

# ARMED CONFLICT & THE HUMAN RIGHTS SITUATION IN THE SOUTHERN BORDER PROVINCES IN THAILAND

Joint UPR Submission to the  
UN Universal Periodic Review

39th Session of the  
UPR Working Group



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## SUBMISSION BY

The Patani Working Group for Monitoring on International Mechanisms, Civil Society Assembly For Peace (CAP), The Federation of Patani Students and Youth (PerMAS), Manushya Foundation



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Joint UPR Submission: Armed Conflicts  
& the Human Rights Situation in the  
Southern Border Provinces in Thailand

UN Universal Periodic Review of Thailand – 3rd UPR Cycle  
39th Session of the UPR Working Group

## 1. Introduction

1.1. In this submission, Manushya Foundation, the Patani Working Group for Monitoring on International Mechanisms, PerMAS and CAP, examine the compliance of Thailand with the recommendations it received during its 2<sup>nd</sup> UPR cycle, particularly in relation to the protection of the rights of Malayu Muslims in the Southern Border Provinces (SBPs). In this context, we analyse the efforts made by the Thai Government to implement recommendations received related to compliance of domestic legislation with international human rights standards, the protection of physical integrity rights, prevention of discrimination and violence against children and women, and the rights of local communities in pursuing economic development. The authors then draw specific, measurable and result-oriented recommendations to ensure that the rights of the Malayu Muslims in the south of Thailand are respected and upheld

1.2. During the 2<sup>nd</sup> UPR cycle, the Thai government received 2 recommendations directly addressing human rights violations in the SBPs, and 58 recommendations related to their rights. Of these, 52 were supported and 6 were noted. As the actions taken by the Government to implement the recommendations have been insufficient and ineffective, the Government has only fully implemented a single recommendation on withdrawing its interpretative declaration on Article 4 of the Convention on the Elimination of Racial Discrimination. It partially implemented 6, and did not implement 51 of them. Consequently, severe human rights violations persist in the SBPs.

1.3. We are deeply concerned with Thailand’s treatment of Malayu Muslims, who are facing severe challenges in advancing their human rights. The Thai government has failed to ratify important international human rights instruments such as the Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, and Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (OP-CAT). The Muslim population in the South of the country confronts discrimination in their employment, violations of their right to privacy and limited access to effective remedy. Malayu women and children face additional barriers in advancing their rights due to their intersectional identities.

1.4. This submission indicates that the Malayu Muslims in the SBPs face severe challenges in advancing their human rights, in the following manner:

- Section 2 discusses discrimination based on ethnicity and religion, including racial profiling.
- Section 3 discusses violations of physical integrity rights such as torture, enforced disappearances and arbitrary detention.
- Section 4 discusses rights violations faced by Malayu women and children as a result of their intersecting identities.
- Section 5 discusses the Government’s unsustainable economic growth putting profit over people.
- Section 6 discusses the Government’s failure to engage local communities in peace talks.
- Section 7 discusses difficulties in accessing effective remedy.
- Section 8 includes recommendations to the Thai government, addressing the challenges and rights violations discussed in foregoing sections.

An annex provides an overview of the recommendations examined in this submission, in particular the implementation of 2<sup>nd</sup> cycle UPR recommendations related to rights of Malayu Muslims in the SBPs and armed conflict.



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## 2. Discrimination & Racial Profiling based on Malayu Muslims’ Ethnicity and Religion

2.1. During the 2<sup>nd</sup> UPR cycle, the Thai government received 3 recommendations related to discrimination based on ethnicity. It accepted 2 recommendations and noted 1. However, so far, the Thai government has not provided sufficient human rights protection to its Muslim population. In the SBPs, Malayu Muslims are being stereotyped as ‘suspected insurgents’. Consequently, they are under surveillance of the Government, which has put strict security measures in place that account to racial profiling and control of movement. For example, Malayu Muslims are randomly stopped by authorities to take pictures of their IDs and car plate numbers, CCTV and AI presence have increased in public spaces, and checkpoints where Malayu Muslims are disproportionately stopped and questioned are being set up.<sup>1</sup>

2.2. The Emergency Decree on Public Administration in Emergency Situation, B.E. 2548 (2005)<sup>2</sup> allows warrantless detention for 30 days during which detainees are held at unofficial detention centers, lacking independent monitoring and facilitating torture and ill-treatment of detainees. The enforcement of this law has been repeatedly extended, i.e. in February,<sup>3</sup> September<sup>4</sup> and December<sup>5</sup> in 2020.

