

Universal Periodic Review
(25th session, April-May 2016)
Contribution of UNESCO to Compilation of UN information
(to Part I. A. and to Part III - F, J, K, and P)

Thailand

I. BACKGROUND AND FRAMEWORK

Scope of international obligations: Human rights treaties which fall within the competence of UNESCO and international instruments adopted by UNESCO

I.1. Table:

| <i>Title</i> | <i>Date of ratification, accession or succession</i> | <i>Declarations /reservations</i> | <i>Recognition of specific competences of treaty bodies</i> | <i>Reference to the rights within UNESCO's fields of competence</i> |
|--|--|---|---|---|
| Convention against Discrimination in Education (1960) | Not state party to this Convention | <i>Reservations to this Convention shall not be permitted</i> | | Right to education |
| Convention on Technical and Vocational Education. (1989) | Not state party to this Convention | | | Right to education |
| Convention concerning the Protection of the World Cultural and Natural Heritage (1972) | 17/09/1987, acceptance | N/A | N/A | Right to take part in cultural life |
| Convention for the Safeguarding of the Intangible Cultural Heritage (2003) | N/A | | N/A | Right to take part in cultural life |
| Convention on the | | | N/A | Right to take part in |

| | | | | |
|--|-----|--|--|---------------|
| Protection and Promotion of the Diversity of Cultural Expressions (2005) | N/A | | | cultural life |
|--|-----|--|--|---------------|

II. INPUT TO PART III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS, TAKING INTO ACCOUNT APPLICABLE INTERNATIONAL HUMANITARIAN LAW TO ITEMS F, J, K, AND P

Right to education

1. NORMATIVE FRAMEWORK

1.1. Constitutional Framework

1. **The Constitution of the Kingdom of Thailand of 2007¹** enshrines the right to education in **Section 49** (Chapter III, Part 8), which provides “A person shall enjoy an equal right to receive education for the duration of not less than twelve years which shall be provided by the State thoroughly, up to the quality, and without charge.
2. The indigent, the disabled, persons of infirmity or persons suffering a state of difficulty shall be accorded the right under paragraph one and entitled to such support from the State as to enable them to receive education comparable to that received by other persons.
3. The provision of education by professional organisations or the private sector, alternative education by the people, self-tuition and life-long learning shall be protected and promoted by the State as appropriate.”
4. **Section 50** adds “A person shall enjoy an academic freedom. Education, training, learning, teaching, researching and disseminating such research according to academic principles shall be protected; provided that it is not contrary to his or her civic duties or good morals.”
5. Moreover, according to **Section 73** (Chapter IV), “Every person shall [...] receive education and training, [...] as provided by law.”

¹ <http://www.unesco.org/education/edurights/media/docs/a96d00791f25ddeb8830e1b8acc377f671635e2f.pdf>
<http://www.wipo.int/wipolex/en/details.jsp?id=6694>

6. Besides, **Section 80** (Chapter V, Part 4) stipulates that: “The State shall pursue directive principles of State policies in relation to Social Affairs, Public Health, Education and Cultural Affairs, as follows:
 - (1) to protect and develop children and the youth, encourage their up-keep and primary education, promote the equality between women and men [...]
 - (3) to develop the quality and standard of the provision of education at all levels and in all forms in harmony with economic and social changes, bring into existence the national educational plan and the law aimed at the development of national education, provide the development of the quality of teachers and educational personnel to ensure such advancement as to keep pace with changes in the world community and instill into learners awareness of Thai values, disciplines, concerns for public interests and adherence to the democratic regime of government with the King as Head of the State;
 - (4) to promote and support decentralisation in order to enable local government organisations, communities, religious organisations and private individuals to provide, and participate in the provision of, education with a view to developing the educational standard and quality comparable to and in line with directive principles of fundamental State policies;
 - (5) promote and support studies and research in various branches of sciences and disseminate information and results of the studies and research works undertaken under financial sponsorship from the State; [...]
7. In addition, **Section 4** (Chapter I) stipulates that “the human dignity, right, liberty and equality of the people shall be protected” and **Section 5** (Chapter I) that “The Thai people, irrespective of their origins, sexes or religions, shall enjoy equal protection under this Constitution.”
8. **Section 30** (Chapter III, Part 2) states “All persons are equal before the law and shall enjoy equal protection under the law.
9. Men and women shall enjoy equal rights.
10. Unjust discrimination against a person on the grounds of the difference in origin, race, language, sex, age, disability, physical or health condition, personal status, economic or social standing, religious belief, education or constitutionally political view, shall not be permitted.
11. Measures determined by the State in order to eliminate obstacles to or to promote persons’ ability to exercise their rights and liberties in the same manner as other persons shall not be deemed as unjust discrimination under paragraph three.”

12. According to **Section 6** (Chapter I) “The Constitution is the supreme law of the State. The provisions of any law, rule or regulation, which are contrary to or inconsistent with this Constitution, shall be unenforceable.”

