

**Opening Statement by
Mr. Charnchao Chaiyanukij
Permanent Secretary of the Ministry of Justice
at the Second Cycle Universal Periodic Review of Thailand
during the 25th Session of the UPR Working Group
11 May 2016**

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**Mr. President,
Distinguished Delegates,
Ladies and Gentlemen,**

1. On behalf of the Royal Thai Government, I would like to express our sincere appreciation for the opportunity to present our second cycle national UPR report to the 25th Session of the UPR Working Group. I am honoured to lead the Thai Delegation to this important Review.

2. The Thai Delegation today consists of representatives from various government agencies, namely Ministry of Foreign Affairs, Ministry of Justice, Office of the Attorney General, Ministry of Social Development and Human Security, Ministry of Labour, Ministry of Education, Ministry of Information and Communication Technology, Ministry of Defence, Royal Thai Police, and the Southern Border Provinces Administrative Centre. There are other agencies who are not present here today who have been involved in the preparation and providing useful information for today's Review.

3. We have also extensively engaged with the civil society in the drafting process. Workshops in various provinces and a national consultation were organized to allow for public participation in the process. The Cabinet endorsed the draft national report before the submission to the Human Rights Council and instructed relevant line agencies to expedite implementation of the accepted recommendations from the first cycle. As recently as yesterday the Cabinet discussed once again our report. The UPR process receives full attention of the Thai public as a result.

Mr. President,

4. Thailand is committed to the promotion and protection of human rights of the people. My Prime Minister often stresses that people may be born to different contexts and settings, they may not have equal access to education and to good life, but it is important that everybody must be equal before the law and, as Government, we must ensure that everyone has an equal access to justice.

5. Thailand's present Interim Constitution guarantees all human dignity, rights, liberties and equality of the people. A specific section on Rights and liberties has also been included in the draft Constitution that will be put to a referendum in August this year. The referendum will

allow the Thai people to deliberate on the future course of our country, to determine their own future.

Mr. President,

6. After the first cycle review in October 2011, in which we accepted 134 recommendations and announced 8 additional pledges, Thailand has made progress in a number of areas.

7. At the outset, we have incorporated the accepted recommendations from the first UPR cycle in our Third National Human Rights Plan to ensure more holistic and effective implementation by all relevant government agencies.

8. Over the past four and a half years, Thailand became party to several international treaties, namely the UNTOC and its Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, the Third Optional Protocol to the CRC on communications procedure, and the ILO Convention No. 187 on occupational safety and health.

9. We have also withdrawn several reservations and interpretative declarations to different human rights instruments including Articles 6 and 9 of the ICCPR, Article 16 of the CEDAW, and Article 18 of the CRPD. We will continue our efforts and are in the process of working to become party to other international human rights-related treaties, such as the Optional Protocol to the CRPD, the Marrakesh Treaty, the Maritime Labour Convention, and the ILO Convention No. 111 on discrimination in respect of employment and occupation, and the ICCPED which we signed in 2012.

10. Several human rights related laws were also passed or upgraded, including the Gender Equality Act, the Justice Fund Act, the Amendment to the Organic Law on Anti-Corruption, and the Amendment to the Criminal Code on the criminalisation of child pornography. The Cabinet recently approved the draft amendment to the Labour Protection Act and the draft Act on alternative measures to substitute the normal criminal proceedings. These two laws are now forwarded to the National Legislative Assembly for their deliberation.

11. There has also been significant progress with regard to penitentiary reform and drug law reform. Our effort to reform the 1936 penitentiary law is to make our treatment of prisoners more consistent with international standards. Our drug law reform is to ensure a comprehensive and balanced approach. We have integrated the drug laws under a new single code within which penalties for drug offenses are made proportional. The new single code encourages alternative to punishment and has diversion measures for minor drug offenses to provide drug users with voluntary treatment and rehabilitation rather than incarceration.

Mr. President,

12. The Government places high priority on the promotion and protection of economic, social and cultural rights as well as the right to development. This is evidenced by our success in achieving most of the MDGs and our continued efforts to achieve the SDGs. The Education for All policy, the Universal Health Coverage, and the current policies that intensified the efforts to

fight human trafficking and corruption are also cases in point. Members of my delegation are ready to provide further details.

13. There are also other initiatives that have been adopted to enhance people's well-being. During these past few months, the Cabinet approved the expansion of the Child Support Grant Scheme, the establishment of the Education Fund, and the project to improve quality of lives of the homeless, among others. These measures aim not only at protection, but at empowering these people to fully benefit from social and economic development.

Mr. President,

14. Our work is not limited to human rights of our nationals. We also render relevant assistance to non-Thai nationals. We continue to host more than one hundred thousand displaced persons from Myanmar who have remained under our care for four decades. The Government has also stepped up the protection of migrant workers through the nationwide registration scheme and the MOUs on labour cooperation with four neighbouring countries. Other policies include birth registration for all children who were born in the country as well as provision of access to education and healthcare.

15. In addition, in light of the migration crisis in the Indian Ocean, we have joined hands with relevant countries and organisations in providing humanitarian assistance to those in need and finding a solution for them in an effective and sustainable manner. Recent progresses include the decision to grant victims and witnesses in human trafficking cases under trial temporary stay and permission to legally work in the country. The Government has also expedited the verification and granting of legal status to students with nationality status problem in the country – of which over 65,000 students will benefit from this policy.

Mr. President,

16. Despite progress and positive improvement in several areas, we acknowledge that there remain challenges that need to be addressed. That is why we have tried our utmost to strengthen human rights infrastructure and develop necessary legal frameworks. We also continue to enhance the capacity of our human resources, including through cooperation with various partners. We need to further raise awareness and understanding on human rights. We need to take human rights into consideration when formulating policies or performing duties. However, the promotion and protection of human rights is not the sole work of the Government, but of the society as a whole. Awareness and understanding on human rights issues will allow the public to know their rights, protect themselves, and not violate the rights of others.

17. In the shorter term, we have the urgent need to overcome our political challenge that was a result of years of social divisiveness and conflicts. Such challenges, of course, cannot be solved overnight. Meanwhile, the comprehensive national reform has been carried out to improve infrastructure, enhance the efficiency of public administration, as well as solve longstanding problems such as corruption that are obstacles to the country's sustainable development.

18. There have been concerns expressed on restrictions on freedom of expression. Limitations have been in place only to a level necessary to maintain public order and prevent further polarization in the society. The majority of the public are not affected and able to continue their daily lives and exercise their rights, including their freedom of expression. Of course, the real challenge is the need to maintain a balance when enforcing relevant laws, so as not to undermine the exercise of rights and freedoms, especially of those done in good faith with well intention.

19. Let me reassure you that our commitment to democracy, rule of law, and human rights remains as strong as ever. We will not shy away from this path.

Mr. President,

20. I would also like to acknowledge the presence of representatives of the Thai civil society organisations. My delegation has met with many of these organisations during the preparation of the report. I have also learned that many in Thailand have organised themselves to listen together to the UN live webcast. I hope that we will all learn together from the Review today. My team and I look forward to working with all of these partners after this session in order to effectively implement accepted recommendations.

21. Finally, Mr. President, my delegation looks forward to a fruitful discussion and constructive outcome from this very important exercise.

22. I thank you.

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