

Opening Statement  
by  
Mr. Wanchai Roujanavong  
Director-General  
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Head of the Thai Delegation  
at  
the 55<sup>th</sup> Session of the Committee on Economic, Social and Cultural Rights  
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Mr. Chairperson,  
Distinguished Members of the Committee on Economic, Social and  
Cultural Rights,  
Ladies and Gentlemen,

For the past 2 days, members of my delegation and I have been present in this room, observing with full attention the work of the Committee. Today, it is our turn and we look forward to our dialogue today and tomorrow with keen interest.

On behalf of the Royal Thai Government, I am honoured to lead the Thai delegation to the presentation of Thailand's combined initial and second periodic reports on the implementation of the International Covenant on Economic, Social and Cultural Rights (ICESCR).

Allow me to properly introduce myself. I am Wanchai Roujanavong, Director-General of the International Affairs Department, Office of the Attorney General of Thailand. The Thai delegation today comprises senior representatives from a wide range of government agencies related to various aspects of policy-making, law enforcement, and the implementation of ICESCR obligations in Thailand, such as Ministry of Foreign Affairs, Office of the National Economic and Social Development Board, Rights and Liberty Protection Department of the Ministry of Justice, Ministry of Labour, Ministry of Public Health, Ministry of Social Development and Human

Security, Ministry of Natural Resources and Environment, Ministry of Culture, and the Royal Thai Police.

Since Thailand's ratification of the ICESCR in 1999, the Thai authorities have committed to working together with various partners including international organizations and civil society organizations towards promoting and protecting economic, social and cultural rights of the people in the society. We regard the submission of our reports as not only an opportunity to reassure our continued commitments to the ICESCR, but also an important process to reflect on our achievements and the remaining challenges, which will help us further improve the fulfilments our obligations.

As we compiled these reports, we realized that, like in many other countries, key challenges also lie in the collection of disaggregated data for comprehensive systematic assessment. This requires us to have sufficient dedicated human resources as well as capacities. This explains the long delay in submitting our reports. We will endeavour to deliver our future reports in a more timely manner.

We are pleased to see a number of interested CSOs submitting their shadow reports on Thailand with respect to the implementation of ICESCR obligations. It is a reflection of civil society space as well as a useful mechanism that contributes to our efforts in identifying gaps so that we can continue to make improvement. The Thai delegation has learnt a lot from our meeting last month in Bangkok with representatives of the CSOs in preparation for our presentation of the national report today. We have also found several points of shared interests and goals that we can work in partnership with the CSOs. In addition, the Universal Periodic Review (UPR) process in Thailand also provides us opportunities to reach out to the CSOs in various provinces and to hear from them about all human rights related issues as well as challenges on the ground. Yesterday, our delegation also met with a number of CSO representatives who are also present here in this room. We have started talking about the need to work together for subsequent follow-up.

Mr. Chairperson,

Distinguished Committee Members,

Our report on the implementation of the ICESCR was done with reference to the former Constitution (Constitution of the Kingdom of Thailand B.E. 2550 (2007)). However, the present Interim Constitution in 2014 still guarantees all human rights and dignity as previously done in the former ones. The draft new Constitution currently under consideration also stipulates “Human Rights” as one of the key areas under the Section entitled “Rights and Liberty”.

Thailand is fully committed to promoting and protecting the fundamental rights and freedoms of human beings. This has been ensured and reinforced by the legislative, executive and judicial branches of the country through relevant agencies and institutions as provided in Thai Constitutions and the international legal instruments.

Mr. Chairperson,

Distinguished Committee Members,

Thailand’s legal system is a dualist one. The international instruments do not directly apply in Thailand. However, the underlying human rights principles of the ICESCR are upheld and taken into consideration by Thai domestic law enforcement officers, government officials, arbitrators and domestic courts. Any party of a case can always refer to the domestic legislations embracing those rights as well as their principles.

The past two National Human Rights Plans and the recently-launched 3<sup>rd</sup> Plan (2014-2018) reiterate the importance that the Royal Thai Government attaches to economic, social and cultural rights. Nine out of eleven focus areas in the 3<sup>rd</sup> Plan are related to economic, social and cultural rights ranging from public health, education, economic rights, natural resources and the environment, and housing to cultural rights and rights concerning religious, information technology and communications, transportation, and social security. The preparation of these plans also highlights the necessity to proceed in a comprehensive and participatory manner in order to truly achieve

the planned human rights goals and bring real positive changes on the ground.

Mr. Chairperson,  
Distinguished Committee Members,

Over the past few decades, the Royal Thai Government has put great efforts in fostering closer cooperation and partnership with relevant academic institutions and civil society organisations in our human rights deliberations. The National Human Rights Commission of Thailand (NHRCT) was established in 2001 as an independent organization with specific mandate to promote and protect the rights for all people as set out in the constitutions and in accordance with the country's international human rights obligations. To support the NHRCT's function, the Royal Thai Government has also allocated an increased budget for the NHRCT every year with today's budget of over 6.6 million USD, more than 4 times the amount given in 2001, the year of the NHRCT's inception.