1.2. Legislative Framework

13. The **National Education Commission Act of 1992** established the Office of the National Education Commission (ONEC), which is responsible for policy making and planning for education at all levels and of all types. Its major task is to consider and propose to the Cabinet, the National Education Scheme and the National Education Development Plan, the policy guidelines and recommendations for educational development. It is also responsible for monitoring and the evaluation of the implementation of educational development plans in accordance with the National Education Scheme, the National Education Development Plan as well as government policies. The first National Education Act, drafted by ONEC, in cooperation with scholars, academics and those responsible for education and promulgated in August 1999, is currently the fundamental law for the administration and provision of education and training, incorporating guidelines for the comprehensive reform of education in Thailand.²
14. “In accordance with the **National Education Act B.E. 2542 enacted on August 1999 and amended in 2002**³, Thai people have equal right to receive basic education of quality and free of charge for the duration of at least twelve years [**Section 10**]. The Act represents an unprecedented and long over-due break from traditional Thai educational norms such as lecturing and rote learning, as it sets the foundation for a more creative, questioning approach to studying. The Act also sets out to decentralize finance and administration, giving individual teachers and institutions more freedom to set curricula and mobilize resources, which in turn will tend to increase accountability and ensure that funds are targeted in the right areas. In order to operationalize the National Education Act, the Office of Educational Reform was established in 2000 for an initial duration of three years. [...]
15. According to **Section 17** of the Act, compulsory education shall be for nine years, requiring children aged 6 to enrol in basic education institutions until the age of 15 with the exception of those who have already completed grade 9.

² Office of the National Education Commission Website, <http://www.edthai.com/about/index.htm> (Accessed 6 October 2010)

³ <http://www.unesco.org/education/edurights/media/docs/98b906a326654f93cfaffdcca7353916dd4ce39.pdf>
http://www.onesqa.or.th/en/publication/nation_edbook.pdf (official website of the Thai Office for National Education Standards and Quality Assessment)

16. The **Compulsory Education Act**, which has been effective since 1 January 2003, requires that all children aged 6-15 years be enrolled in basic education institutions except for those who have already completed grade 9.”⁴
17. On March 2008 was enacted the **Promotion of Non-Formal and Informal Education Act**.⁵
18. “On 30 March 2004, the **Child Protection Act of 2003** has been made effective and reinforced for the best interest of children. More systems shall be developed to provide appropriate care, protection and enhance development of children. The Ministry of Interior, through its Department of Local Administration (DOLA), provides support to the Sub-district Administrative Organizations to extend opportunities for all preschool children, between the age of 3 to 5, to receive quality ECD service both in rural and urban settings. It also mobilizes all parties to participate in promoting quality early childhood care and development. The major aims of DOLA are to extend early childhood to get quality ECD services and to promote participation of various parties (including people, family, community, private organization, professional organization and industry) in early childhood development. Its Community Development Department, on the other hand, contributes to enhance local community’s capacities to organize quality ECD activities.”⁶

1.3. Policy Framework

i) General information

19. Current education policy is based on the *10th Economic and Social Development Plan (2007-2011)* in which Sufficiency Economy Theory, initiated by His Majesty King Bhumibol Adulyadej, continues to provide the guiding principles for human development⁷.
20. “The Government of Thailand presented its Policy Statement to the National Assembly on October 2008. [Seven crucial points] refer specifically to education:

⁴ World Data on Education, 7th Edition, 2010/11, p. 4, accessible at:

http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Thailand.pdf (Accessed on 26 March 2014)

⁵ <http://www.unesco.org/education/edurights/media/docs/f397093913d3b711b5ab811793ac9c9139e9e870.pdf>
http://planipolis.iiep.unesco.org/upload/Thailand/Thailand_Non-Formal_Informal_Education_Act_2008.pdf

⁶ World Data on Education, 7th Edition, 2010/11, p. 17, accessible at:

http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Thailand.pdf (Accessed on 26 March 2014)

⁷ The Development of Education, National Report of Thailand, Ministry of Education,, op. cit., p. 6

- Invest in raising the quality of the entire system [...]
- Ensure that every Thai citizen has access to no fewer than 12 years of basic education free of charge, with attention focused on reaching the disadvantaged, the disabled and those living in difficult circumstance [...]
- Adjust teacher training and development to ensure quality and high moral standards among teachers [...]
- Promote the intensive use of information technology to enhance learning efficiency [...]
- Develop the quality and standards of higher education institutions to guarantee a high level of academic and professional services [...]
- Promote and adjust regulations to support the decentralization of educational administration and management [...]
- Coordinate all the aspects of educational management through the different stages of the planning cycle [...]"⁸.