2.3. Security officials also conduct random profiling through collecting DNA samples from Malayu Muslims, which will be added to a security database. The security forces claim that these samples are helpful to convict suspected insurgents. However, this practice amounts to racial profiling and the samples are used as a form of intimidation. As stipulated in Section 131 and 131/1 of the Criminal Procedure Code, a person may be subjected to DNA collection if they are suspected or convicted of a crime.<sup>6</sup> Nevertheless, Malayu Muslims’ DNA is being collected even without being suspect.

2.4. From January to September 2019, the Cross Cultural Foundation documented at least 139 cases of forced DNA collection.<sup>7</sup> In February 2019, teachers from a school in Yala province rejected to provide their DNA samples, but the police insisted that they needed the samples and ordered the teachers to visit the police station to give their samples. In the same month, security officers searched the house of a villager and questioned her about the whereabouts of her sons.<sup>8</sup> It was reported that in some cases, people were asked to sign consent forms only after the DNA collection, in other cases, no consent was given at all.<sup>9</sup> Further, 20,250 DNA samples were collected from conscripts in the army in April 2019 without informing them how the samples would be used, processed, which agencies would store them, and who would be able to access them. Conscripts were not aware that they were allowed to refuse and therefore signed consent forms.<sup>10</sup>

2.5. Starting in February 2018, the National Broadcasting and Telecommunications Office (NBTC) has ordered all mobile service providers to collect biometric data of SIM card registrants. In the restive South of Thailand, this policy is enforced more strictly. Introduced through announcements in the Royal Gazette on 9 April 2019 and 21 June 2019, new identification measures through facial scanning and biometrics came into force on 31 October 2019 in Thailand’s Deep South.<sup>11</sup> Reportedly, Internal Security Operation Command’s (ISOC) cut mobile network access in the Deep South for all SIMs that have not been registered with an app from the NBTC of Thailand, starting on 30 April 2020, amid the pandemic.<sup>12</sup>

2.6. Due to societal beliefs that Malayu Muslims are insurgents, employers are reluctant to hire Malayu Muslims, including students returning from stays in Malay or Arab speaking countries. Some employers specify that



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vacancies are only open to Buddhists, and in some work places Muslim women are not allowed to wear hijab, or are forced to wear uniforms with short sleeves and short skirts, forcing them to resign. Consequently, they are unable to find employment in their field of study, and end up as farmers or teachers in Islamic schools, or they decide to seek employment across the border in Malaysia.<sup>13</sup>

**3. Physical Integrity Rights: Torture, Enforced Disappearances & Arbitrary Detentions**

3.1. During the 2<sup>nd</sup> UPR cycle, the Thai government received and accepted 31 recommendations related to physical integrity rights applicable to the situation in the SBPs. The Government was urged to ratify international instruments such as OP-CAT, ICPPED and integrate UNCAT into its national legislation. While the Thai government has not acceded to the OP-CAT and ICPPED, the Prevention and Suppression of Torture and Enforced Disappearances Bill pass approved by the Cabinet in June 2020<sup>14</sup> is still waiting for approval by the Parliament and has been criticised for not conforming with Thailand’s international obligations.<sup>15</sup>

3.2. Regarding other governmental efforts, the Prime Minister issued NCPO Order 131/2017 to establish the National Committee for Managing Cases Relating to Torture and Enforced Disappearance, in an attempt to address and prevent cases of torture. However, the Committee has been largely ineffective, and no significant progress has been made on the issue.<sup>16</sup> Meanwhile, the torture, enforced disappearances and secret detention persist.

3.3. With an ongoing ethnic conflict and separatist movement in the SBPs since 2004, violence and fatalities are prevalent, and over 7,000 people have lost their lives.<sup>17</sup> While the number of deaths and injuries has been declining since 2014, fatal incidents have been a monthly reoccurrence. For example, 14 people have been killed and 21 injured in January 2021.<sup>18</sup> Violence has also disproportionately affected the Muslim population. I.e. out of 116 killings documented by the Deep South Watch in 2020, 80% belonged to the Muslim community.<sup>19</sup> In response to the spate of violent incidents, Thai authorities have increased counterinsurgency (COIN) activities, special security laws, and curfews which have resulted in increased state surveillance, arbitrary arrests, detention, torture, and extrajudicial killings.<sup>20</sup>

3.4. Additionally, at the national level, laws addressing crimes such as torture and enforced disappearance are ineffective, and lead to continued impunity. In the SBPs, secret detention, torture and enforced disappearance of insurgency suspects, suspects of other crimes, members of the general public, and even human rights defenders (HRDs) continue to be damaging to them.<sup>21</sup> The practice has increased in 2019 when the Duay Jai Group alone documented 168 cases of detention under Martial Law and Emergency Decree.<sup>22</sup>

