sup> According to JS3, Thailand's announced intention to import seven generic drugs did not translate into universal access as documented migrants cannot access those drugs.<sup>182</sup> Similar concerns were raised by JS10.<sup>183</sup> JS3 recommended that the Government ensure that the medical hub policy does not contradict the 2009 National Health Charter and that centres of excellence for specialized medical services do not reduce access to basic health services among the country's population.<sup>184</sup>

53. JS7 noted a high number of early pregnancies and related health problems and that the suicide rate among adolescents was constantly increasing.<sup>185</sup> It recommended elimination of disparities in health care between cities and remote areas and of dangerous practices of illegal abortions; and paying special attention to drug addiction.<sup>186</sup> STP reported on the lack of health personnel and violent attacks had forced hospitals to cut down their outreach services to the minimum, in the south. The maternal mortality ratio was three times higher, and the infant mortality was 30 per cent higher than the national average.<sup>187</sup> JS10 stated that the Government should pass the "Reproductive Health Bill."<sup>188</sup>

## **8. Right to education and to participate in the cultural life of the community**

54. JS7 stated that, despite advances, access to quality education in the North and North-East region was still being impeded,<sup>189</sup> including by linguistic barriers.<sup>190</sup> JS7 noted with concern episodes of child abuse by teachers.<sup>191</sup> JS7 recommended that Thailand provide adequate teacher training, suitable teaching materials and prioritize human rights education.<sup>192</sup>

55. CDC highlighted that not all schools outside the camp Mae La accepted children of undocumented migrants.<sup>193</sup> JS4 recommended that the Government promote policies on entering migrant children into Thai schools; and recognize and allow education certificates to be transferable to the Thai education system.<sup>194</sup>

56. HRW reported that the Pejuang Kemerdekaan Patani insurgency in the loose network of BRN-Coordinate (National Revolution Front-Coordinate) was a separatist

movement involving Thailand's southern border provinces and that insurgents frequently targeted teachers and schools, as these were seen as Government entities. Insurgents had targeted Malay Muslim teachers at Government schools and Islamic school administrators who resisted insurgents' efforts to use classrooms for indoctrination and recruiting.<sup>195</sup> JS9 indicated that schools were frequently shut down.<sup>196</sup>

## 9. Minorities and indigenous peoples

57. JS7 reported that ethnic minorities' children were being discriminated against and marginalized because of their distinct living habits and language. Due to geographical isolation, ethnic communities did not have access to some basic services.<sup>197</sup>

58. NHRC reported that the violence in the Deep South was rooted in three main factors: excessive use of power by administrative authorities, the use of violence by the insurgents and violent retaliation by the Government; unfair treatment in the justice system and weak local economy; and the distinct ethnic and religious identity of the local population. During 2004–2010, there were 11,523 incidents of violence, 4,370 deaths and 7,136 injuries.<sup>198</sup> JPF<sup>199</sup> and JS9<sup>200</sup> commented on the root causes of the conflict.

59. STP alleged that the Government had made no progress in limiting the power and influence of the military in the south, and that the army had made pressure not to accept any form of autonomy for the south after politicians proposed more self-rule to effectively end the insurgency.<sup>201</sup>

## 10. Migrants, refugees and asylum-seekers

60. NHRC stated that human trafficking for the purpose of labour exploitation involved an estimated 2 million illegal migrant workers.<sup>202</sup> JS4 highlighted systemic problems that undermined or threatened workers' rights and the weak administrative and human rights monitoring system that enabled exploitation, trafficking, violence and discriminatory practices by officials, employers and other private individuals against migrants.<sup>203</sup> JS4 reported that migrant workers were mainly from neighbouring countries and worked in low-skilled jobs, less than half were registered and 1 million and more were undocumented.<sup>204</sup> According to JS4, many of the problems faced by migrant workers arose from policies governing the registration of migrant workers: the nationality verification (NV) process and the Memoranda of Understanding<sup>205</sup> labour import system.<sup>206</sup> JS4 referred to reports that migrants afraid of entering the NV system were resorting to registration with a 10-year identity card under the Ministry of Interior which was intended for stateless persons to be reclassified as Thai nationals.<sup>207</sup> JS4 reported that migrants who were not registered or fell out of the system were considered by the Government as "illegal", and could be subjected to arrest, detention and deportation.<sup>208</sup> The Government was recommended to: issue directives to all employers of migrants to ban the practice of confiscation of migrants' personal documents, by JS4;<sup>209</sup> and allow registered migrant workers to obtain driving licences, by HRDF.<sup>210</sup> HRDF<sup>211</sup> reported on the denial of work accident compensation to legally registered migrant workers, with JS4<sup>212</sup> and HRDF<sup>213</sup> recommending circular RS0711/W751 be revoked, as recommended by the ILO.