21. “[...] The *Fourth Development Plan for Children and Youth Living in Remote Areas* (2007-2016) [...] focuses on six inter-related objectives:

- to promote nutrition and health, especially among women and children;
- to increase educational opportunities for all;
- to develop the academic potential of individuals;
- to provide relevant skills and training with a focus on agriculture and food production;
- to increase environmental awareness regarding the use and conservation of natural resources; and
- to preserve culture through the integration of traditions and local wisdom”⁹.

22. Moreover, the Second Decade of Education Reform (2009-2018) focuses on vocational and skills development with the aim is to provide education system that is truly relevant to the condition of the economy and society.¹⁰

23. In addition, the Association of Southeast Asian Nations (Asean) Secretariat's five-year Work Plan on Education (WPE), which will be implemented between 2011 and 2015, is a guideline for the Education Ministry of Thailand. The plan focuses on [Asean](#) awareness, access to quality education, cross-border mobility and internationalisation of education,

⁸ National Report submitted for the 48th session of the International Conference on Education, 2008, pp. 8-10, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/thailand_NR08.pdf (Accessed on 26 March 2014)

⁹ National Report submitted for the 48th session of the International Conference on Education, 2008, p. 13, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/thailand_NR08.pdf (Accessed on 26 March 2014)

¹⁰ Thai Government, Media center, <http://media.thaigov.go.th/pageconfig/viewcontent/viewcontent1e.asp?pageid=472&directory=1944&contents=52023> (access 7/02/2011)

plus support for other sectoral bodies whose programmes require education inputs. The Education Ministry of Thailand has thus worked out the four following measures:

- The first measure is the dissemination of knowledge and good attitudes about [Asean](#) among members of the public, especially ministry personnel, teachers and students.
- The second measure is to increase the capabilities of Thai students, especially their English or skills in the languages of our neighbouring countries. Once the AEC materialises, job opportunities in the region will be very much open to all qualified [Asean](#) citizens.
- The third measure concerns education-standard improvement and efforts to set one same standard to facilitate student mobility and credit transfer across the region.
- The fourth measure is to adjust education regulations to support the liberalisation of educational services.
- And the last measure is youth development, particularly their leadership, because the future of [Asean](#) is in their hands.¹¹

ii) Inclusive Education

Students from lower income family

24. Two types of schools have made a significant contribution:

- *Welfare Schools* offer education for disadvantaged students who are deprived of the opportunity to attend regular schools. Free education, food, clothing, equipment, textbooks and other necessities are provided, and accommodation in most cases. Special vocational training relevant to future employment in the locality of a particular school is usually included.
- *Border Patrol Police Schools* have been established under the supervision of the Border Patrol Police Bureau, Royal Thai Police, who are responsible for maintaining security along the country's borders. It is not uncommon that children living in these more remote areas have had little opportunity to attend school. In response to this problem, the Border Patrol Police Bureau has set up 714 schools in these areas. The schools also act as learning centres for non-formal education, targeting on those who missed out on formal schooling. Ultimately, this type of school will be transferred to the Ministry of Education on the condition that they are permanent school buildings, a sufficient number of students and a better quality of life of people in the nearby area. To date only 473 schools have been transferred and a further 52 schools have been closed.¹²

¹¹ Education Ministry planning for AEC, By Chularat Saengpassa, Wannapa Khaopa , The Nation, Published on December 13, 2010, <http://www.nationmultimedia.com/home/Education-Ministry-planning-for-AEC-30144273.html> (access 7/02/2011)

¹² Education Ministry planning for AEC, By Chularat Saengpassa, Wannapa Khaopa , The Nation, Published on December 13, 2010, <http://www.nationmultimedia.com/home/Education-Ministry-planning-for-AEC-30144273.html> (access 7/02/2011), p. 14.

Students from minority groups

25. “Wider use of local languages is also apparent in much of Southeast Asia (...) and Thailand are gradually moving towards mothertongue- based bilingual education.”¹³

Students with special needs

26. “Wherever possible, children with disabilities are integrated in “inclusive schools”. It is recognized however that some children require special schools and services. The Office of the Basic Education Commission launched its inclusive education pilot scheme in 2004 starting with 390 schools all over the country. These schools are assisted by special schools and centres in term of teacher training and materials and guided in their management systems. Education coupons are provided to assist the students. Students with disabilities are entitled to a coupon of minimum baht 2000 (US\$ 55) per year. The project was expanded to 2 700 schools with 50 000 students in 2007¹⁴.
27. In addition, there are currently 43 special schools, classified into four types, namely: special schools for those with mental impairments, special schools for those with hearing impairments, special schools for those with visual impairments and special school for those with visual impairments. In practice, however, children with all types of impairment will be accepted in these schools”¹⁵.

iii) Teachers

28. Teacher graduates will have to pass an extra test with emphasis on specific subjects of study to qualify for a licence under a new system set for 2014.¹⁶

iv) Quality education

29. “The Ministry of Education has [...] launched a new, interactive, 4 years, **e-learning project called “MOE Channel”**, which will benefit 3,000 schools nationwide by 2011.