3.5. During the outbreak of Covid-19, the Government had not sufficiently increased medical equipment in the area, and did not address the health risk posed to those being detained in the overcrowded immigration detention centre located in Sadao district in Songkhla province. For example, on 25 April 2020, 42 detainees had tested positive for the virus (out of 53 new cases nationwide on that day).<sup>23</sup>

3.6. The Muslim Attorney Center Foundation found that in the SBPs, between 2016 and 2018, in 133 cases victims and their relatives have been tortured by security officials in order to extract confessions.<sup>24</sup> The Duay Jai Group documented 137 torture allegations in Deep South between 2011 and 2019, and consistently





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documented new cases every year,<sup>25</sup> meaning that practice has not been eradicated since the last UPR cycle. In 2018, the Day Jai Group reported 20 cases of alleged torture and cruel, inhumane treatment under special enforcement laws. Examples of such treatments include being forced to stand in a fixed position for three days and two nights in a row, sleep deprivation, staying naked, being soaked in dirty water, and being subjected to waterboarding.<sup>26</sup>

#### **4. Living the Struggle Within the Struggle: Malayu Muslim Women and Children’s Intersecting Identities**

4.1. During the 2<sup>nd</sup> UPR cycle, the Thai government received and accepted 11 recommendations related to the rights of women and children. The Government was, inter alia, prompted to ensure protection against violence against women “regardless of its religion, race, sexual identity or social condition”, participation of children in armed forces and non-state armed groups, and guarantee equal access to healthcare to women and children. However, Malayu women and children still struggle in accessing their rights. Children also suffer from long-term mental health problems as a result of the conflict<sup>27</sup> and still become victims of violent incidents.<sup>28</sup>

4.2. Children have been caught in the conflict, and have even lost their lives. Deep South Watch found that by the end of 2014, 86 children had lost their lives and 431 were injured.<sup>29</sup> Particularly children of insurgents are being stigmatised at school. Sometimes older children drop out completely to help financially support their families, especially in cases when the breadwinner of the family is detained.<sup>30</sup> Also, as highlighted by The Association for Children and Youth for Peace in the Deep South, orphaned children are more easily persuaded to join conflict and seek revenge.<sup>31</sup>

4.3. Historically, textbooks and curriculums used in public schools do not refer to Malayu history and culture. At times, when Malayu language is taught at all, children have to use Thai alphabet rather than their own Jawi script.<sup>32</sup> Consequently, CSOs in the area run private schools which provide education in Malay language and include teachings about Malayu history and culture. In 2019, one such school was visited by ISOC, which forced the school to close down because they suspected the school to have supported a group the government identifies as separatist group. This action of ISOC created fear amongst teachers, students, and parents, and it discredited similar schools in the area.<sup>33</sup>

4.4. Most Malayu women lack knowledge of sex education and reproductive health, and unwanted pregnancy and teenage pregnancy are prevalent issues in the SBPs. However, due to the religious code and lack of counselling about maternity, health problems, and reproductive health, girls face serious barriers in accessing appropriate healthcare.<sup>34</sup> Additionally, girls’ right to health is violated as genital circumcision is still practiced. Most Malayu Muslim girls are circumcised at birth by local midwives or gynaecologists at state hospitals, while some girls are circumcised at the age of two or three. Many experience infections afterwards, posing a risk to their health.<sup>35</sup>

4.5. In instances, Malayu women are sexually harassed and raped by soldiers. If women file a complaint about this, they can sue the soldier who harassed or raped them. However, many girls and women refrain from filing a complaint due to reputational harm that may be done to the family, and because punishments of



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perpetrators are weak: if found guilty the punishment includes relocation or job termination. In other cases, the offenders claimed that mutual consent was involved and the perpetrator was not found guilty.<sup>36</sup>

## 5. The Government’s Unsustainable Economic Growth puts Profits over People

5.1. During the 2<sup>nd</sup> UPR cycle, the Thai government received and accepted two recommendations that demand the government to address the issue of human rights in the pursuit of economic growth, which it failed to fully implement. However, despite the elaboration of the National Action Plan on Business and Human Rights, the violations of human rights related to economic development persist. In the SBPs, the Government claims that one of the reasons for the continuance of the armed conflict is the underdevelopment of the area. Therefore, it aims to resolve the conflict through pursuing economic development. However, communities believe that the development projects will create more tensions because of competition among communities for scarce natural resources, on which they depend for their livelihoods.

