

## **ADVANCE QUESTIONS TO THAILAND – third batch**

### **AUSTRALIA**

- What current screening mechanisms exist to ensure that the prosecution of cases under Article 112 of the Criminal Code (the lèse-majesté law) is consistent with Thailand's international human rights commitments?
- Has consideration been given to establishing or strengthening inter-agency screening processes for cases brought under Article 112 of the Criminal Code to ensure that the fundamental right to freedom of expression and opinion is upheld?

### **NORWAY**

- We note that Thailand has issued a standing invitation to special procedures, and that there is a pending request for a visit by the special rapporteur on the promotion and protection of the right to freedom of opinion and expression. Is the government planning to propose concrete dates on which the Special Rapporteur can conduct a country visit to Thailand?
- In cases involving lèse-majesté; will Thailand consider abolishing the lèse-majesté law, and if not, will the government guarantee the principle of equality of all persons before the courts, the right to a fair and public hearing, and the right to bail, as is required by the International Covenant on Civil and Political Rights, and will Thailand hence not prosecute such cases before military courts?
- Which measures will the government take to end the reported violations of human rights in the still ongoing conflict in the Deep South of Thailand, specifically regarding the reported use of torture, the imposed limitations on free speech and lack of investigation on enforced disappearances?
- Which concrete measures will the government take to efficiently implement the Palermo Protocol, thereby making it a priority to pursue and prosecute persons benefiting from Human Trafficking?

### **SWITZERLAND**

- What is the status of the derogations in application of Article 4 of the International Covenant on Civil and Political Rights which the Royal Thai Government communicated in the aftermath of the Military Coup of 22 May 2014?
  - In case the derogations have not been withdrawn: How does the Royal Thai Government assess their consistency with the requirement of art. 4, al.1., that derogations can only be made “to the extent strictly required by the exigencies of the situation”?
  - In case the derogations have been withdrawn: How does the Royal Thai Government assess the consistency of the current restrictions on freedom of opinion and assembly with its obligations under the ICCPR?
- What is the practice of detention for „attitude adjustment“ as employed by the Royal Thai Government? How does the Royal Thai Government ensure that the practice of “attitude adjustment” is consistent with its obligations under the International Covenant on Civil and Political Rights?

- Refugees and asylum seekers: How does Thailand ensure that the principle of non-refoulement is respected in all cases?
- Death penalty: Thailand applies a de facto moratorium on the death penalty since 2009. The Royal Thai Government has included the abolition of the death penalty in the national Human Rights Action Plan 2014 - 2018. Where does the Royal Thai Government stand with regards to the implementation of the abolition of the death penalty, in the frame of the action plan?
- Rome Statute of the International Criminal Court: Thailand signed the Rome Statute in 2000, but has not ratified it yet. Where does the process of ratification stand?
- Where does Thailand stand regarding its accession to the Additional Protocols I and II to the Geneva Conventions of 1949 relating to the protection of victims of international and non-international armed conflicts?
- Thailand ratified in 2006 the Optional Protocol of 2000 to the Convention on the Rights of the Child on the involvement of children in armed conflict. In order to facilitate the monitoring of its commitments, when does the Royal Thai Government foresee to invite the relevant UN agencies to visit the southern provinces of the country, which are particularly affected by the issue?