



# General Assembly

Distr.: General  
25 July 2011

Original: English

---

**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Twelfth session**  
Geneva, 3–14 October 2011

**Compilation prepared by the Office of the High  
Commissioner for Human Rights in accordance with  
paragraph 15 (b) of the annex to Human Rights Council  
resolution 5/1**

**Thailand**

The present report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions on the part of the Office of the United Nations High Commissioner for Human Rights (OHCHR), other than those contained in public reports issued by OHCHR. It follows the structure of the general guidelines adopted by the Human Rights Council. Information included herein has been systematically referenced in endnotes. The report has been prepared taking into consideration the four-year periodicity of the first cycle of the review. In the absence of recent information, the latest available reports and documents have been taken into consideration, unless they are outdated. Since this report only compiles information contained in official United Nations documents, lack of information or focus on specific issues may be due to non-ratification of a treaty and/or to a low level of interaction or cooperation with international human rights mechanisms.

## I. Background and framework

### A. Scope of international obligations<sup>1</sup>

<i>Universal human rights treaties<sup>2</sup></i>	<i>Date of ratification, accession or succession</i>	<i>Declarations/reservations</i>	<i>Recognition of specific competences of treaty bodies</i>
ICERD	28 Jan. 2003	Yes (Reservation, arts. 4, 22)	Individual complaints (art. 14): No
ICESCR	5 Sept. 1999	Yes (Declaration, art. 1, para. 1)	–
ICCPR	29 Oct. 1996	Yes (Declarations, arts.1., para. 1, 6, para. 5, 9, para. 3 and 20)	Inter-State complaints (art. 41): No
CEDAW	9 Aug. 1985	Yes (Reservation, arts.16, 29, para. 1)	–
OP-CEDAW	14 June 2000		Individual complaints: Yes Inquiry procedure (arts. 8 and 9): Yes
CAT	2 Oct. 2007	Yes (Reservation, art.30, para. 1)	Inter-State complaints (art. 21): No Individual complaints (art. 22): No Inquiry procedure (art. 20): Yes
CRC	27 Mar.1992	Yes (Reservation, art. 22)	–
OP-CRC-AC	27 Feb. 2006	Binding declaration under art. 3: 18 years	–
OP-CRC-SC	11 Jan. 2006		–
CRPD	29 July 2008	Yes (Declaration, art. 18)	–

*Treaties to which Thailand is not a party: OP-ICESCR<sup>3</sup>, ICCPR-OP1, ICCPR-OP2, OP-CAT, ICRMW, CRPD-OP, CED.*

<i>Other main relevant international instruments</i>	<i>Ratification, accession or succession</i>
Convention on the Prevention and Punishment of the Crime of Genocide	No
Rome Statute of the International Criminal Court	No
Palermo Protocol <sup>4</sup>	No
Refugees and stateless persons <sup>5</sup>	No
Geneva Conventions of 12 August 1949 and Additional Protocols thereto <sup>6</sup>	Yes, except AP I, II, III
ILO fundamental conventions <sup>7</sup>	Yes, except Nos. 87, 98, 111
UNESCO Convention against Discrimination in Education	No

1. Thailand was invited to ratify: ICRMW,<sup>8</sup> CED,<sup>9</sup> four instruments on refugees and stateless persons,<sup>10</sup> and the UNESCO Convention against Discrimination in Education.<sup>11</sup>

2. In 2006, the Committee on the Elimination of Discrimination against Women (CEDAW) drew attention to the fact that reservations to article 16 were contrary to the object and purpose of the Convention.<sup>12</sup> Thailand was urged to consider withdrawing its reservations to CEDAW<sup>13</sup> and CRC<sup>14</sup> and its declarations to ICCPR,<sup>15</sup> including that related to the imposition of the death penalty on persons below 18 years of age.<sup>16</sup>

## **B. Constitutional and legislative framework**

3. In 2005, the Human Rights (HR) Committee also noted that the Covenant had not been fully incorporated into domestic law and that its provisions were not in practice invoked in courts of law.<sup>17</sup> In 2011, United Nations Country Team (UNCT) noted that challenges remained in timely enactment of enabling laws and mechanisms.<sup>18</sup>

4. UNCT, while recognizing the need for Thailand to guarantee peace, security and public order, noted that security legislation such as the Internal Security Act (ISA),<sup>19</sup> martial law and the Emergency Decree have negative implications on the rule of law, including due process guarantees, particularly regarding the Southern Border Provinces (SBP) (where all three pieces of legislation were currently in force).<sup>20</sup> UNCT recommended that Thailand review security laws to ensure their conformity with international human rights standards.<sup>21</sup> Related concerns and recommendations were made by the Special Rapporteur on human rights and terrorism.<sup>22</sup>

## **C. Institutional and human rights infrastructure**

5. The National Human Rights Commission of Thailand was accredited with 'A' status by the International Coordinating Committee of National Human Rights Institutions for the Promotion and Protection of Human Rights (ICC) in 2004, which was reconfirmed in 2008.<sup>23</sup>

6. In 2011 UNCT noted that the 2007 Constitution further empowered the NHRC to take cases directly to court, in its own name and on behalf of those whose rights have been

violated.<sup>24</sup> UNCT recommended that the selection process of the NHRC's commissioners be reviewed. The overall capacity of the Commission needed to be strengthened.<sup>25</sup>

## D. Policy measures

7. UNCT noted that Thailand had established various mechanisms to protect human rights, including a National Committee on Human Rights Policy and Plan of Action,<sup>26</sup> and issues of disparities and injustice were clearly addressed under the 11th National Economic and Social Development Plan.<sup>27</sup>

8. In 2006, CRC recommended that Thailand carry out comprehensive public education campaigns to prevent and combat all forms of discrimination.<sup>28</sup>

## II. Promotion and protection of human rights on the ground

### A. Cooperation with human rights mechanisms

#### 1. Cooperation with treaty bodies

9. UNCT recommended that Thailand submit all overdue reports to the treaty bodies and ILO supervisory bodies.<sup>29</sup>

<i>Treaty body<sup>30</sup></i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CERD				Initial report and second report submitted in June 2011.
CESCR				Initial report overdue since 2002.
HR Committee	2004	July 2005	Submitted in October 2006.	Second report overdue since 2009.
CEDAW	2004	February 2006		Combined sixth and seventh reports overdue since 2010.
CAT				Initial report overdue since 2008.
CRC	2004	January 2006		Combined third and fourth reports submitted in July 2011.
OP-CRC-AC				Initial report due

<i>Treaty body</i> <sup>30</sup>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
				in 2008, submitted in 2009.
OP-CRC-SC				Initial report due in 2008, submitted in 2009.
CRPD				Initial report due in 2011.