61. JS4 alleged that there had been cases of specific ethnic minorities being repatriated as "illegal economic migrants", which could be considered as *refoulement*.<sup>214</sup> HRW stated that, despite strong protests, in December 2009 the Thai army forcibly returned 4,689 Lao Hmong, including 158 UNHCR-designated "persons of concern."<sup>215</sup> HRW highlighted that in November and December 2010, Thai authorities sent back thousands of persons fleeing armed conflicts in border areas. Thailand failed to conduct independent investigations into instances in 2008, 2009, and 2011 when the Thai navy pushed boats laden with Rohingyas back to international waters, which allegedly resulted in hundreds of deaths. Of 46 Rohingyas held at the Immigration Detention Center in Bangkok since January 2009,

without access to any mechanism for refugee determination or sufficient medical care, two died in detention.<sup>216</sup> ERT urged the Government to stop all deportations of Rohingya, immediately cease push-backs into sea and take steps to ensure that this practice is not repeated, and immediately release the Rohingya still in detention in Bangkok.<sup>217</sup>

### III. Achievements, best practices, challenges and constraints

62. JS10 stated that the imposition of special decrees had accelerated violence both in the South and main cities where the red and yellow shirts, landless farmers and those affected by mega projects staged their demonstrations against the Government.<sup>218</sup> JS9 stated that the Government had frequently used laws that promoted national security as foremost and had often discounted the civil, political, economic, social and cultural rights of the Thai people.<sup>219</sup> Related comments were made by JPF.<sup>220</sup>

### IV. Key national priorities, initiatives and commitments

63. JS9 stated that the Government should comply with the recommendations put forward in the report of the Special Representative on human rights defenders; and actively and effectively implement their human rights commitments and pledges.<sup>221</sup>

### V. Capacity-building and technical assistance

N/A

#### Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org). One asterisk denotes a non-governmental organization in consultative status with the Economic and Social Council; two asterisks denotes an NHRI with "A" status.

#### *Civil society*

AI	Amnesty International*; London, United Kingdom;
ALRC	Asian Legal Resource Center; Hong Kong, China;
ARTICLE 19	ARTICLE 19: Global Campaign for Free Expression*; London, United Kingdom;
CDC	Company of the Daughters of Charity*; Geneva, Switzerland;
ERT	The Equal Rights Trust; London, United Kingdom;
GIEACPC	Global Initiative to End All Corporal Punishment of Children; London, United Kingdom;
HRDF	Human Rights and Development Foundation; Bangkok, Thailand;
HRIC-UoB	Human Rights Implementation Centre -University of Bristol; Bristol, United Kingdom;
HRW	Human Rights Watch*; Geneva, Switzerland;
ICJ	International Commission of Jurists*; Bangkok, Thailand;
IHRB	Institute for Human Rights and Business; United Kingdom;
IHRC	Islamic Human Rights Commission*; London, United Kingdom;
JPF	Justice for Peace Foundation; Bangkok, Thailand;
JS1	Joint Submission 1 - by the International Harm Reduction Association (United Kingdom); Asian Harm Reduction Network (Thailand); the Open Society Institute Public Health Program (New York, USA) and Thai AIDS Treatment Action Group (Thailand);