5.2. In January 2020, the government approved the 18.7-billion THB construction of a special economic zone in Chana district, located in Songkhla province.<sup>37</sup> While the government claimed that through the project and the economic development that it will bring, tensions in the area will reduce, local communities are concerned about the project, fearing that degradation of natural resources brought by industrialisation could jeopardise their traditional lifestyles and health, and that the economic benefits may not trickle down to the local level.<sup>38</sup>

5.3. Problematically, communities were not involved in decision-making processes regarding the special economic zone in Chana district: there was a lack of public participation, and public hearings were not conducted fairly. For example, in Chana district in Songkhla province, local communities noted that one of the public hearings was originally scheduled for May 2020, while Thailand was under Emergency Decree due to COVID-19.<sup>39</sup> Under the Decree, freedom of movement and public gatherings were restricted.

5.4. Also, the hearing was only announced at the headquarter of the provincial administration centre, which local people do not usually visit. On the website of the centre, information was only provided in the form of a 113-page document, inconvenient for people to access and read. Information provided did not include project details regarding the impacts, and prevention and mitigation plans. Further, authorities also specified that only residents of the area could participate, while other affected communities were not allowed in.<sup>40</sup>

## 6. Failure to Meaningfully Engage Local Communities in Peace Talks

6.1. During the 2<sup>nd</sup> UPR cycle, the Thai government did not receive any recommendations directly addressing the armed conflict in the Deep South, even though the conflict is far from resolved and local communities still face its negative impacts. With peace talks ongoing between 2015 and 2019 between the Thai government and the Barisan Revolusi Nasional (BRN), also known as the Patani Malay National Revolutionary Front, in 2018, an agreement was close to being concluded on a safety-zone where a ceasefire would be implemented. Ultimately, the negotiations failed as the Thai authorities refused to make any concession and sign what was agreed upon.<sup>41</sup>





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- 6.2. Peace dialogues have been held between Thai government representatives and the MARA Patani, an umbrella organisation comprising of six political liberation groups fighting for self-determination in Thailand’s SBPs (including BRN) since 2015, but no tangible progress has been made. During the latest peace talks round which started in January 2020, the Thai government negotiated with representatives of the BRN, with the presence of Malaysia as a facilitator and several international observers. However, talks during the second meeting held in early March 2020 have been hindered by the Covid-19 pandemic, and violence continued even during the negotiations. The most serious incident occurred on 17 March 2020 when a car bomb injuring 26 people was detonated as a retaliation to governmental actions of arbitrarily detaining and extra-judicial killings of BRN members.<sup>42</sup>
- 6.3. *Ceasefire to control the spread of COVID-19 failed to bring peace* – On 3 April 2020, BRN announced a temporary ceasefire to facilitate control of the Covid-19 pandemic.<sup>43</sup> Nevertheless, house raids and DNA taking continued, and 3 members of BRN armed forces were extra-judicially killed on 30 April.<sup>44</sup> In May 2020, Thai security forces conducted a raid of a suspected insurgent hideout resulting in the death of two civilians. Whether this will have a lasting impact on the peace talks, the progress made in the region remains to be seen.<sup>45</sup>
- 6.4. Local communities and civil society actors are not effectively engaged in peace dialogues relating to the conflict in Thailand’s SBPs, largely because their views differ from the state’s and are therefore blocked and disregarded. Despite recent conditions by the BRN for the participation of the international community, it has been absent from the conversation until now and therefore unable to monitor the process and progress.<sup>46</sup> Furthermore, the Government restrains activities of civil society organisations which seem to represent the Malayu Muslim population.<sup>47</sup>
- 6.5. While women actively participate in peace-making efforts on the ground, their participation in formal peace process is limited, even though they are significantly affected, directly and indirectly, by the conflict.<sup>48</sup> Women community members lack access to information on the developments of the peace process allowing them to establish their own strategies and priorities, as well as public space where they could openly discuss issues that concern them.<sup>49</sup>
- 6.6. Reconciling among communities in the SBPs is very important, as there has been much misunderstanding between the Buddhists and Malayu Muslims. The general climate of impunity stemming from cases of torture, arbitrary detention and violent attacks have made the situation on the ground hard to reconcile.<sup>50</sup>

## 7. Failure to effectively Access Remedy

7.1. During the 2<sup>nd</sup> UPR cycle, the Thai government received and accepted 9 recommendations related to access to effective remedy, out of which 8 were accepted and 1 noted. 2 recommendations specifically prompted the Thai government to investigate human rights violations, including torture allegations, in the South of the country. Especially in cases of alleged torture and ill-treatment, officials fail to investigate allegations, and victims and lawyers face difficulties gathering evidence, including accessing independent medical examinations to document the victims’ injuries.