## 2. Cooperation with special procedures

10. UNCT indicated that Thailand does not have any standing invitation to the special procedures mandates.<sup>31</sup>

<i>Standing invitation issued</i>	<i>No</i>
<i>Latest visits or mission reports</i>	Special Representative of the Secretary-General on Human Rights Defenders, mission to Thailand (19–27 May 2003).
<i>Visits agreed upon in principle</i>	Special Rapporteur on trafficking (8–19 August 2011); Special Rapporteur on sale of children.
<i>Visits requested and not yet agreed upon</i>	Special Rapporteur on the right to health (requested visit in 2005); Special Rapporteur on freedom of opinion and expression (requested in 2004); Special Rapporteur on extrajudicial, summary or arbitrary executions (requested in 2005, reminder in 2008 and 2010); independent expert on minority issues (requested in 2006 and reminder in 2007); Working Group on Arbitrary Detention (requested in 2008); Special Rapporteur on adequate housing (requested in 2008); independent expert on access to safe drinking water and sanitation (requested in March 2010); Special Rapporteur on human rights and counter-terrorism (requested in 2008 and 2010); Special Rapporteur on migrants (requested in 2008, reminder in 2010); Special Rapporteur on the right to food (requested in 2010); Special Rapporteur on human rights defenders (follow-up requested in 2008 and 2010).
<i>Facilitation/cooperation during missions</i>	

*Follow-up to visits**Responses to letters of allegations and urgent appeals*

During the period under review, about 43 communications were sent. The Government replied to about 39 communications.

*Responses to questionnaires on thematic issues*

Thailand responded to 10 of the 24 questionnaires sent by special procedures mandate holders.<sup>32</sup>

### 3. Cooperation with the Office of the High Commissioner for Human Rights

11. The OHCHR regional office for Southeast Asia is hosted by Thailand in Bangkok.<sup>33</sup> The Deputy High Commissioner visited the country in 2008<sup>34</sup> and in 2010 when Thailand hosted a seminar on the review of the Human Rights Council. Between 2007 and 2010 Thailand hosted OHCHR regional briefings on UPR,<sup>35</sup> a regional OHCHR training on treaty body reporting and follow-up,<sup>36</sup> a regional colloquium for judges,<sup>37</sup> as well as training on the CRPD,<sup>38</sup> CAT and CERD.<sup>39</sup> OHCHR engaged in capacity-building activities on administration of justice,<sup>40</sup> and trained members of Thai civil society organizations and national institutions on their role in promoting and protecting human rights.<sup>41</sup>

12. Thailand has contributed financially to OHCHR since 2000 and to the Trust Fund on Slavery in 2006–2008.<sup>42</sup>

## B. Implementation of international human rights obligations, taking into account applicable international humanitarian law

### 1. Equality and non-discrimination

13. CEDAW expressed concern at the persistence of strong stereotypical attitudes about the roles and responsibilities of women and men in the family and in society. Such stereotypes undermined women's social status, presented a significant impediment to the implementation of the Convention and were a root cause of the disadvantaged position of women in a number of areas, including in the labour market and in political and public life.<sup>43</sup> CEDAW urged Thailand to adopt and implement temporary special measures,<sup>44</sup> and to accelerate the realization of women's de facto equality with men in all areas, particularly with regard to women's participation in decision-making and access to economic opportunities.<sup>45</sup> CEDAW called on Thailand to take measures towards modifying those social, cultural and traditional attitudes that were permissive of violence against women.<sup>46</sup> UNCT shared these concerns.<sup>47</sup>

14. In 2006, CEDAW expressed concern about the situation of Muslim women in the south who lacked access to education, social security, health care and economic opportunities and were subjected to early marriage due to cultural norms and that this situation was further exacerbated by unrest in the south.<sup>48</sup> These concerns were shared by UNCT,<sup>49</sup> which also pointed out that many women had limited access to matrimonial property after the death of husbands in accordance with the Muslim personal law.<sup>50</sup> CRC noted with concern that violence and unrest in the SBP had severe consequences and endangered the right of the child to life, survival and development.<sup>51</sup> UNCT referred to reported cases of the cash-assistance entitlement of children orphaned by the violence being denied if their father was involved in insurgent activity.<sup>52</sup>

15. In 2006, CRC expressed concern about the persistence of discrimination against the child, particularly with respect to the girl child, children of indigenous, and religious or

ethnic minority communities, children of refugees and asylum-seekers, children of migrant workers, street children, children with disabilities, children living in rural areas, and children living in poverty.<sup>53</sup> UNCT noted that, despite ongoing efforts to protect children from violence, children across the country, particularly the children of ethnic and religious minorities, of migrant families and of the population who remained below the poverty line continued to face violations, such as sexual exploitation and abuse, detention as a first response, child labour, trafficking, corporal punishment, unnecessary institutionalization and violence in their homes, schools and community.<sup>54</sup>

16. UNCT noted Thailand's commitment in February 2011 to attain the "Three Zeros" goal of UNAIDS and indicated that discrimination against and stigmatization of vulnerable groups such as injecting drug users, sex workers, men who have sex with men, and transgender people inhibited the ability to reach these populations with prevention effort, and thus increased their vulnerability to HIV/AIDS.<sup>55</sup> CEDAW referred to the high rate of AIDS affecting women engaged in prostitution.<sup>56</sup>

17. In 2004 the Special Representative of the Secretary-General on human rights defenders referred to reports that land farmed by the hill tribes in northern Thailand was being taken over by private actors or the State and that many hill tribes people had no official proof of citizenship allowing them to claim their rights to land, education and health services, freedom of movement and employment. She stated that officials claimed however that the tribes' agricultural practices damaged the environment and that many were not actually from Thailand and the land was not theirs.<sup>57</sup>

18. UNCT, while welcoming the 2008 amendment to the Nationality Act, noted that full safeguards were not provided in preventing statelessness. There were gaps in the acquisition of nationality under the Act and other gaps that could lead to statelessness or a heightened risk of statelessness.<sup>58</sup> UNCT noted that, while universal birth registration was codified by the 2008 Civil Registration Act, as many as 15 per cent of births remained unregistered.<sup>59</sup> UNCT suggested the issuance of birth certificates through the hospital system.<sup>60</sup> Related concerns were raised by the HR Committee<sup>61</sup> and CRC,<sup>62</sup> with CEDAW<sup>63</sup> also noting that certain provisions of the Nationality Law continued to discriminate against Thai women who marry foreign men.<sup>64</sup>