¹³ EFA GMR 2000-2015: achievements and challenges p. 210

<http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDEQFjABahUKewjB0-7znYrGAhVCPQKHakrADI&url=http%3A%2F%2Funesdoc.unesco.org%2Fimages%2F0023%2F002322%2F232205e.pdf&ei=49p6VYHWJcL6UknXgJAD&usq=AFQjCNEso8XWrRKjEk2uHje6KUzaMmevuw&bvm=bv.95515949,d.d24> (accessed on 15/06/2015)

¹⁴ Education Ministry planning for AEC, By Chularat Saengpassa, Wannapa Khaopa , The Nation, Published on December 13, 2010, <http://www.nationmultimedia.com/home/Education-Ministry-planning-for-AEC-30144273.html> (access 7/02/2011), p. 17.

¹⁵ Education Ministry planning for AEC, By Chularat Saengpassa, Wannapa Khaopa , The Nation, Published on December 13, 2010, <http://www.nationmultimedia.com/home/Education-Ministry-planning-for-AEC-30144273.html> (access 7/02/2011), p. 17.

¹⁶ New teachers face extra text, Bagkok Post, <http://www.bangkokpost.com/life/education/192041/new-teachers-face-extra-test> (Accessed 6 October 2010)

[...] The project was designed, amongst other things, to address knowledge gap between students living in rural and urban areas and a lack of teachers, especially in mathematics and science.”¹⁷

30. “In (...) Thailand, national or subnational governments set lower secondary curriculum content, instructional time and teacher salaries, and allocate resources to schools, but leave the choice of teaching methods and support activities for students to schools (King and Cordeiro Guerra, 2005)”.¹⁸

31. School Twinning Network

- “Launched in 1994, the school twinning network aims to inculcate values of love, caring and sharing as well as respect for human dignity and rights among school children and their teachers. Practices within the network comprise: regular visits to schools in remote areas; the exchange and sharing of knowledge, experience and resources. The network began with 12 schools under the UNESCO ASPNet project which formed linkages with 22 rural schools in Nan province. In 2008, the network has been expanded to cover 65 ASPNet schools and 119 schools in rural areas.”¹⁹

32. Child-Friendly Schools (CFS) Project

- “The Child-Friendly Schools Project was first introduced to Thailand in 1997 as a means of translating the Convention on the Rights of the Child into school management and classroom practice. The CFS Project promotes a shared responsibility for education adopting a participatory approach to educational planning and implementation.”²⁰
- “In the past 15 years, several countries, including Nicaragua, Thailand and Uganda, have adopted a child-friendly school model that owes much to the work of United Nations bodies, especially UNICEF. The model, drawing its authority from the Convention on the Rights of the Child, emphasizes the school as a place that provides learning opportunities relevant to life and livelihood, in a healthy, safe environment

¹⁷ National Report submitted for the 48th session of the International Conference on Education, 2008, pp. 20-21, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/thailand_NR08.pdf (Accessed on 26 March 2014)

¹⁸ EFA GMR 2000-2015: achievements and challenges p. 214

<http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDEQFjABahUKEwjB0-7znYrGAhVCPRQKHakrADI&url=http%3A%2F%2Funesdoc.unesco.org%2Fimages%2F0023%2F002322%2F232205e.pdf&ei=49p6VYHWJcl6UKnXgJAD&usg=AFQjCNEso8XWrRKjEk2uHje6KUzaMmevuw&bvm=bv.95515949,d.d24> (accessed on 15/06/2015)

¹⁹ National Report submitted for the 48th session of the International Conference on Education, 2008, pp. 22-23, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/thailand_NR08.pdf (Accessed on 26 March 2014)

²⁰ National Report submitted for the 48th session of the International Conference on Education, 2008, p. 24, accessible at: http://www.ibe.unesco.org/National_Reports/ICE_2008/thailand_NR08.pdf (Accessed on 26 March 2014)

that is inclusive and protective, is sensitive to gender equity and equality and involves the participation of students, families and communities (UNICEF, 2009a).”²¹

- “Evaluation of child-friendly schools based on site visits in Guyana, Nicaragua, Nigeria, the Philippines, South Africa and Thailand highlighted challenges to effective implementation of the model. Poor school infrastructure and lack of maintenance are major problems. (...) In Thailand, in 61% of schools, buildings and classrooms were not adequate to serve students with physical disabilities and in fewer than one-third of schools were teachers trained to work with students with learning and physical disabilities. Moreover, school heads and teachers found the shift to child-centred pedagogical approaches demanding due to a lack of training (UNICEF, 2009b).”²²

v) Education levels

Early childhood care and education

33. “Preschool education is considered to be an essential first step towards basic education for every child. The government’s policy on preschool education has been revised and there is a definite move to expand and improve the provision of preschool education in state schools in rural areas on a nationwide scale so that economically disadvantaged children in rural areas will be given better educational opportunities to attend pre-schools.”²³
34. “Thailand’s National Scheme of Education 2002–2016 aims for all children up to age 5 to participate in a development programme that prepares them ‘in all aspects’ before they enter the formal schooling system. This policy built on growing interest in child development, which manifested as early as 1979 in the country’s first child development plan. Yet despite a Long-Term Plan and Strategy for Early Childhood Care and Development 2007–2016, aimed at those up to age 5, few children aged 3 or under attend child care facilities”²⁴.