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- 7.2. As of today, the Government has failed to provide justice to victims of human rights violations in the SBPs and to hold the responsible security forces officials accountable. Section 17 of the Emergency Decree on Public Administration<sup>51</sup> provides amnesty to officials violating human rights, stating that the violations are necessary to fulfil their duties.
- 7.3. Filing of complaints and lawsuits has led to a restriction on affected individuals, journalists and HRDs to hold Thai authorities accountable for their actions amounting to torture, cruel, inhuman or degrading treatment. With little to no effort made to avoid such weaponisation of the law and the power granted under them, authorities continue their attempts online and offline to hide their wrongdoings and human rights abuses by restricting access to information. Besides that, the Government also harasses and defames government critics, human rights defenders, and activists, including those involved in the peace process in the SBPs. Furthermore, the practice of “attitude adjustment” has been prevalent after the 2014 coup.<sup>52</sup>
- 7.4. Ismaael Teh, President of the Pattani Human Rights Organization Network (HAP) revealed in a 2018 TV interview that he had been beaten, electrocuted, and forced to confess at gunpoint by security forces during his 9-day detention at Ingkayutthaboriharn military camp in 2008. Not even two weeks later, the Internal Security Operation Command filed civil and criminal charges against him for defamation.<sup>53</sup> Prior to this, in October 2016, in a case filed by Ismaael before the Supreme Administrative Court, the Court concluded that he was a victim of torture and ordered the army to pay him a compensation of 305,000 THB for physical harm and emotional distress. However, no military personnel were prosecuted for this crime. On 9 February 2018, another civil defamation suit for 10 million THB was filed by ISOC Region 4 against editors of the news website ‘Manager online’ for their reports on torture in the SBPs and Ismaael’s case.<sup>54</sup>
- 7.5. On 24 October 2017, the Pattani Provincial Prosecutor decided to end the prosecution of Pornpen Khongkachonkiet, Somchai Homlaor, and Anchana Heemina for publishing a report where they documented 54 instances of torture and ill-treatment by security officers in Thailand’s Deep South. In this case, ISOC Region 4 had filed a complaint against them on 26 July 2016 for criminal defamation and violation of the Computer Crime Act (CCA).
- 7.6. Khanakorn Pianchana, a senior judge in the Yala provincial court of Southern Thailand attempted to commit suicide in October 2019 with a second attempt in March 2020 being successful. His actions were in protest of interference in the justice system, after a senior judge forced him to rewrite a judgment in which he exonerated five Muslim suspects for lack of evidence. Instead of receiving support, after his first suicide attempt, disciplinary proceedings and criminal charges were initiated against the judge.<sup>55</sup>
- 7.7. Malayu women face additional issues when they seek remedy and report cases related to family matters, as these issues are governed by the Islamic Family and Inheritance Law, and women should file their complaint at the Islamic Provincial Council instead of with the formal justice system. However, women are reluctant to do so as there is a lack of safe space for women to share their stories, all council members are men, women are shy to tell them about problems they face, such as domestic violence.<sup>56</sup> Additionally, women are not able to access justice through the Islamic Family and Inheritance Law because there is a lack of enforcement of this law when it comes to providing rights that are entitled to women.<sup>57</sup>



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## 8. Recommendations to the Thai Government

### 8.1. Regarding discrimination and racial profiling of Malay Muslims based on their ethnicity and religion

- In line with Article 9 of the International Covenant on Civil and Political Rights (ICCPR),<sup>58</sup> Article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD),<sup>59</sup> and in accordance with 2012 Concluding Observations of the CERD Committee to Thailand,<sup>60</sup> the Thai government must terminate the practice of search and arrest based on ethnicity and racial profiling.
- The Government must adopt a human rights-based approach to its use of biometric technology that incorporates procedural safeguards and watchdog mechanisms ensuring that privacy legislation regarding the protection of personal data in line with international standards is enforced.
- The Government should withdraw its reservation on Article 22 of the Convention on the Elimination of Discriminations in All Forms of Racial Discrimination.
- In line with Article 2 of the Discrimination (Employment and Occupation) Convention, 1958,<sup>61</sup> Thailand should declare and pursue a national policy designed to promote equality of opportunity and treatment in respect of employment and occupation, with a view to eliminating any discrimination in respect thereof.

