

Statement

by Ms. Pornprapai Ganjanarintr

Chairperson of the National Human Rights Commission of Thailand
at the Pre-session meeting for the Universal Periodic Review Working Group
organized by the UPR Info

6 - 7 October 2021

(3 minutes)

Colleagues,

I am delighted and honoured to attend this pre-session meeting for the UPR Working Group organized by the UPR Info.

The NHRCT recently submitted alternative report under the third cycle to the United Nations in March 2021, which provided overview of the results of the Thai government implementation based on recommendations received from the second cycle of the UPR. Overall, the Thai government has implemented recommendations which have been accepted, with some in progress such as the expedition of the consideration process of the Prevention and Suppression of Torture and Enforced Disappearance Act. The NHRCT also had recommendations addressed to the Parliament to ensure that the draft Bill has been in accordance with the object and purpose of CAT and CED.

The NHRCT has provided additional information on other 5 important human rights issues in the alternative report as follows:

Firstly, **“COVID-19 and its impact on human rights”** We are of the view that the remedial measures to assist and compensate the affected people should be thorough, more inclusive, considering limited access to the assistance of vulnerable groups.

The second issue is **“the situation of political demonstrations since 2020”** We view that the rights to freedom of assembly and expression are guaranteed by the Constitution but somehow the exercise of rights affects the rights of other people which may exceed the appropriate proportion. In addition, hatred has been used widely by different groups that can lead to violence. Therefore, the government should raise public awareness on the exercise of their rights while respecting the rights of other people. The government should present correct facts to the public promptly to counter fake news rather than severe enforcement measures.

The NHRCT has investigated and monitored human rights violations in the situation of political demonstrations continuously, including the right of children during demonstrations.

The third point is **“the right in the administration of justice concerning the access to Justice Fund”** the NHRCT found that people still face difficulties in getting access to the Fund which is partly due to the fund management. Therefore, the government should amend the 2016 Regulations in order to facilitate the people in getting access to the Justice Fund.

The fourth point is **"the situation in the southern border provinces"** The NHRCT views that the government should enforce security laws to resolve the unrest in the southern border provinces only as necessary and for a limited time. The government should be extremely careful to take measures that may affect the rights and freedoms of the people and should have clear measures to appropriately remedy victims or persons affected by violence in appropriate dimensions.

The final one is **"strengthening the national human rights institution"** The SCA has concerns regarding provisions in the constitution and organic law which would affect factual or perceived independence of the NHRCT. The SCA has also recommended that the NHRCT should have clear mandate in mediation which will help the NHRCT in timely providing assistance to the victims of human rights violations. Therefore, the government should amend the provisions to strengthen the NHRCT in accordance with the SCA recommendations.

The above-mentioned issues are the overview of human rights situation in Thailand which the NHRCT considers that the Thai government should correct. In this regard, the NHRCT will closely monitor the situations and review of the report of Thailand under the third cycle of the UPR by the UPR Working Group and the HRC, including the recommendations made to Thailand from the upcoming UPR process.

Thank you.