²¹ EFA GMR 2000-2015: achievements and challenges p. 204

<http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDEQFjABahUKEwjB0-7znYrGAhVCPQKHakrADI&url=http%3A%2F%2Funesdoc.unesco.org%2Fimages%2F0023%2F002322%2F232205e.pdf&ei=49p6VYHWJcl6UKnXgJAD&usg=AFQjCNEso8XWrRKjEk2uHje6KUzaMmevuw&bvm=bv.95515949,d.d24> (accessed on 15/06/2015)

²² Ibid p. 204-205

²³ World Data on Education, 7th Edition, 2010/11, p. 16, accessible at:

http://www.ibe.unesco.org/fileadmin/user_upload/Publications/WDE/2010/pdf-versions/Thailand.pdf (Accessed on 26 March 2014)

²⁴ EFA GMR 2000-2015: achievements and challenges p. 54

<http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDEQFjABahUKEwjB0-7znYrGAhVCPQKHakrADI&url=http%3A%2F%2Funesdoc.unesco.org%2Fimages%2F0023%2F002322%2F232205e.pdf&ei=49p6VYHWJcl6UKnXgJAD&usg=AFQjCNEso8XWrRKjEk2uHje6KUzaMmevuw&bvm=bv.95515949,d.d24> (accessed on 15/06/2015)

35. “Thailand has progressed due to the government’s concerted effort to expand access to and raise demand for child-friendly pre-primary schooling (Shaeffer, 2015), i.e. schooling that is suitable for young children and does not merely imitate primary school with desks, subject classes and books.”²⁵
36. “Inequity between urban and rural areas can also be seen in the physical learning environment, the classroom process and teacher–child interactions (...). There are other factors as well: in Thailand the generally strong national commitment to young children has let down non-Thai migrant and refugee children, only 55% of whom attend ECCE programmes, compared with 93% nationally (Shaeffer, 2015).”²⁶
37. “Thailand has shone a spotlight on ECCE through public awareness campaigns, including posters and broadcast spots targeting parents, guardians, newlyweds, pregnant women, teachers, child care providers, medical staff, and community and local leaders. Extensive coverage through ECCE centres and more formal kindergartens in rural and urban areas has achieved attendance by nearly 93% of 4- and 5-year-olds (Shaeffer, 2015).”²⁷
38. “In Thailand, parents feel pre-primary schools should provide an ‘early primary education’; they do not fully understand the more child-friendly offering in pre-primary centres (Shaeffer, 2015) (...)The response of the government in Thailand, (...), was to use public sensitization campaigns to instil parental understanding of pedagogy friendly to young children.”²⁸

Primary education

39. “²⁹Along with establishing extended basic education as a legal norm, more countries suspended
40. primary school leaving examinations that determined whether a child could continue schooling and in which track. However, some countries still retain them. In (...) Thailand have such examinations (Hill, 2013).”

Secondary education

²⁵ Ibid p. 59

²⁶ Ibid p. 59 - 63

²⁷ Ibid p. 63

²⁸ Ibid p. 69

²⁹ Ibid p. 113

41. “In Thailand, which extended compulsory education in its 1999 National Education Act and 2003 Compulsory Education Act, the achievement of compulsory universal primary education eventually led to increased pressure on the government to greatly expand access to the lower secondary level”.³⁰

Formal and non-formal education

42. The Office of non-formal and informal education (ONIE) is the major body providing non-formal and informal education for those with limited opportunity to access formal schooling. In accordance with the *2008 Promotion of Non-formal and Informal Education Act*, promulgated on March 4, 2008, this Office promotes strategies and mechanism for the development of non-formal and informal education in terms of lifelong education and learning for the public.³¹
43. Beyond the expansion of formal schooling, goal 3 is a reminder that countries have committed themselves to meeting the education needs of out-of-school youth and of adults whose formal education opportunities were cut short. An array of alternative, ‘second chance’ and nonformal programmes can be cited as examples of progress in this area (Duke and Hinzen, 2008). Prominent examples can also be seen in (...) Thailand (Banerji, 2015) (...)Thailand produced a National EFA Action Plan to run parallel to the National Education Plan (2002–2016). EFA goals 3 and 4 were combined into a composite goal focusing on adult literacy and on basic and continuing education for all adults. This created an alternative not only for the disadvantaged, but for all people not in a position to attend formal schooling, such as prison inmates, street children and Thai nationals living abroad. Moreover, it expanded from literacy and primary education to an extensive network of education provision, including secondary education, vocational training, life skills through distance learning, workplace and community learning centres, and the joint sharing of resources with the formal school system. Skill-related programmes are planned and implemented in collaboration with other sector ministries (Hoppers, 2008).”³²

³⁰ Ibid p. 113

³¹ Education Ministry planning for AEC, By Chularat Saengpassa, Wannapa Khaopa , The Nation, Published on December 13, 2010, <http://www.nationmultimedia.com/home/Education-Ministry-planning-for-AEC-30144273.html> (access 7/02/2011), p. 18.