Mr. Chairperson,  
Distinguished Committee Members,

Thailand had been a lower-middle income country from 1986-2009 and moved to upper-middle income country in 2010. It has always been the determination of the Royal Thai Government to ensure that the benefits of Thailand's steadfast economic growth over the years are shared by all people in the society. Growth should be inclusive and no one shall be left behind.

The principles of human rights, in particular, under the ICESCR are always upheld in Thailand. They are not only embedded in our culture, but also closely linked to the Government's policies for development.

Placing people at the heart of development, Thailand has significantly invested in people through human capital development initiatives, such as Life Cycle Development Strategy aiming to fill policy gap and to take care of target groups at each stages of life, and health care initiatives, such as the Universal Health Care Scheme.

Some of Thailand's successes in this regard over the past 15 years can also be illustrated in our achievements of several important Millennium Development Goals (MDGs) targets as set by the United Nations in 2000 prior to the 2015 time frame. These early achievements include goals on the eradication of poverty and hunger, as well as those on education, gender equality and health.

Thailand successfully halved the poverty rate and is committed to achieving the more ambitious MDGs Plus target to reduce the overall rate to below 4%. In 2009, there were 12.3 million persons or 17.9% of population living in poverty. In 2012, the number was reduced to 8.4 million. With regard to income inequality, over the past decade, statistics suggest a slight improvement with the Gini coefficient of 0.486 in 2011 to 0.465 in 2013. The Government is, nevertheless, determined to continue to work on wealth redistribution through various tax such as the recently approved inheritance tax and progressive land tax, and social welfare measures to address existing income disparities in the country.

On education, the Government has also invested heavily in education. This is accounted for 20% of public budget in 2015. Thailand has already achieved the target of eliminating gender disparities in primary and secondary education by 2005. The 12-year free basic education has been provided for every child in Thailand regardless of their sex according to the law. In 2012, the net school attendance rate was 95.7% with lower rate in secondary school at 78.8%.

As a result of successful Universal Health Care Scheme, under-five mortality rate reduction has been achieved. In 2013, the rate is 13 per thousand, and children vaccination coverage was raised to reach 99%. The maternal mortality rate also shifted in the same positive direction with the decline from 38.5 per hundred thousand live births in 2008 to 31.8 per hundred thousand live births in 2010. In addition, the spread of HIV/AIDS has decreased from 0.50 % and 0.58% in male and female youth respectively, in 2008 to 0.4% in 2012.

These achievements have allowed Thailand to pursue the more ambitious MDGs Plus, which we set for our own undertaking

with prospects for achievements in several areas such as reducing Malaria incidence and increasing the share of renewable energy.

Some MDGs challenges still exist and need to be further addressed. These challenges encompass issues such as providing proper nutrition and addressing obesity, raising labour productivity, improving quality of education, promoting positive attitude towards gender equality, and decreasing underage pregnancy. Tackling these challenges is, in fact, interlinked and must be done in parallel with implementing the ICESCR obligations. Detailed information of MDG and MDG Plus achievements and challenges of Thailand is reflected in our publications which will be submitted later to the Committee for information.

Mr. Chairperson,  
Distinguished Committee Members,

You may wonder how the current political development in Thailand has impacted the economic, social and cultural rights of the Thai people. Allow me to reassure you that the current government has been steadfast in introducing social reform by reviewing laws, rules and regulations to promote economic, social and cultural rights, or the well-being of the Thai people. A number of human rights-related laws have been passed or upgraded under this current Government. The Gender Equality Act, Public Assembly Act, and Prevention and Suppression of Human Trafficking Act are some of the examples.

Thailand is fully committed to continue to further strengthen legal infrastructure, increase awareness of authorities concerned and the public, and ensure effective implementation of the ICESCR. Relevant laws, policies and plans are subject to regular review in order to fit the changing environment and respond to the needs of the people in the society in accordance with the ICESCR.

On top of that, Thailand is in the process of implementing the roadmap towards sustainable democracy. A democracy that respects human rights, upholds the rule of law, and promotes good governance and ensures national reconciliation. The drafts Constitution is now

under consideration and debate by the National Legislative Assembly, the National Reform Council and the Cabinet. It is expected to be approved by the end of this year with the possibility for holding a referendum. Shortly after the referendum is completed, the general elections will be held next year.

Mr. Chairperson,  
Distinguished Committee Members,

In conclusion, my delegation appreciates the chance to present our reports and to share our experiences and progress made as well as to hear your recommendations. We look forward to learning from the Committee and would welcome any suggestions with respect to the ways forward to overcome the remaining challenges in Thailand. I am very certain that our discussions today and tomorrow will be beneficial and will contribute to an even more consistent and robust implementation of the ICESCR in Thailand.

Before I end, I wish to share with you a story. In March this year, Thailand came up first in the Bloomberg Misery Index 2015 as the country where people are the happiest *or the least miserable*. One may argue in terms of methodology, but at least it shows how far we have come in terms of improving the well-being of our people.

Thank you.

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