### 8.2. Regarding physical integrity rights

- In line with Article 9 and 10 of the Universal Declaration of Human Rights,<sup>62</sup> Thailand must investigate cases of deprivation of liberty imposed arbitrarily or otherwise inconsistently with the relevant international standards set forth in the Universal Declaration of Human Rights regarding special security laws in the country’s Deep South.
- In line with Article 9 of the Universal Declaration of Human Rights (UDHR) as well as Article 9 (1) and (2) of the International Covenant on Civil and Political Rights (ICCPR), ensure that no one shall be subject to arbitrary arrest or detention and liberty shall only be deprived on grounds that are in accordance with procedures established by law. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for their arrest and shall be promptly informed of any charges against them.
- Enact the Prevention and Suppression of Torture and Enforced Disappearance Act in full compliance with the UNCAT, including a definition of the crime of torture; the provision of non-refoulement; universal jurisdiction; independent investigations; no admissibility of statements obtained by torture; and prevention of cruel, inhuman or degrading treatment or punishment.
- In line with the 2017 Concluding Observations of the Human Rights Committee to Thailand, ensure that cases of torture are reported and that prompt, impartial and thorough investigations are carried out into all allegations and complaints concerning the unlawful and excessive use of force by law enforcement officials and the military. Ensure that perpetrators are prosecuted and, if convicted, punished with appropriate sanctions.





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**8.3.Regarding discrimination Malayu Muslim women and children face accessing their rights**

- In line with Article 28 of the Convention on the Rights of the Child, with Article 14 of the United Nations Declaration on the Rights of Indigenous Peoples, with the 1999 Education for All Policy and its 2002 amendment, with the 2005 Cabinet Resolution on Education for Unregistered Persons, with Section 10 of the Second National Education Act, and Section 54 of the Constitution, the Thai cabinet must continue to cooperate with, provide funding to and support the activities of the Equitable Education Fund (EEF) in order to improve the equal rates of gender representation in schools and prevent early drop out. This includes the needs to expand its activities to SBPs and increase the number of scholarships provided to students from low-income families. The government should also promote career advice and the teaching of transferrable skills commonly sought after by employers both in rural and urban locations.
- In collaboration with civil society, organise raising awareness campaigns regarding the importance of education for all children and especially girls, as well as children deemed vulnerable, such as stateless, indigenous, migrant or ethnic minority children, in order to help reduce gender discrimination and disparities in education.
- In line with the 2017 Concluding Observations of the Committee on the Elimination of Discrimination against Women (CEDAW Committee) to Thailand, adopt temporary special measures targeting Muslim women in the southern border provinces so as to ensure their substantive equality with men in all areas.

**8.4.Regarding the Government failing to ensure sustainable development**

- In line with the 2015 Concluding Observations of the Committee on Economic, Social and Cultural Rights (CESCR), in particular Concluding Observation 10 (c) (2015) to Thailand, adopt a human rights-based approach in its development projects, as well as establish participatory mechanisms in order to ensure that no decision is made that may affect access to resources without consulting the individuals and communities concerned, with a view to seeking their free, prior and informed consent.

**8.5.Regarding local communities’ participation in peace talks**

- In line with Article 1 and 2 of the ICCPR, as well as the ICESCR, the Government should allow civil society and the international community to participate in the process of peace talks and facilitate a suitable environment for civilians to express their diverse political viewpoints, meeting international standards.
- In line with paragraph 22c of the 2017 Concluding Observations of the CEDAW Committee to Thailand, the Government should consider gender-sensitive security measures and peace-building initiatives that include women.



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### 8.6. Regarding access to effective remedy

- In line with the Report of the UN Special Rapporteur on the Promotion and Protection of the Right to Freedom of Opinion and Expression submitted in accordance with Commission resolution 1999/36, 18<sup>th</sup> January 2000, emphasis must be placed on rigorous, scientific judicial investigation so that justice is not employed as a weapon by the prosecution or police. The state must therefore also establish an independent commission to investigate complaints filed against law enforcement officials and ensure that police, lawyers and judges do not undergo political pressure or interference.
- According to Article 11 of the Universal Declaration of Human Rights (UDHR) and Article 14 (2) of the International Covenant on Civil and Political Rights (ICCPR), protect the right of everyone charged with a penal offence to be presumed innocent until proved guilty.
- Provide full redress to victims of torture in compliance with General Comment 3 of the Committee Against Torture.
- In line with the 2014 Concluding Observations of the Committee against Torture (CAT Committee) to Thailand, take all necessary measures to immediately halt harassment and attacks against human rights defenders, journalists, and community leaders; systematically investigate all instances of intimidation, harassment and attacks with a view to prosecute and punish perpetrators; and guarantee effective remedies to victims and their families.