³² EFA GMR 2000-2015: achievements and challenges p. 124-125

<http://www.google.fr/url?sa=t&rct=i&q=&esrc=s&source=web&cd=2&ved=0CDEQFjABahUKEwjB0-7znYrGAhVCPQKHakrADI&url=http%3A%2F%2Funesdoc.unesco.org%2Fimages%2F0023%2F002322%2F232205e.pdf&ei=49p6VYHWJcl6UKnXgJAD&usg=AFQjCNEso8XWrRKjEk2uHje6KUzaMmevuw&bvm=bv.95515949,d.d24> (accessed on 15/06/2015)

vi) Financing of education

44. The One District One Scholarship (ODOS) project was established in 2004 to increase educational opportunity for young students from low income families to continue their studies either in Thailand or overseas. There is also an Overseas Scholarship for students in the South of Thailand (OSSIST) to support them to continue undergraduate studies and undertake post graduate studies. Finally, the Income Contingent Loan (ICL) scheme, operating under the slogan “anybody can go to university” is a financial lifeline which has been offered to students since 2006.³³
45. “In Thailand, a year of education increased returns to household assets by 7%, primarily because educated households tended to invest the profits (Pawasutipaisit and Townsend, 2011).”³⁴
46. “Even in East Asia and the Pacific, where growth has been high thanks to investment in education as well as economic and institutional reform, countries whose education spending has been falling – such as Thailand – risk prolonged periods of low growth (Eichengreen et al., 2013). In 2005, the average number of years that adults in Thailand had spent at school was 5.9, two years below the regional average, having increased by 2.8 years since 1965. If Thailand had matched the regional average, its average annual growth rate between 2005 and 2010 could have reached 3.9% instead of 2.9% (Castelló-Climent, 2013).”³⁵

vii) Gender equality

47. “In the Philippines and Thailand, where disparity in enrolment at the expense of boys emerges in secondary education, gender equality mechanisms and policies focus largely on women and girls (Hepworth, 2013).”³⁶

viii) Other (as appropriate)

³³ Education Ministry planning for AEC, By Chularat Saengpassa, Wannapa Khaopa , The Nation, Published on December 13, 2010, <http://www.nationmultimedia.com/home/Education-Ministry-planning-for-AEC-30144273.html> (access 7/02/2011), pp. 19-20

³⁴ EFA GMR 2013-14, p 147 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

³⁵ EFA GMR 2013-14, p 152 <http://unesdoc.unesco.org/images/0022/002256/225660e.pdf>

³⁶ EFA GMR 2000-2015: achievements and challenges p. 173

<http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDEQFjABahUKEwjB0-7znYrGAhVCPQKHakrADI&url=http%3A%2F%2Funesdoc.unesco.org%2Fimages%2F0023%2F002322%2F232205e.pdf&ei=49p6VYHWJcl6UKnXgJAD&usg=AFQjCNEso8XWrRKjEk2uHje6KUzaMmevuw&bvm=bv.95515949,d.d24> (accessed on 15/06/2015)

48. “In Thailand, research found 56% of lesbian, gay, bisexual and transgender students had reported being bullied in the past month (UNESCO, 2014f).”³⁷

2. COOPERATION

49. Thailand is **not party** to the 1960 UNESCO Convention against Discrimination in Education.

50. Thailand did **not report** to UNESCO on the measures taken for the implementation of the 1960 UNESCO Recommendation against Discrimination in Education within the framework of the:

- **Sixth Consultation** of Member States (covering the period 1994-1999),
- **Seventh Consultation** of Member States (covering the period 2000-2005),
- **Eighth Consultation** of Member States (covering the period 2006-2011).

51. Thailand did **not report** to UNESCO on the measures taken for the implementation of the 1974 UNESCO Recommendation concerning Education for International Understanding, Co-operation and Peace and Education relating to Human Rights and Fundamental Freedoms within the framework of the:

- **Fourth Consultation** of Member States (covering the period 2005-2008),
- **Fifth Consultation** of Member States (covering the period 2009-2012).

52. Thailand **reported** to UNESCO on the measures taken for the implementation of the 1976 UNESCO Recommendation on the Development of Adult Education within the framework of the:

- **First Consultation** of Member States (1993),
- **Second Consultation** of Member States (2011).