## **2. Right to life, liberty and security of the person**

19. In 2010, Thailand abstained in the vote on General Assembly resolution 65/206 on a moratorium on the death penalty.<sup>65</sup> In 2005, the HR Committee noted with concern that the death penalty was not restricted to the "most serious crimes" and recommended that Thailand review the imposition of the death penalty for offences related to drug trafficking.<sup>66</sup>

20. In 2005, the HR Committee expressed concern at the persistent allegations of serious human rights violations, including widespread instances of extrajudicial killings and ill-treatment by the police and members of armed forces, illustrated by incidents such as the Tak Bai and the Krue Se mosque incidents and the extraordinarily large number of killings during the "war on drugs".<sup>67</sup>

21. The HR Committee recommended that Thailand ensure that all alleged cases of torture, ill-treatment, disproportionate use of force by police and death in custody be fully and promptly investigated, that those found responsible be brought to justice, and that compensation be provided to the victims or their families.<sup>68</sup> In its follow-up reply to the HR Committee, Thailand indicated that its domestic legislation specifically protects the rights of detainees and that measures had been enacted to monitor strict compliance to those regulations by law enforcement officials.<sup>69</sup>

22. The HR Committee was concerned at the overcrowding and general conditions of places of detention; and that the right of detainees of access to lawyers and members of the family was not always observed in practice. The Committee considered the duration of detention before a person was brought before a judge to be incompatible with the requirements of the Covenant. The Committee recommended that the use of shackling and long periods of solitary confinement be stopped immediately; and there should be compulsory segregation of juveniles from adults.<sup>70</sup>

23. UNCT was concerned at recent reports of a new wave of compulsory drug treatment for more than 30,000 people in Thailand and the risk of a possible setback for the operationalization of the National Harm Reduction Policy.<sup>71</sup> UNCT recommended that drug treatment and rehabilitation be undertaken in the community as a first option, with the informed consent of the individual who is assessed as being drug-dependent. In addition appropriate legal and medical processes should be followed.<sup>72</sup>

24. In 2011, the Secretary-General stated that the United Nations had received information that pointed to the alleged involvement of children in activities of non-State armed groups and village defence volunteers (Chor Ror Bor). Thailand stated that no children were associated with the village defence volunteers.<sup>73</sup> UNCT stated that in the SBP ongoing violence is taking a high toll on children, in spite of Thailand's efforts to protect them. Children have been subject to the application of martial law and the Emergency Decree due to the special legal mechanism under the security laws and the absence of special regulations for juveniles. Physical abuse of children and psychological damage as a result of searches, home visits, questioning, arrests and detention have been reported. Children affected included those suspected of participating in or supporting any act that constitutes an emergency situation, and those whose family members have been suspected of participating in or supporting any aforementioned act.<sup>74</sup> In 2011, Thailand stated that allegations, reported in the Secretary-General's previous reports, of children detained in police and army interviewing centres for their suspected association with armed groups had been addressed.<sup>75</sup>

25. UNCT noted that many child victims of domestic violence were placed in an institution and that limited investment by Thailand in the prevention of abuse, violence, neglect and exploitation perpetuated a cycle of violence against children.<sup>76</sup> UNCT recommended that free legal aid and psycho-social protection for survivors be enhanced and the criminal justice system be more gender-sensitive and child-friendly to avoid re-victimization of women and children survivors of violence.<sup>77</sup> CRC urged Thailand to prohibit by law all forms of corporal punishment.<sup>78</sup>

26. The HR Committee expressed concern about trafficking in persons for purposes of sexual exploitation and forced labour, including child prostitution and about the significant proportion of children, often stateless or of foreign nationality who engaged in labour and were often victims of trafficking.<sup>79</sup> Related concerns were expressed by CRC,<sup>80</sup> the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) in 2011<sup>81</sup> and CEDAW,<sup>82</sup> including on sex tourism and child pornography. CEDAW recommended that Thailand address the root cause of trafficking by increasing its efforts to improve the economic situation of women.<sup>83</sup>

### **3. Administration of justice, including impunity, and the rule of law**

27. In 2004, the Special Representative of the Secretary-General reported that human rights defenders exercising their right to peaceful protest, as well as defenders engaged in other human rights activities, had been targeted for judicial prosecution.<sup>84</sup> The Special Representative considered that the law was being applied selectively against defenders, with prosecutions initiated to deter defenders taking public action and to exhaust their time and finances, rather than to enforce the rule of law.<sup>85</sup>



28. The HR Committee called for an immediate halt to, and protection of human rights defenders from, harassment and attacks.<sup>86</sup> The Special Representative recommended that the Government ensure prompt investigation of all violations reportedly committed against human rights defenders, with appropriate judicial or other action.<sup>87</sup>

29. The HR Committee was especially concerned that the 2005 Emergency Decree provided for officials enforcing the state of emergency to be exempt from legal and disciplinary actions, thus exacerbating the problem of impunity.<sup>88</sup> In its reply, the Government indicated, *inter alia*, that although Section 17 of the Emergency Decree provided protection for the competent officials, the injured persons had the right to claim compensation from the administration according to the Tortious Liability of Officials Act B.E. 2539 (1996).<sup>89</sup> In 2008, the Special Rapporteur on human rights and terrorism urged the Government to repeal section 17 of the Decree.<sup>90</sup>

30. In 2011, UNCT noted that challenges to the administration of justice were linked to potential impunity for military, police and security personnel. This was highlighted by the absence of successful prosecutions of State officials in a number of high profile incidents, such as the deaths of 78 ethnic Malay Muslims in the Tak Bai incident of October 25, 2004; the disappearance of human rights lawyer Somchai Neelapaijit on 12 March 2004;<sup>91</sup> the 2,819 extrajudicial killings that accompanied the 2003 “war on drugs”;<sup>92</sup> and allegations in 2008 and 2009 that the Thai navy forced boats carrying Rohingya people from neighbouring countries back to international waters, which resulted in casualties.<sup>93</sup> UNCT recommended that Thailand initiate an independent review of the administration of justice with regard to cases of alleged serious human rights violations involving military, police or security personnel.<sup>94</sup>