- JS2 Joint Submission 2 - by the Thai Drug Users Network (Thailand); PSI Thailand Foundation; Alden House (Thailand); Foundation for AIDS Rights (Thailand); Mitsampan Harm Reduction Centre (MSHRC) (Canada); and the Raks Thai Foundation (Thailand);
- JS3 Joint Submission 3 - by the Thai Network of People Living with HIV/AIDS (Thailand); the Thai NGO Coalition on AIDS (Thailand); Raks Thai Foundation (Thailand) and Foundation for AIDS Rights (Thailand);
- JS4 Joint submission 4 - by Raks Thai Foundation (Thailand); MAP Foundation; Foundation for AIDS Rights (Thailand); Human Rights and Development Foundation (Thailand); Friends of Women Foundation (Thailand); Pattanarak Foundation (Thailand), AIDSNet Foundation; and the Labour Rights Protection Network (all these organizations are key members of the Action Network for Migrants (ANM), Migrants Working Group and PHAMIT Program) (Thailand);
- JS5 Joint Submission 5 - by Foundation for Human Rights on Sexual Orientation and Gender Identity, Teeranat Kanjanauksorn Foundation, Anjaree Lesbian Group, Rainbow Sky Association of Thailand, Thai Transgender Alliance, Swing (Bangkok), and M-Plus (Chiang Mai) (Thailand);
- JS6 Joint Submission 6 - by the Planned Parenthood Association of Thailand and the Sexual Rights Initiative (Ottawa, Canada);
- JS7 Joint Statement 7 - by IIMA-Istituto Internazionale Maria Ausiliatrice\* and VIDES-International Volunteerism Organization for Women, Education, Development\* (Geneva, Switzerland);
- JS8 Joint Submission 8 - by Cross Cultural Foundation (CrCF) and Muslim Attorney Center Foundation (MAC) (Thailand);
- JS9 Joint Submission 9 – by Southern Thailand Issue Cluster: Network for Youth Development and Capacity-Building, Southern Thailand, INSOUTH, Youth Association for Development [YAD], Student and Youth Network for Protecting People [SYNPP], Promoting Human Rights and access to Justice Network [Hak Asasi Prikemanusiaan (HAP)], Youth Association for Culture and Islam, South Thailand [YAKIS], Young Muslim Association of Thailand [YMAT], Aman News Agency (Thailand), Islam Burapha Movement, Patani Silent Voice (PSV), The Foundation for Local Management (Deep-south), Bungaraya News, Youth Network for the Opposition of the Thai-Malaysia Gas Pipeline Project, Coalition for the Conservation of the Pattani Gulf, Justice for Peace, Muslim Attorney Centre Foundation [MAC], Islamic Southern of Thailand Foundation (IST), Thai Islamic Medical Association (TIMA), We Pease, Asia Resource Foundation [ARF], The Foundation for Child Development, DEEP PEACE, Muslim Student Confederation of Thailand [MUSTCOTH], Youth Network for the Protection of Saiburi Community, Southern Paralegal Advocacy Network [SPAN], Centre for Culture, Protection, and Democracy, South Thailand [CCPD], Student Federation of Southern Thailand (SFT.SBT), Sankalakhiri Media Network (Thailand), Southern Peace Media [SPM], Muslim Student Federation of Thailand, Foundation for Education and Human Resource Development (FEHRD), Rural Conservation Network of South Thailand, Youth Network for the Protection of Liknite-Sabahyoi Community, Imaam Association of the Southern-border Provinces, PERKASA, Hilal Ahmad Foundation, Deep South Watch [DSW], Teacher’s Confederation, Southern Thailand, Institute of Grassroots Academic (IGRA), Ponoh Association of the 5 Southern Provinces of Thailand, Migrant Workers Cluster: TryArm, Worker’s Confederation on Petroleum and Chemical Waste, The textile garment and leather workers Federation of Thailand (TWFT), Project for the well-being of migrant workers, ethnic minorities,