## Annex: Assessment of implementation of recommendations received during the 2nd cycle, particularly in context of Thailand’s Southern Border Provinces

Theme: Ratification of international instruments and harmonisation of national legislation with international standards			
158.1 Continue to consider ratification of international instruments (Pakistan); <b>Source of position:</b> A/HRC/33/16	Accepted	A12 Acceptance of international norms <b>Affected persons:</b> - general	Status: <b>Not implemented</b>  Source: Paragraph 3.1
158.2 Continue its accession to the core international human rights instruments (Azerbaijan); <b>Source of position:</b> A/HRC/33/16	Accepted	A12 Acceptance of international norms <b>Affected persons:</b> - general	Status: <b>Not implemented</b>  Source: Paragraph 3.1
158.3 Continue the efforts undertaken for the ratification of international human rights instruments and for the harmonization of the national legislation (Djibouti); <b>Source of position:</b> A/HRC/33/16	Accepted	A12 Acceptance of international norms A41 Constitutional and legislative framework <b>Affected persons:</b> - general	Status: <b>Partially implemented</b>  Source: Paragraph 3.1
158.20 Criminalize in national legislation enforced disappearance in conformity with international standards and ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Uruguay); <b>Source of position:</b> A/HRC/33/16	Accepted	A12 Acceptance of international norms A41 Constitutional and legislative framework D32 Enforced disappearances <b>Affected persons:</b> - disappeared persons	Status: <b>Not implemented</b>  Source: Paragraph 3.1
158.7 Consider the ratification of the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Georgia) (Kazakhstan); <b>Source of position:</b> A/HRC/33/16	Accepted	A12 Acceptance of international norms D25 Prohibition of torture and cruel, inhuman or degrading treatment <b>Affected persons:</b> - persons deprived of their liberty - general	Status: <b>Not implemented</b>  Source: Paragraph 3.1





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<p>158.8 Speed up the study on the possibility of ratifying the Optional Protocol to the Convention against Torture (Mozambique); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>A12 Acceptance of international norms D25 Prohibition of torture and cruel, inhuman or degrading treatment <b>Affected persons:</b> - persons deprived of their liberty - general</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 3.1</p>
<p>158.9 Sign and ratify the Optional Protocol to the Convention against Torture (Honduras); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>A12 Acceptance of international norms D25 Prohibition of torture and cruel, inhuman or degrading treatment <b>Affected persons:</b> - persons deprived of their liberty - general</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 3.1</p>
<p>158.10 Ratify the Optional Protocol to the Convention against Torture (Austria) (France) (Guatemala) (Montenegro) (Poland) (Portugal) (Turkey) (Uruguay); Early ratification of the Optional Protocol to the Convention against Torture (Norway); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>A12 Acceptance of international norms D25 Prohibition of torture and cruel, inhuman or degrading treatment <b>Affected persons:</b> - persons deprived of their liberty - general</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 3.1</p>
<p>158.13 Ratify the Optional Protocol to the Convention against Torture and establish a national preventive mechanism accordingly (Czech Republic); Ratify the Optional Protocol to the Convention against Torture and establish an independent, effective and well-resourced National Preventive Mechanism (Denmark); Ratify the Optional Protocol to the Convention against Torture and set up a national preventive mechanism to prevent torture (Morocco); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>A12 Acceptance of international norms D25 Prohibition of torture and cruel, inhuman or degrading treatment <b>Affected persons:</b> - persons deprived of their liberty - general</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 3.1</p>

<p>158.19 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and pass national law criminalizing enforced disappearance and torture and recognizing the rights of victims (New Zealand); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>A12 Acceptance of international norms D25 Prohibition of torture and cruel, inhuman or degrading treatment D32 Enforced disappearances <b>Affected persons:</b> - disappeared persons</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 3.1</p>
<p>158.16 Take the necessary measures for the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance (Japan); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>A12 Acceptance of international norms D32 Enforced disappearances <b>Affected persons:</b> - disappeared persons</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 3.1</p>
<p>158.18 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Argentina) (Austria) (France) (Panama) (Slovakia); Ratify and accede to the International Convention for the Protection of All Persons from Enforced Disappearance (Sierra Leone); Immediately ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Belgium); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>A12 Acceptance of international norms D32 Enforced disappearances <b>Affected persons:</b> - disappeared persons</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 3.1</p>
<p>158.17 Expedite the ratification of the International Convention for the Protection of All Persons from Enforced Disappearance signed in 2012 (Kazakhstan); Accelerate the process of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Togo); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>A12 Acceptance of international norms D32 Enforced disappearances D33 Arbitrary arrest and detention <b>Affected persons:</b> - disappeared persons</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 3.1</p>
<p>158.5 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Portugal); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>A12 Acceptance of international norms E1 Economic, social &amp; cultural rights - general measures of implementation B51 Right to an effective remedy <b>Affected persons:</b> - general</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 3.1</p>