31. UNCT commended Thailand for initiating a reconciliation process after the large-scale demonstrations and subsequent clashes between the United Front for Democracy against Dictatorship (UDD) and the Government in April/May 2010, during which 92 people were killed and almost 2,000 injured.<sup>95</sup> A Truth and National Reconciliation Commission (TRC) was established and investigations into the State’s handling of the protests were ongoing, which the United Nations was supporting.<sup>96</sup> On 17 May 2010, the High Commissioner for Human Rights stressed that all parties should be made aware that they would be held accountable for their actions.<sup>97</sup>

32. Noting the high rate of women in prison, CRC was concerned that sentencing decisions did not consistently take into account the best interests of the child and women’s role as mothers with child caring responsibilities.<sup>98</sup> UNCT recommended that the criminal justice system be reviewed to be more gender-sensitive and child-friendly, and that psycho-social protection and legal aid made available to all.<sup>99</sup>

33. In 2006, CRC noted that some existing legislation, for example the Penal Code regarding the minimum age of criminal responsibility (7 years), was still not in compliance with the Convention.<sup>100</sup> UNCT recommended that security laws be reviewed to ensure their conformity with international juvenile justice standards, that civil society organizations be part of the review process and that effective monitoring mechanisms be established.<sup>101</sup> Related recommendations were made by the CRC.<sup>102</sup>

#### **4. Right to privacy**

34. CRC, concerned that identities and photos of child victims were presented in the media, urged Thailand to establish mechanisms to ensure that all materials broadcast respect the child’s right to privacy and that appropriate human rights training is given to media professionals.<sup>103</sup>

35. Expressing concern at early marriage due to cultural norms, CEDAW encouraged Thailand to provide increased educational opportunities to girls to discourage early marriages.<sup>104</sup>

## **5. Freedom of expression, association and peaceful assembly and right to participate in public and political life**

36. In 2011, the Special Rapporteur on the right to freedom of expression raised his continued concern about restrictions to the right to freedom of opinion and expression in Thailand, mainly through the Emergency Decree, *lèse-majesté* law (as set out in article 112 of the Penal Code), and the Computer-related Crimes Act of 2007 and regarding the recent increase in the number of *lèse-majesté* cases reportedly being investigated by the police and accepted by the courts.<sup>105</sup> He referred in particular to the case of Ms. Chiranuch Premchaiporn.<sup>106</sup> UNCT noted that over the last few years, Thai authorities have reportedly closed down more than 100,000 websites for allegedly promoting anti-monarchy sentiments and posing threats to national security, and a number of individuals have received lengthy prison sentences for breaching *lèse-majesté* laws.<sup>107</sup>

37. The Government in its 2009 reply to the Special Rapporteur stated that the rationale behind the *lèse-majesté* law was to protect Thailand's national security because the monarchy was one of Thailand's principal institutions.<sup>108</sup> The law concerning *lèse-majesté* had been enacted not by any demand from those it aimed to protect. However, the King was not in a position to amend the law.<sup>109</sup> UNCT recommended the repeal of criminal laws in favour of appropriate civil laws regarding freedom of expression, in accordance with relevant international human rights standards.<sup>110</sup>

38. UNESCO noted that there remained heavy self-censorship on the subject of monarchy and judiciary<sup>111</sup> and that the broadcast sector continued to be controlled by State and Government enterprises.<sup>112</sup> In 2005, the HR Committee recommended that Thailand take adequate measures to prevent further erosion of freedom of expression.<sup>113</sup> UNESCO in 2011 also requested the investigation of the killings of journalists in 2008 and 2010, information about the results of the investigations and improved safety of journalists.<sup>114</sup>

39. In 2011, the Committee of Experts reiterated its firm hope that the necessary measures would be taken in order to bring the Organic Law on Political Parties BE 2541 (1998) into conformity with the Abolition of Forced Labour convention that prohibited the use of forced or compulsory labour as a punishment for holding or expressing political views.<sup>115</sup>

## **6. Right to work and to just and favourable conditions of work**

40. UNCT highlighted the ILO Committee of Experts reference to the need to prioritize employment generation within the framework of a coherent economic and social policy. It further highlighted the need for specific initiatives with respect to vulnerable groups, including people with disabilities and migrant workers, and the need to implement appropriate measures to prevent abuse in the recruitment and exploitation of migrant workers.<sup>116</sup>

41. UNCT noted that migrant workers cannot set up trade unions of their own and they cannot stand for trade union office in organisations representing both Thai and migrant workers.<sup>117</sup>

42. CRC<sup>118</sup> recommended that Thailand: effectively implement domestic labour laws; extend the Labour Protection Act to ensure protection for children working in the informal sector (for example agriculture, small-scale family enterprises and domestic service); improve the labour inspection system and enable it to monitor and report on the practice of

domestic and rural labour by children;<sup>119</sup> and continue to actively participate in regional and interregional ILO/IPEC activities.

#### **7. Right to social security and to an adequate standard of living**

43. In 2011, UNCT noted that abortion was legal in Thailand only if performed by a physician for the sake of the woman's health or for a pregnancy due to a sexual crime.<sup>120</sup> CEDAW recommended that Thailand provide effective access for women to contraceptives with the aim of avoiding the need for women to resort to illegal abortions and urged Thailand to increase its efforts to promote male contraception.<sup>121</sup> UNCT recommended the enactment of the Reproductive Health Protection Bill to ensure equal protection of the reproductive rights and health of women, especially among vulnerable populations.<sup>122</sup>

44. CRC recommended that Thailand continue to allocate resources for effective poverty reduction measures, particularly in the north, north-east and the SBP.<sup>123</sup> A 2007 UNDP report indicated that access to health services is skewed. Maternal mortality remained very high in the Muslim-majority area in the SBP. Child malnutrition persisted among hill tribe people in remote northern areas.<sup>124</sup> In 2006, CRC was particularly concerned at iodine and iron deficiencies, at the incidence of thalassemia and the low rate of exclusive breastfeeding.<sup>125</sup> CRC recommended that Thailand continue to improve access to safe drinking water and sanitation facilities, particularly in remote areas of the country.<sup>126</sup>

#### **8. Right to education and to participate in the cultural life of the community**

45. UNCT commended Thailand for its commitment to realizing the right to education for all children, particularly for the launch in 2009 of a 15-year free-education policy to enable children to have equal access to quality education. Translating this policy into reality remained a challenge at all levels. About 60 per cent of children attend some form of pre-primary education.<sup>127</sup> Almost half of the students do not finish the 12-year basic education cycle.<sup>128</sup>