refugees and stateless person, Adventist Development and Relief Agency Thailand (ADRA), Rangsit Area Trade Union Group, Rangsit Area Trade Union Group, Action Network on Migrant Workers (ANM), Labour Union Birla Group (LUBG), Network for Domestic Workers, Thai-Burmese People Friendship, Refugees, Stateless Persons, and Minority Groups Cluster: Thai Committee for Refugees (TCR), Asylum Access Thailand (AAT), Friends Without Borders, Orang Laut Group (Uraklawoi), Catholic Office for Emergency Relief and Refugees Thailand (COERR), AMAN Secretariat, Jesuit Refugee Service Thailand (JRS); Disability Cluster: Disabled Peoples' International Asia Pacific (DPI/AP), Association of the Physically Handicapped of Thailand (APHT), The Association for Career Advancement of the Blind Thailand (ACAB Thailand), Thailand Association of the Blind (TAB), The Association of Thai Deaf Children & Women's Network Federation (TDCWNF), HIV/Aids Cluster: Foundation for AIDS Rights, The Poz Home Center, Thai NGO Coalition on AIDS (TNCA), Sexual Diversity Cluster: Foundation for Human Rights on Sexual Orientation and Gender Identity (FOR-SOGI), Swing Thailand, Anjaree Lesbian Foundation, M Plus Thailand, Rainbow Sky Association of Thailand, Sexual Diversity Network, Teeranatkarnjanauksorn Foundation, Thai Transgender Alliance, Development Projects Cluster: Network for portal environment, Karen Network for Culture and the Environment, Bonok Conservation Network, Baan-Krood Nature and Environment Conservation Network, Healthy Public life Network, Patlung Province, The Conservation of the Thoong-Kai Community Network, Lese Majeste Cluster: Social Move Assembly, Iskra Group; Red-Shirt Crackdown Cluster: People's Information Center (PIC), United Democracy against Dictatorship Movement, Ubonratchathani Segment, Children Cluster: Foundation for the better lives of Children (FBLC) Thai, The Center for the Protection of Children's Rights Foundation (CPCR), Duang Pratheep Foundation (DPF); Other Clusters: People's Empowerment Foundation, Prachatai, Suwan Nimit Foundation, Burmese Rovingya Association in Thailand (BRAT), Friends of Burma, Khmer Krom Movement in Thailand, People's Empowerment Foundation Community Radio Network, Planning Committee for the Community, Radio Network for the 4 sub-regions of Thailand; (Thailand);

JS10

Joint Submission 10 - by Civil Society and Human Rights Coalition of Thailand (CHRC) (Thailand): Action Network for Migrants (with 17 member organizations); AIDS Net Eearn Foundation; Alden House; Alliance Anti Traffic (AAT); Anjaree Lesbian Group; Anti Human Trafficking Networks; Arom Pongpa-ngan Foundation (APF); Association for Career Advancement of the Blind Thailand; Campaign Committee for Human Rights (CCHR); Campaign for Popular Democracy (CPD); Campaign for Popular Media Reform (CPMR); Center for the Protection of Children's Rights Foundation (CPCR); Cross Cultural Foundation (CrCF); ECPAT Foundation, Foundation for AIDS Rights (FAR); Foundation for Human Rights on Sexual Orientation and Gender Identity; Foundation for Labour and Employment Promotion (FLEP); Foundation for Women (FFW); Friends of Highland Peoples; Friends of Peoples; Friends of Women Foundation (FOW), Highland People Health Network (HPH); Highland Peoples Task-Force (HPT); Homenet Thailand, Human Rights and Development Foundation (HRDF); Indigenous Peoples Network of Thailand (IPNT); Inter-Mountain Peoples on Education and Culture – Thailand (IMPECT); Labour Rights Promotion Network (LPN); M-Plus (Chiang Mai); Migrant Workers' Network, Mirror Foundation; NGO Coordinating Committee on Development (NGO-COD); Pattanarak