53. Thailand is **not party** to the 1989 UNESCO Convention on Technical and Vocational Education.

Freedom of opinion and expression

1. CONSTITUTIONAL AND LEGISLATIVE FRAMEWORK

³⁷ EFA GMR 2000-2015: achievements and challenges p. 180

<http://www.google.fr/url?sa=t&rct=j&q=&esrc=s&source=web&cd=2&ved=0CDEQFjABahUKEwjB0-7znYrGAhVCPRQKHakrADI&url=http%3A%2F%2Funesdoc.unesco.org%2Fimages%2F0023%2F002322%2F232205e.pdf&ei=49p6VYHWJcl6UKnXgJAD&usq=AFQjCNEso8XWrRKjEk2uHje6KUzaMmevuw&bvm=bv.95515949,d.d24> (accessed on 15/06/2015)

54. The Thai Constitution is under revision by the National Reform Council that has been set by the current military government, the National Council for Peace and Order (NCPO). A referendum is planned next year.³⁸
55. The Interim Constitution enacted by NCPO came into force after a military coup against the government on 22 July 2014 and replaced the 2007 Constitution. On 1 April 2015 the Martial Law was removed and replaced by the NCPO Order 3/2558 (3/2015) on Maintaining Public Order and National Security under the provision of Article 44 of the Interim Thai Constitution of July 2014. The Article 44 allows the head of the NCPO to issue any legislative, executive or judicial order.
56. The NCPO has passed several Announcements that restrict reporting and broadcasting of information deemed against the NCPO or threatening the national security.³⁹ As long as the referendum of the constitution is pending, these proclamations are the only legal base for media issues.

2. MEDIA SELF-REGULATION

57. There are journalists unions active in Thailand, the biggest are the Thai Journalists Association and the Thai Broadcast Journalists Association.⁴⁰ Besides, there are the National Press Council of Thailand and the News Broadcasting Council that serve as self-regulatory bodies.⁴¹

3. SAFETY OF JOURNALISTS

58. UNESCO has counted the killing of six journalists in Thailand since 2008. The Government is urged to investigate the cases of killed journalists, and to voluntarily report on the status of judicial follow-up to UNESCO. For all cases so far no response has been received. The Government may wish to consider taking advantage of the UN Plan of

³⁸ UNESCO field office Thailand.

³⁹ See the Announcements 79, 97 and 103: NCPO Announcement No. 97 prohibits criticism of the NCPO's operations, NCPO members and related officials, covers print, broadcast, electronic and online media. The NCPO prohibits interviews with scholars, former government officials or former employees of courts, judicial offices and independent organizations who give opinions in a manner that may cause or worsen conflicts, distort information, confuse society or lead to the use of violence. Furthermore, the NCPO prohibits dissemination of false information or state confidential information in any form. The order also prohibits publicity of information that is deemed an insult to the monarchy or any person, a threat to national security and incitement to use violence that can cause fear, as well as mobilization of people for an anti-NCPO activity. The announcement also requires the media to disseminate information issued by the NCPO. NCPO Announcement No.103 amended Announcement No.97, clarifying the prohibition on all forms of criticism of the NCPO's actions, targeting criticisms made with "malice" and "false information" that "aim to discredit" the NCPO.

⁴⁰ See their website: http://www.tja.or.th/index.php?option=com_content&view=article&id=2568:thai-journalists-association-tja&catid=133:2011-03-25-09-28-42&Itemid=76.

⁴¹ See its website : www.presscouncil.or.th.

Action on the Safety of Journalists and the Issue of Impunity as a means to strengthen protection of journalists and freedom of expression.

3. RECOMMENDATIONS

59. Recommendations made within the framework of the first cycle of the Working Group on the Universal Periodic Review, considered on (please check the date on the following web site: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/Documentation.aspx>)

60. 88. The recommendations formulated during the interactive dialogue and listed below enjoy the support of Thailand:

- i. 88.9. Continue to develop the capacities of institutions working with persons with disabilities, including educational and health institutions (Saudi Arabia);
- ii. 88.14. Continue to promote human rights education, training and capacity building (Philippines);
- iii. 88.15. Develop and implement plans and strategies to raise awareness about human rights, including at the local and community levels, and provide human rights training and education for Government officials in particular law enforcement officials (Egypt);
- iv. 88.38. Take effective measures to improve access by all prisoners to legal advice, health and education services (Austria);
- v. 88.49. Take capacity-building measures to strengthen the response of law enforcement authorities on human trafficking, including, inter alia, through the increase of budget and the appropriate training of personnel (Japan);
- vi. 88.84. Continue with its efforts to promote and protect the right to work, the right to health and the right to education of its people in order to maintain an adequate standard of living for all (Brunei Darussalam);
- vii. 88.85. Continue its on-going positive efforts for the promotion and protection of economic, social and cultural rights, and especially the priority given to health and education (Cuba);