46. UNCT noted that ensuring the right to an education for children with disabilities needed further emphasis. In principle, Government regulations allowed migrant and/or stateless children to go to school, but in reality the education system did not provide adequate support to schools to this end.<sup>129</sup> In 2006, CRC also recommended that Thailand continue efforts to provide indigenous and minority children with equal access to quality education, which respects their distinct cultural patterns and uses local indigenous and minority languages; and expand the availability and improve the quality of vocational training.<sup>130</sup>

47. UNCT noted that there had been a decline in attacks against schools in 2010 as well as against students and teachers in the SBP. Military presence in schools, although being addressed by the Government, remained a concern as schools should be "zones of peace".<sup>131</sup>

#### **9. Minorities and indigenous peoples**

48. In 2005, the HR Committee expressed its concern about the structural discrimination against minority communities, in particular the Highlanders, including with regard to the protection of their way of life.<sup>132</sup> The Committee was concerned at their treatment by law enforcement officials, particularly their forced eviction and relocation and reports of extrajudicial killings, harassment and confiscation of property in the "war on drugs" campaign.<sup>133</sup> The HR Committee was also concerned about the construction of the Thai-Malaysian gas pipeline and other development projects which had been carried out with minimal consultation with the concerned communities; and about violent suppression of peaceful demonstrations by law enforcement officers in contravention of the Covenant.<sup>134</sup>

## 10. Migrants, refugees and asylum-seekers

49. According to the UNCT, Thailand hosted over two million migrant workers from neighbouring countries. Significant steps had been taken to regularize their position and to access social services. However, challenges in ensuring the promotion and protection of migrants' rights were still significant. Irregular migrant workers can be subjected to deception and human trafficking by means of debt bondage and physical abuse, particularly in fisheries, agriculture and as domestic helpers, as well as subjected to expulsions.<sup>135</sup> Many children of migrants encountered challenges in accessing education. Surveys showed that women, who constituted the majority in the informal (especially domestic) sector, were very vulnerable to violations. The cases were seriously underreported due to the fear of deportation.<sup>136</sup> Access to justice for migrant workers was limited and available legal aid is not accessible to the majority of migrant workers due to language barriers.<sup>137</sup> UNCT noted that the current Nationality Verification Process (NV) was limited to migrant workers, leaving out their families and children. The NV Process needed to be more inclusive, non-discriminatory,<sup>138</sup> and reviewed, making it simpler, more affordable and transparent.<sup>139</sup>

50. In 2011, the Special Rapporteur on migrants referred to reports that the pattern of arbitrary arrest, violence, abuse and exploitation of migrants was allegedly exacerbated by the Prime Minister's order of 2 June 2010 issued to set up a Special Centre to Suppress, Arrest and Prosecute Alien Workers Who Are Working Underground (No.125/1223).<sup>140</sup> Concerns about the situation and rights of migrant workers and refugees,<sup>141</sup> particularly those from Myanmar, were raised by the HR Committee<sup>142</sup> and six special procedure mandate holders.<sup>143</sup> Allegations of forced repatriation of Lao Hmong were raised by three mandate holders,<sup>144</sup> with Thailand replying that there had been no report of any difficulties or persecution faced by returnees in 2008 and 2009.<sup>145</sup>

51. UNCT commended Thailand for receiving refugees and displaced persons from neighbouring countries, however, asylum-seekers were sometimes detained. UNCT encouraged the adoption of alternatives to detention for the most vulnerable groups, who could best be placed under the care of an appropriate government agency.<sup>146</sup> UNCT recommended that Thailand refrain from the refoulement of asylum-seekers, refugees, migrants in refugee-like situations, asylum-seeking or refugee victims of trafficking, and asylum-seeking or refugee victims of smuggling, to places where their lives or freedom would be threatened. UNCT urged Thailand to follow its public commitment in 2009 to stop forcing boats carrying Rohingya into international waters, particularly in light of recent boat arrivals in 2011.<sup>147</sup>

## III. Achievements, best practices, challenges and constraints

52. In 2006, CRC acknowledged that an exceptional natural disaster caused by the Indian Ocean tsunami of 26 December 2004 had largely devastated the south-western coast of Thailand - giving rise to a number of economic and social difficulties and affecting the lives of many children. It also acknowledged the challenges faced by Thailand as a result of the civil unrest in the southernmost provinces, which had adversely impacted overall human rights development in the country.<sup>148</sup>

53. The 2010 UNDP Human Development Report stated that in Thailand there was continuing political instability and some involvement of the military in political affairs, while economic, financial and political powers were concentrated in a small business elite.<sup>149</sup>

## IV. Key national priorities, initiatives and commitments

### A. Pledges by the State

54. UNCT welcomed Thailand's human rights commitments in five areas: strengthening the implementation of the National Action Plan on Human Rights and the effectiveness of its monitoring mechanism and follow-up; continuing active engagement and dialogue with civil society and encouraging public participation to enhance human rights and a democratic environment; expediting efforts to withdraw its reservations to CRC, CEDAW and ICCPR; pursuing efforts for ratification of CED and ILO Conventions No. 87, 98 and 111; and cooperating closely with treaty bodies, and intensifying efforts to implement their recommendations and ensuring submission of national reports under the instruments within the scheduled timeline.<sup>150</sup>

### B. Specific recommendations for follow-up

55. In 2005, the HR Committee requested Thailand to provide information, within one year, on its response to the Committee's recommendations contained in paragraphs 13 (state of emergency), 15 (excessive use of force against detainees) and 21 (child labour). A follow-up reply was submitted in 2006.<sup>151</sup>

56. In 2004 the Special Representative on human rights defenders following her mission to Thailand in 2003 recommended that the Government reassess its approach to the right to protest and freedom of assembly and adopt a policy that ensures a just balance between respect for the right to peaceful protest and the maintenance of public order;<sup>152</sup> and consider the publication of a report indicating action to address the recommendations made.<sup>153</sup>

## V. Capacity-building and technical assistance

57. UNCT will collaborate on the 11th National Economic and Social Development Plan's implementation under the new United Nations Partnership Framework (UNPAF 2012-16) in such areas as human rights and access to justice, social protection and information systems to inform policy development for reduction of disparities.<sup>154</sup>

### Notes

<sup>1</sup> Unless indicated otherwise, the status of ratifications of instruments listed in the table may be found in *Multilateral Treaties Deposited with the Secretary-General: Status as at 31 December 2006* (ST/LEG/SER.E.25), supplemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>

<sup>2</sup> The following abbreviations have been used for this document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women

OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to the Convention on the Rights of Persons with Disabilities
CED	International Convention for the Protection of All Persons from Enforced Disappearance.