- Foundation; Peace and Human Rights Resource Center (PHRC); People's Network for Judicial Policy, Rainbow Sky Association of Thailand; Raks Thai Foundation; Relatives Committee of May 1992 Heroes for Democracy; Stella Maris; Sustainable Development Foundation (SDF); Swing (Bangkok), Teerarat Kanjanauksorn Foundation; Thai Drug User Network; Thai Labour Solidarity Committee (TLSC) with 35 member organizations; Thai Transgender Alliance; The Council of Work and Environment Related Patent's Network of Thailand (WEPT); The Women's Network for the Advancement and Peace; The Northeastern Women's Network ; Union for Civil Liberty (UCL), Workers' Network; Women's Action and Resource Initiative (WARI) ; Women's Rights Development Center (WORD); Women Network Reshaping Thailand (WREST) with 26 Women's Network; WREST members: Action Aid Thailand; ASHOKA Innovations for the Public, Assembly of NGOs for the Protection and Conservation of Environment and Natural Resources; Association for the Promotion of the Status of Women (APSW); EMPOWER Foundation; Foundation for Consumers (FFC); Foundation for Promotion Women Empowerment; Foundation for Women (FFW); Foundation for Women, Law and Rural Development (FORWARD); Friends of Women Foundation (FOW); Gender and Development Research Institute (GDRI); Girl Guides Association of Thailand (GGAT); International Federation of Business and Professional Women (IFBPW); Social and Human Resource Development Institute (SHRDI); Sustainable Development Foundation (SDF); Teerarat Kanjanaaksorn Foundation (TKF); Thai Women Watch Association (TW2); The Deep South Women Overcoming Violence Network; Women's Action and Resource Initiative (WARI) ; Women and Youth Studies Programme (WYSP), Thammasat University; Women Law Association of Thailand (WLAT); Women Workers Unity Group (WWUG); Women's Health Advocacy Foundation (WHAF); Women's Studies Center (WSC), Faculty of Social Sciences, Chiang Mai University; ZONTA International Bangkok 5; ZONTA International Bangkok 17;
- JS11 Joint Submission 11 - The International Publisher Association (IPA) \* (Geneva, Switzerland), PEN International\* (London, United Kingdom) and Index on Censorship (London, United Kingdom);
- JS12 Joint Submission 12 - The International Federation for Human Rights (FIDH) \* (France with the Office in Bangkok) and Union for Civil Liberty (UCL); (Bangkok, Thailand);
- STP Society for Threatened Peoples\* (Göttingen, Germany);
- National Human Rights Institution*
- NHRC National Human Rights Commission\*\*, Thailand.
- <sup>2</sup> JS4, para 56.
- <sup>3</sup> CDC, p. 6.
- <sup>4</sup> HRW, p. 5.
- <sup>5</sup> IHRB, p. 4.
- <sup>6</sup> NHRC, para. 23.
- <sup>7</sup> AI, p. 5.
- <sup>8</sup> HRW, p. 5.
- <sup>9</sup> ICJ, para. 4 (C).
- <sup>10</sup> HRW, p. 5.
- <sup>11</sup> JS10, para. 18.
- <sup>12</sup> AI, p. 4.
- <sup>13</sup> JS9, para. 59. See also JS10, para. 18 and p. 10, recommendation 2.
- <sup>14</sup> ERT, para. 33 (a).
- <sup>15</sup> CDC, p. 6.
- <sup>16</sup> HRW, p. 5.

- 17 AI, p. 4.  
18 ERT, para. 33 (a).  
19 JS9, para. 48, recommendation (m).  
20 NHRC, para. 29.  
21 JS4, para 56.  
22 JS10, p. 10, recommendation 2.  
23 ALRC, paras. 2–3.  
24 JS10, para. 13.  
25 JS10, para. 24. See also JS9 para. 4 and NHRC, para. 7.  
26 ICJ submission and annex.  
27 ICJ, para. 4 recommendation B and para. 18, recommendation.  
28 JS10, para. 8.  
29 NHRC, para. 23. See also JS9, para. 2.  
30 ICJ, para. 4 recommendation A and para. 11 recommendation, and AI, p. 4.  
31 JS8, para. 28.  
32 JS12, para. 18, recommendations 1 and 2.  
33 JS9, para. 4.  
34 NHRC, para. 25.  
35 JS3, para. 16.  
36 JS3, para. 39.  
37 JS10, para. 13.  
38 JS9, para. 5. See also JS2, para. 30.  
39 NHRC, para. 1.  
40 JS10, paras. 35–38.  
41 JS9, para. 58.  
42 NHRC, para. 4. See also JS10, para. 11.  
43 JS10, p. 10, recommendation 4.  
44 JS10, para. 6.  
45 NHRC, para. 3. See also JS10, para. 7.  
46 ICJ, para. 18 and paras. 12–17.  
47 JS9, para. 60. See also JPF, para. 21, recommendation 2 and JS10, para. 81.  
48 JPF, para. 21, recommendation 2.  
49 HRDF, para. 23 a.  
50 JS10, para. 35.  
51 JPF, para. 17.  
52 JS10, para. 37.  
53 JPF, para. 17.  
54 JS7, para. 7.  
55 JS10, para. 48.  
56 JS9, para. 40.  
57 JS3, paras. 26–27.  
58 JS3 pp. 7–8, recommendations 34–45.  
59 JS10, para. 40.  
60 NHRC, para. 19.  
61 AI, p. 2.  
62 JS12, para. 2.  
63 JS1, p. 1.  
64 JS12, p. 2, recommendation 1.  
65 JPF, para. 3.  
66 AI, p. 3.  
67 JS10, para. 28.  
68 AI, p. 3. See also JS10, para. 28.  
69 AI, p. 3.  
70 AI, p. 3.  
71 HRW, p. 1.  
72 NHRC, para. 7.