- viii. 88.86. Ensure equal access to education, social security, health care and economic opportunities for women, including Muslim women and women entering early marriages (Slovenia);
- ix. 88.91. Continue enhancing the quality of the access to education, including equal access to education for all children (Sri Lanka);
- x. 88.92. Continue efforts to strengthen the right of education for all, focusing on poor populations in rural and distant areas (Saudi Arabia);
- xi. 89.38. Prohibit corporal punishment of children in all settings (Slovenia);
- xii. 89.65. Apply a comprehensive sexual and reproductive health and rights approach to guarantee access of all sex workers, as well as their clients and clients' spouses and partners, to adequate health services and sexual education (Finland);

61. The following recommendation enjoys the support of Thailand, in part:

- i. 89.36. Adopt all necessary measures to eradicate the abuse and sexual exploitation of children, corporal punishment, the recruitment of children by armed groups and to combat the worst forms of child labour (Uruguay);
- ii. As a State Party to the CRC, Thailand is committed to eradicating corporal punishment as well as the abuse and sexual exploitation of children, and to combatting the worst forms of child labour. However, Thailand is unable to accept the part of this recommendation to eradicate the recruitment of children by armed groups. While we are committed to protecting children from all forms of exploitation, we cannot agree to this phrase as we do not recognize the existence of armed groups within our territory.

62. Analysis:

Thailand has achieved compulsory universal primary education and took steps toward early childhood care and education (National Scheme of Education 2002-2016) as well as awareness raising campaigns. Thailand has taken measures in order to develop a more inclusive education: Welfare Schools (disadvantaged students), Border Patrol Police Schools (children living in remote areas), a wider use of local languages, "inclusive schools" (children with disabilities), create an alternative for all people not in a position to attend formal schooling (Nation EFA Action Plan to run parallel to the National Education Plan 2002-2016 for as prison inmates, street children and Thai nationals living abroad) with an overall special focus for vocational and skills development (Second Decade of Education Reform 2009-2018). Thailand also developed a Child-Friendly

Schools Project to improve the quality of the learning environment. According to available information, many schools remain inadequate to serve students with physical disabilities. Moreover, refugee children are still widely left out of the educational system and the LGBT community faces violence in schools.

63. Specific Recommendations:

1. Thailand should be strongly encouraged to ratify the UNESCO Convention against Discrimination in Education.
2. Thailand should be strongly encouraged to submit state reports for the periodic consultations of UNESCO's education related standard-setting instruments.
3. Thailand should be strongly encouraged to continue implementing policies and measures in order to further develop an inclusive education, in particular for children with disabilities and non-nationals and combatting discriminations in education.
4. Thailand should be encouraged to continue its effort to include human rights education in the school curricula.
5. Thailand should be encouraged to continue working toward financing education to meet the need of the educational system and improve the learning environment.

Cultural Rights

64. **Thailand** is encouraged to ratify the Convention for the Safeguarding of the Intangible Cultural Heritage (2003) and the Convention on the Protection and Promotion of the Diversity of Cultural Expressions (2005). UNESCO's cultural conventions promote access to and participation in cultural heritage and creative expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Thailand is encouraged to facilitate the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.
65. As a State Party to the Convention concerning the Protection of the World Cultural and Natural Heritage (1972), Thailand is encouraged to fully implement the relevant provisions that promote access to and participation in cultural heritage and creative

expressions and, as such, are conducive to implementing the right to take part in cultural life as defined in article 27 of the Universal Declaration of Human Rights and article 15 of the International Covenant on Economic, Social and Cultural Rights. In doing so, Thailand is encouraged to give due consideration to the participation of communities, practitioners, cultural actors and NGOs from the civil society as well as vulnerable groups (minorities, indigenous peoples, migrants, refugees, young peoples and peoples with disabilities), and to ensure that equal opportunities are given to women and girls to address gender disparities.

Freedom of opinion and expression

66. Thailand should enshrine freedom of expression within the new Constitution.
67. Thailand is recommended to decriminalize defamation and place it within a civil code that is in accordance with international standards.⁴²

Freedom of scientific research and the right to benefit from scientific progress and its applications

68. Thailand, in the framework of the 2015-2017 consultations related to the revision and monitoring of the Recommendation on the Status of Scientific Researchers is encouraged to report to UNESCO on any legislative or other steps undertaken by it with the aim to implement this international standard-setting instrument, adopted by UNESCO in 1974.

⁴² See for example, General Comments No 34. of the International Covenant on Civil and Political Rights (ICCPR), 2006 Recommendation of the 87th Session Human Rights Committee, the recommendations of the UN Special Rapporteurs on the Right to Freedom of Opinion and Expression, and Resolution 1577 (2007) of the Parliamentary Assembly of the Council of Europe.