<sup>3</sup> Adopted by the General Assembly in its resolution 63/117 of 10 December 2008. Article 17, paragraph 1, of OP-ICESCR states that “The present Protocol is open for signature by any State that has signed, ratified or acceded to the Covenant”.

<sup>4</sup> Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

<sup>5</sup> 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

<sup>6</sup> Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at [www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html](http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html).

<sup>7</sup> International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour, Convention No. 87 concerning Freedom of Association and Protection of the Right to Organize; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

<sup>8</sup> UNCT submission to the UPR on Thailand, 2011, para. 3, CEDAW/C/THA/CO/5, para. 48 and CRC/C/THA/CO/2, para. 69.

<sup>9</sup> UNCT submission to the UPR on Thailand, 2011, para. 3, A/HRC/16/48, Report of the Working Group on Enforced and Involuntary Disappearances, para. 479.

<sup>10</sup> UNCT submission to the UPR on Thailand, 2011, para. 3, and CRC/C/THA/CO/2, para. 67.

<sup>11</sup> UNESCO submission to the UPR on Thailand, 2011, para. 26.

<sup>12</sup> CEDAW/C/THA/CO/5, para. 11.

<sup>13</sup> Ibid., para. 12.

<sup>14</sup> CRC/C/THA/CO/2, para. 9.

<sup>15</sup> CCPR/CO/84/THA, para. 7.

<sup>16</sup> Ibid., para. 14.

<sup>17</sup> Ibid., para. 8.

<sup>18</sup> UNCT submission to the UPR on Thailand, 2011, para. 7.

- <sup>19</sup> A/HRC/10/3/Add.1, paras. 274–281 and 297–303.
- <sup>20</sup> UNCT submission to the UPR on Thailand, 2011, para. 14. See also A/HRC/11/4/Add.1, paras. 2414–2420.
- <sup>21</sup> UNCT submission to the UPR on Thailand, 2011, para. 16. See also A/HRC/10/3/Add.1, p. 84.
- <sup>22</sup> A/HRC/10/3/Add.1, paras. 282–296.
- <sup>23</sup> For the list of national human rights institutions with accreditation status granted by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC), see A/HRC/16/77 of 3 February 2011, annex.
- <sup>24</sup> UNCT submission to the UPR on Thailand, 2011, para. 9.
- <sup>25</sup> *Ibid.*, para. 10. See also CCPR/CO/84/THA, para. 9.
- <sup>26</sup> UNCT submission to the UPR on Thailand, 2011, para. 8.
- <sup>27</sup> *Ibid.*, para. 11.
- <sup>28</sup> CRC/C/THA/CO/2, para. 25.
- <sup>29</sup> UNCT submission to the UPR on Thailand, 2011, para. 6.
- <sup>30</sup> The following abbreviations have been used for this document:
- |              |  |
|--------------|--|
| CERD         | Committee on the Elimination of Racial Discrimination        |
| CESCR        | Committee on Economic, Social and Cultural Rights            |
| HR Committee | Human Rights Committee                                       |
| CEDAW        | Committee on the Elimination of Discrimination against Women |
| CAT          | Committee against Torture                                    |
| CRC          | Committee on the Rights of the Child                         |
| CRPD         | Committee on the Rights of Persons with Disabilities.        |
- <sup>31</sup> UNCT submission to the UPR on Thailand, 2011, para. 4.
- <sup>32</sup> The questionnaires referred to are those reflected in an official report by a special procedure mandate holder issued between 1 January 2007 and 1 June 2011. Responses counted for the purposes of this section are those received within the relevant deadlines, and referred to in the following documents: (a) A/HRC/6/15, para. 7; (b) A/HRC/7/6, annex; (c) A/HRC/7/8, para. 35; (d) A/HRC/8/10, para. 120, footnote 48; (e) A/62/301, paras. 27, 32, 38, 44 and 51; (f) A/HRC/10/16 and Corr.1, footnote 29; (g) A/HRC/11/6, annex; (h) A/HRC/11/8, para. 56; (i) A/HRC/11/9, para. 8, footnote 1; (j) A/HRC/12/21, para. 2, footnote 1; (k) A/HRC/12/23, para. 12; (l) A/HRC/12/31, para. 1, footnote 2; (m) A/HRC/13/22/Add.4; (n) A/HRC/13/30, para. 49; (o) A/HRC/13/42, annex I; (p) A/HRC/14/25, para. 6, footnote 1; (q) A/HRC/14/31, para. 5, footnote 2; (r) A/HRC/14/46/Add.1; (s) A/HRC/15/31/Add.1, para. 6 – for list of responding States, see <http://www.ohchr.org/EN/Issues/WaterAndSanitation/SRWater/Pages/ContributionsPSP.aspx>; (t) A/HRC/15/32, para. 5; (u) A/HRC/16/44/Add.3; (v) A/HRC/16/48/Add.3, para. 5 endnote 2; (w) A/HRC/16/51/Add.4; (x) A/HRC/17/38, see annex I.
- <sup>33</sup> 2009 OHCHR Report on Activities and Results, page 132. See also 2008 OHCHR Report on Activities and Results, pages 98-99 and 105.
- <sup>34</sup> 2008 OHCHR Report on Activities and Results, p. 56.
- <sup>35</sup> 2009 OHCHR Report on Activities and Results, p. 133.
- <sup>36</sup> *Ibid.*, p. 38.
- <sup>37</sup> *Ibid.*, p. 38.
- <sup>38</sup> *Ibid.*, p. 55.
- <sup>39</sup> 2008 OHCHR Report on Activities and Results, p. 105.
- <sup>40</sup> *Ibid.*, p. 105.
- <sup>41</sup> *Ibid.*, p. 105.
- <sup>42</sup> 2009 OHCHR Report on Activities and Results, p. 216.
- <sup>43</sup> CEDAW/C/THA/CO/5, para. 25.
- <sup>44</sup> UNCT submission to the UPR on Thailand, 2011, para. 19 and CEDAW/C/THA/CO/5, paras. 21–22 and 29–30.
- <sup>45</sup> CEDAW/C/THA/CO/5, paras. 22 and 29–30.
- <sup>46</sup> *Ibid.*, para. 24.
- <sup>47</sup> UNCT submission to the UPR on Thailand, 2011, para. 19.
- <sup>48</sup> CEDAW/C/THA/CO/5, paras. 35–36 and CRC/C/THA/CO/2, paras. 27–28.
- <sup>49</sup> UNCT submission to the UPR on Thailand, 2011, para. 22.
- <sup>50</sup> *Ibid.*, para. 22.