- <sup>73</sup> NHRC, para. 8.  
<sup>74</sup> HRW, p. 2, last para.  
<sup>75</sup> JS8, para. 1.  
<sup>76</sup> JS8, paras. 18 and 22.  
<sup>77</sup> AI, p. 3.  
<sup>78</sup> JS8, para. 24.  
<sup>79</sup> ICJ, para. 18.  
<sup>80</sup> ICJ, para. 18, recommendation.  
<sup>81</sup> JS8, para. 6 and paras. 4–5.  
<sup>82</sup> JS2, paras. 10 and 14.  
<sup>83</sup> JS2, para. 23.  
<sup>84</sup> HRW, p. 4, para. 1.  
<sup>85</sup> JS1, p. 3, last para.  
<sup>86</sup> JS1, p. 4, second para.  
<sup>87</sup> JS2, para. 31, tenth recommendation.  
<sup>88</sup> JPF, paras. 17–18. See also STP, p. 1, first para.  
<sup>89</sup> JS9, para. 29.  
<sup>90</sup> JS9, para. 28.  
<sup>91</sup> JPF, para. 18.  
<sup>92</sup> JS8, para. 31.  
<sup>93</sup> JS10, para. 57.  
<sup>94</sup> NHRC, para. 7.  
<sup>95</sup> GIEACPC, para. 1.1 and 1.5.  
<sup>96</sup> GIEACPC, para. 1.3.  
<sup>97</sup> JPF, para. 19.  
<sup>98</sup> NHRC para. 17.  
<sup>99</sup> JS6, para. 4.  
<sup>100</sup> JS6, para. 9.  
<sup>101</sup> JS6, paras. 14–15.  
<sup>102</sup> JS6, para. 19 b.  
<sup>103</sup> JS6, para. 19 d.  
<sup>104</sup> JS6, para. 19 f.  
<sup>105</sup> ICJ, para. 12.  
<sup>106</sup> JS9, para. 8.  
<sup>107</sup> JS9, para. 7.  
<sup>108</sup> ICJ, para. 21.  
<sup>109</sup> ALRC, para. 9.  
<sup>110</sup> ICJ, paras. 23 and 20.  
<sup>111</sup> ICJ, para. 22.  
<sup>112</sup> ICJ, paras. 8–9 and 23.  
<sup>113</sup> ICJ, para. 10, see also paras. 4 A and 11.  
<sup>114</sup> ICJ, paras. 4 (A) and 11. See also ICJ, para. 23 and AI, p. 5.  
<sup>115</sup> JS8, para. 33.  
<sup>116</sup> JS8, para. 32.  
<sup>117</sup> STP, p. 1. See also JS8, para. 32.  
<sup>118</sup> HRW, p. 1.  
<sup>119</sup> HRW, p. 1.  
<sup>120</sup> HRW, p. 4, section on accountability for politically motivated violence, recommendations 3 and 5.  
<sup>121</sup> JS9, para. 18 and Appendix B.  
<sup>122</sup> AI, p. 1.  
<sup>123</sup> ALRC, para. 11, recommendation a.  
<sup>124</sup> JS10, para. 17.  
<sup>125</sup> JS2, para. 31 recommendation 3.  
<sup>126</sup> JS5, paras. 3 and 2.  
<sup>127</sup> JS9, para. 34.  
<sup>128</sup> JS5, para. 4. See also, JS9, para. 36.