- <sup>51</sup> CRC/C/THA/CO/2, para. 27.
- <sup>52</sup> UNCT submission to the UPR on Thailand, 2011, para. 28.
- <sup>53</sup> CRC/C/THA/CO/2, para. 24.
- <sup>54</sup> UNCT submission to the UPR on Thailand, 2011, para. 24.
- <sup>55</sup> *Ibid.*, para. 36.
- <sup>56</sup> CEDAW/C/THA/CO/5, para. 41.
- <sup>57</sup> E/CN.4/2004/94/Add.1, para. 64. See also A/HRC/9/9/Add.1, 464–472.
- <sup>58</sup> UNCT submission to the UPR on Thailand, 2011, para. 44.
- <sup>59</sup> *Ibid.*, para. 26.
- <sup>60</sup> *Ibid.*, para. 26.
- <sup>61</sup> CCPR/CO/84/THA, para. 22.
- <sup>62</sup> CRC/C/THA/CO/2, paras. 31 and 78.
- <sup>63</sup> CEDAW/C/THA/CO/5, paras. 37–38.
- <sup>64</sup> *Ibid.*, para. 31.
- <sup>65</sup> For the voting on the draft General Assembly resolution, see A/65/PV.71.
- <sup>66</sup> CCPR/CO/84/THA, para. 14. See also A/HRC/14/24/Add.1, pp. 316–319.
- <sup>67</sup> CCPR/CO/84/THA, para. 10.
- <sup>68</sup> *Ibid.*, para. 15. See also A/HRC/10/44/Add.4, pp. 340–345, A/HRC/17/28/Add.1, pp. 366–371, A/HRC/8/3/Add.1, pp. 402–405.
- <sup>69</sup> See <http://www2.ohchr.org/english/bodies/hrc/hracs84.htm>. A/62/40 vol. I (2007), para. 223. See also A/HRC/10/44/Add.4, pp. 342–344, and A/HRC/13/39/Add.1, pp. 350–352.
- <sup>70</sup> CCPR/CO/84/THA, para. 16.
- <sup>71</sup> UNCT submission to the UPR on Thailand, 2011, para. 37.
- <sup>72</sup> *Ibid.*, para. 38.
- <sup>73</sup> Report of the Secretary-General on children and armed conflict (A/65/820-S/2011/250), para. 182.
- <sup>74</sup> UNCT submission to the UPR on Thailand, 2011, para. 28.
- <sup>75</sup> Report of the Secretary-General on children and armed conflict (A/65/820-S/2011/250), para. 183.
- <sup>76</sup> UNCT submission to the UPR on Thailand, 2011, para. 25.
- <sup>77</sup> A/65/820-S/2011/250, para. 23.
- <sup>78</sup> CRC/C/THA/CO/2, para. 40.
- <sup>79</sup> CCPR/CO/84/THA, paras. 20–21.
- <sup>80</sup> CRC/C/THA/CO/2, paras. 72–74.
- <sup>81</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Worst Forms of Child Labour Convention, 1999 (No.182), 2011, Geneva, doc. No. (ILOLEX) 062011THA182, 2nd, 6th, 8th, 9th and 13th paragraphs.
- <sup>82</sup> CEDAW/C/THA/CO/5, paras. 27–28.
- <sup>83</sup> *Ibid.*, para. 28.
- <sup>84</sup> E/CN.4/2004/94/Add.1, para. 37.
- <sup>85</sup> *Ibid.*, para. 40. See also, E/CN.4/2004/94/Add.1, paras. 38, 46 and 50 A/HRC/8/4/Add.1, paras. 282–283.
- <sup>86</sup> CCPR/CO/84/THA, para. 19. See also A/HRC/7/14/Add.1, paras. 661–663, A/HRC/11/4/Add.1, paras. 2414–2427 A/HRC/14/23/Add.1, paras. 2340–2360, A/HRC/10/44/Add.4 pp. 340–342, A/HRC/11/4/Add.1, paras. 2428–2433.
- <sup>87</sup> E/CN.4/2004/94/Add.1, para. 76 (f).
- <sup>88</sup> CCPR/CO/84/THA, para. 13.
- <sup>89</sup> See A/62/40 vol. I (2007), para. 223; available at <http://www2.ohchr.org/english/bodies/hrc/hracs84.htm>. See also A/HRC/17/28/Add.1, pp. 376 and 381.
- <sup>90</sup> A/HRC/10/3/Add.1, paras. 291–295.
- <sup>91</sup> See also A/HRC/11/4/Add.1, para. 2424.
- <sup>92</sup> A/HRC/8/3/Add.1, p. 405.
- <sup>93</sup> UNCT submission to the UPR on Thailand, 2011, para. 13.
- <sup>94</sup> *Ibid.* para. 16.
- <sup>95</sup> *Ibid.*, para. 15.
- <sup>96</sup> *Ibid.*, para. 15.
- <sup>97</sup> UN High Commissioner for Human Rights press release, 17 May 2010. See also