- 129 ERT, para. 32.  
130 JS9, para. 41.  
131 JS10, para. 52.  
132 JS5, pp. 2–3, recommendations 1–4.  
133 IHRC, p. 1. See also JS9, para. 34.  
134 AI, p. 3. See also STP, p. 3.  
135 STP, p. 2, first para.  
136 IHRC, p. 3, recommendation 2.  
137 AI, p. 1.  
138 AI, p. 1.  
139 HRIC-UoB, paras. 12, 14–15.  
140 JS11, para. 12.  
141 ARTICLE 19, pp.1–5.  
142 JS11, paras. 9–12.  
143 JS12, paras. 19–22.  
144 ALRC, paras. 6–7 and 11.  
145 JPF, paras. 15–16 and 21.  
146 JS9, paras. 16–22.  
147 ICJ, para. 28, recommendation.  
148 JS12, para. 19.  
149 ARTICLE 19, para. 6.  
150 JS12, para. 21.  
151 JS11, para. 11, p. 3.  
152 HRW, p. 2.  
153 ALRC, para. 6.  
154 ICJ, para. 26.  
155 AI, p. 2.  
156 ARTICLE 19, para. 7. See also JS11, paras. 13–14.  
157 ARTICLE 19, para. 8.  
158 ARTICLE 19, para. 16. See also JS11, paras. 13–14.  
159 ARTICLE 19, para. 17. See also ARTICLE 19, paras. 15–16.  
160 JS11, para. 15, recommendation 5.  
161 JS11, para. 15, recommendation 7. See also JS11, para. 7.  
162 ARTICLE 19, para. 12.  
163 JPF, para. 21, recommendation 7. See also JS10, para. 72.  
164 JPF, para. 11.  
165 JPF, para. 13.  
166 JS9, para. 31.  
167 JS10, para. 71.  
168 JS10, para. 72.  
169 JPF, para. 13. See also JS10, para. 70.  
170 JS10, para. 71.  
171 JS7, para. 23.  
172 JS7, para. 24, recommendation g.  
173 JS10, para. 59.  
174 JS10, para. 62.  
175 JS10, para. 65.  
176 IHRB, p. 4, second and third recommendations.  
177 NHRC, para. 2.  
178 NHRC, para. 15.  
179 NHRC, para. 16.  
180 JS3, para. 18.  
181 JS3, para. 19.  
182 JS3, para. 22.  
183 JS10, paras. 68–9.  
184 JS3, para. 41.

- 185 JS7, paras. 32–34.  
186 JS7, para. 35.  
187 STP, p. 4.  
188 JS10, para. 38.  
189 JS7, p. 5, para. 18.  
190 JS7, p. 6, para. 19.  
191 JS7, para. 30.  
192 JS7, para. 24, recommendations c and e.  
193 CDC, para. 7.  
194 JS4, para. 79.  
195 HRW, p. 2.  
196 JS9, para. 28.  
197 JS7, para. 5.  
198 NHRC, para. 6.  
199 JPF, para. 1.  
200 JS9, para. 24.  
201 STP, pp. 3–4.  
202 NHRC, para. 18.  
203 JS4, para. 2.  
204 JS4, para. 4.  
205 JS4, para. 5.  
206 JS4, paras. 9–10.  
207 JS4, para. 13.  
208 JS4, para. 12.  
209 JS4, para. 71.  
210 HRDF, para. 17 a.  
211 HRDF, paras. 13–15.  
212 JS4, para. 66.  
213 HRDF, paras. 13–15.  
214 JS4, para. 14.  
215 HRW, p. 3.  
216 HRW, p. 3.  
217 ERT, paras. 30 d and 31 b.  
218 JS10, para. 24.  
219 JS9, para. 57.  
220 JPF, para. 1.  
221 JS9, paras. 59 and 56.
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