- A/HRC/17/28/Add.1, pp. 376 and 381–382 and A/HRC/17/28/Add.1, pp. 371–377.
- <sup>98</sup> CRC/C/THA/CO/2, para. 47. See also CCPR/CO/84/THA, para. 16.
- <sup>99</sup> UNCT submission to the UPR on Thailand, 2011, para. 16. See also CRC/C/THA/CO/2, para. 48.
- <sup>100</sup> CRC/C/THA/CO/2, paras. 10 and 76.
- <sup>101</sup> UNCT submission to the UPR on Thailand, 2011, para. 30.
- <sup>102</sup> CRC/C/THA/CO/2, para. 77.
- <sup>103</sup> *Ibid.*, paras. 35–36.
- <sup>104</sup> CEDAW/C/THA/CO/5, paras. 35–36.
- <sup>105</sup> A/HRC/17/27/Add.1, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression: Summary of cases transmitted to Governments and replies received, para. 2155. See also A/HRC/14/23/Add.1, paras. 2380–2410.
- <sup>106</sup> A/HRC/17/27/Add.1, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression: Summary of cases transmitted to Governments and replies received, paras. 2147, 2146–2150 and 2153.
- <sup>107</sup> UNCT submission to the UPR on Thailand, 2011, para. 17. See also A/HRC/14/23/Add.1, paras. 2361–2379 and A/HRC/17/27/Add.1, paras. 2114–2145.
- <sup>108</sup> A/HRC/14/23/Add.1, Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression: Summary of cases transmitted to Governments and replies received, para. 2393.
- <sup>109</sup> *Ibid.*, para. 2395.
- <sup>110</sup> UNCT submission to the UPR on Thailand, 2011, para. 18.
- <sup>111</sup> UNESCO submission to the UPR on Thailand, 2011, para. 20.
- <sup>112</sup> *Ibid.*, para. 22.
- <sup>113</sup> CCPR/CO/84/THA, para. 18.
- <sup>114</sup> UNESCO submission to the UPR on Thailand, 2011, paras. 24 and 27.
- <sup>115</sup> ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Abolition of Forced Labour Convention, 1957 (No.105), 2011, Geneva, doc. No. (ILOLEX) 092011THA105, third paragraph.
- <sup>116</sup> UNCT submission to the UPR on Thailand, 2011, para. 33 and ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Observation concerning Employment Policy Convention, 1964 (No. 122) Thailand (ratification: 1969) Published: 2010, Geneva, doc. No. (ILOLEX) 062010THA122, seventh paragraph.
- <sup>117</sup> UNCT submission to the UPR on Thailand, 2011, para. 32.
- <sup>118</sup> CRC/C/THA/CO/2, paras. 70–71.
- <sup>119</sup> See also ILO Committee of Experts on the Application of Conventions and Recommendations, Individual Direct Request concerning Worst Forms of Child Labour Convention, 1999 (No.182), 2011, Geneva, doc. No. (ILOLEX) 092011THA182, para 5.
- <sup>120</sup> UNCT submission to the UPR on Thailand, 2011, para. 20.
- <sup>121</sup> CEDAW/C/THA/CO/5, para. 40.
- <sup>122</sup> UNCT submission to the UPR on Thailand, 2011, para. 23.
- <sup>123</sup> CRC/C/THA/CO/2, para. 61.
- <sup>124</sup> UNDP, Thailand Human Development Report 2007, Sufficiency Economy and Human Development, p. 2; available at [www.un.or.th/resourcecentre/NHDR2007bookENG.pdf](http://www.un.or.th/resourcecentre/NHDR2007bookENG.pdf) (accessed on 22 February 2011).
- <sup>125</sup> CRC/C/THA/CO/2, para. 51.
- <sup>126</sup> *Ibid.*, para. 56.
- <sup>127</sup> UNCT submission to the UPR on Thailand, 2011, para. 27.
- <sup>128</sup> *Ibid.*, para. 27 and OEC (2010) Educational Statistic in Thailand Educational Statistic Centre, OEC: Bangkok.
- <sup>129</sup> UNCT submission to the UPR on Thailand, 2011, para. 27.
- <sup>130</sup> CRC/C/THA/CO/2, para. 63, parts (c) and (f).
- <sup>131</sup> UNCT submission to the UPR on Thailand, 2011, para. 29. See also A/HRC/14/25/Add.1, paras. 268–275, A/HRC/14/24/Add.1, pp. 310–312, A/HRC/7/3/Add.1, pp. 256–257 and A/HRC/10/44, Add.4 pp. 349–352.
- <sup>132</sup> CCPR/CO/84/THA, para. 24.
- <sup>133</sup> *Ibid.*, para. 24. See also E/CN.4/2004/94/Add.1, paras. 53–55.

- <sup>134</sup> CCPR/CO/84/THA, para. 24.
- <sup>135</sup> UNCT submission to the UPR on Thailand, 2011, para. 39.
- <sup>136</sup> *Ibid.*, para. 40.
- <sup>137</sup> *Ibid.*, para. 40.
- <sup>138</sup> *Ibid.*, para. 39.
- <sup>139</sup> *Ibid.*, para. 41.
- <sup>140</sup> A/HRC/17/33/Add.1, para. 360.
- <sup>141</sup> CRC/C/THA/CO/2, paras. 66–69.
- <sup>142</sup> CCPR/CO/84/THA, para. 23.
- <sup>143</sup> A/HRC/7/12/Add.1, p. 38; A/HRC/11/7/Add.1, pp. 84-85; A/HRC/14/30/Add.1, pp. 51-56; A/HRC/14/30/Add.1, pp. 49-50; A/HRC/17/33/Add.1, pp. 55-57; A/HRC/17/33/Add.1, paras. 368-372; A/HRC/17/33/Add.1, paras. 373-377; A/HRC/14/43/Add.1 paras. 150-165; A/HRC/14/43/Add.1 paras. 168-172; A/HRC/16/52/Add.1, pp. 467-472.
- <sup>144</sup> A/HRC/15/37/Add.1 paras. 386-389, A/HRC/14/30/Add.1, paras. 214-217, A/HRC/10/44/Add.4, pp. 345-349, A/HRC/16/52/Add.1, pp. 459-462. See also, UN High Commissioner for Human Rights press release, 22 December 2006.
- <sup>145</sup> A/HRC/16/52/Add.1, p. 461.
- <sup>146</sup> UNCT submission to the UPR on Thailand, 2011, para. 42.
- <sup>147</sup> *Ibid.*, para. 43.
- <sup>148</sup> CRC/C/THA/CO/2, para. 5.
- <sup>149</sup> UNDP Human Development Report 2010, New York, 2007, p. 61, and UNDP, available at <http://www.undp.or.th/focusareas/governance.html> (accessed on 14 May 2011).
- <sup>150</sup> UNCT submission to the UPR on Thailand, 2011, para. 45. See also Pledges and commitments undertaken by Thailand before the Human Rights Council, as contained in the letter dated 22 February 2010 sent by the Permanent Representative of Thailand to the United Nations addressed to the President of the General Assembly; available at <http://www.un.org/en/ga/64/elections/hrc/index.shtml>.
- <sup>151</sup> See <http://www2.ohchr.org/english/bodies/hrc/hracs84.htm>. A/62/40 vol. I (2007), para. 223.
- <sup>152</sup> E/CN.4/2004/94/Add.1, para. 76 (g).
- <sup>153</sup> *Ibid.*, para. 76 (i).
- <sup>154</sup> UNCT submission to the UPR of Thailand, paras. 46 and 11.
-