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<p>158.4 Withdraw its interpretative declaration on the International Convention on the Elimination of All Forms of Racial Discrimination and its reservation to article 4 (South Africa); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>A13 Reservations B32 Racial discrimination <b>Affected persons:</b> - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>Status: <b>Fully implemented</b>  Source: Paragraph 1.4</p>
<p>158.63 Effectively implement the Protection of Vulnerable Persons Act to ensure better protection for its vulnerable population (Brunei Darussalam); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>A41 Constitutional and legislative framework <b>Affected persons:</b> - vulnerable persons/groups</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 7.7, 3.1-3.6</p>
<p>159.20 Adopt a comprehensive anti-discrimination law which includes all grounds for discrimination (Slovenia); <b>Source of position:</b> A/HRC/33/16/Add.1</p>	<p>Noted</p>	<p>A41 Constitutional and legislative framework B31 Equality &amp; non-discrimination <b>Affected persons:</b> - general</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 2.1-2.6</p>
<p>158.30 Adopt a definition of torture which is fully in compliance with article 1 of the Convention against Torture; its inclusion as a specific crime in Thailand’s legislation; and undertake prompt, thorough and impartial investigation of all allegations of torture and ill-treatment (Slovakia); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>A41 Constitutional and legislative framework D25 Prohibition of torture and cruel, inhuman or degrading treatment <b>Affected persons:</b> - general</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 3.1</p>
<p>159.13 Restore the protection of civil and political rights by ensuring that the Constitution meets Thailand’s international human rights obligations and end the present prosecution of civilians in military courts (Netherlands); <b>Source of position:</b> A/HRC/33/16/Add.1</p>	<p>Noted</p>	<p>A41 Constitutional and legislative framework D51 Administration of justice &amp; fair trial <b>Affected persons:</b> - general</p>	<p>Status: <b>Partially implemented</b>  Source: Paragraph 3.1-3.6</p>



<p>158.107 Criminalize the recruitment and participation of children in armed forces and non-State armed groups (Panama); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>A41 Constitutional and legislative framework F31 Children: definition; general principles; protection F35 Children in armed conflict <b>Affected persons:</b> - children - persons affected by armed conflict</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 3.2</p>
<p>158.66 Prevent discrimination in all cases without taking consideration of grounds such as religious beliefs or national security (Spain); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>B31 Equality &amp; non-discrimination D42 Freedom of thought, conscience and religion <b>Affected persons:</b> - general - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 2.1-2.6</p>
<p>158.145 Extend for all access to the rights to health care, social security, and minimum wage without ethnic distinction or linguistic barriers (Paraguay); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>E24 Right to social security E32 Right to just and favourable conditions of work E41 Right to health - General B31 Equality &amp; non-discrimination G1 Members of minorities <b>Affected persons:</b> - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 3.4-3.5</p>

**Theme: Physical integrity rights**



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<p>158.124 Ensure that impartial, independent and transparent investigations into all allegations of human rights violations by security forces are conducted, in particular in the South of the country, and that those responsible are brought to justice (Switzerland); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>B51 Right to an effective remedy D25 Prohibition of torture and cruel, inhuman or degrading treatment <b>Affected persons:</b> - general</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 7.1-7.6</p>
<p>159.34 End arbitrary arrests and detentions and ensure that suspects have access to justice and a fair trial (New Zealand); <b>Source of position:</b> A/HRC/33/16/Add.1</p>	<p>Noted</p>	<p>B51 Right to an effective remedy D26 Conditions of detention D33 Arbitrary arrest and detention D51 Administration of justice &amp; fair trial <b>Affected persons:</b> - persons deprived of their liberty</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 3.1-3.5</p>
<p>159.17 Create an independent body to investigate all torture allegations, including in Thailand’s Deep South, and bring perpetrators to justice (Canada); <b>Source of position:</b> A/HRC/33/16/Add.1</p>	<p>Accepted <i>(implemented or implementation in process)</i></p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment <b>Affected persons:</b> - general</p>	<p>Status: <b>Partially implemented</b> Source: Paragraph 3.2</p>
<p>158.11 Ensure that the Convention against Torture is fully implemented into the national legislation (Romania); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment A41 Constitutional and legislative framework <b>Affected persons:</b> - general</p>	<p>Status: <b>Partially implemented</b> Source: Paragraph 3.1</p>
<p>158.12 Reform penal laws to define torture in accordance with article 1 of the Convention against Torture and declare its non-derogable nature (Spain); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment A41 Constitutional and legislative framework <b>Affected persons:</b> - general</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 3.1</p>

<p>158.33 Enact the Prevention and Suppression of Torture and Enforced Disappearance Bill to criminalize torture in accordance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Canada); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment A41 Constitutional and legislative framework D32 Enforced disappearances <b>Affected persons:</b> - disappeared persons - general</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 3.1</p>
<p>158.76 Promptly investigate and prosecute all allegations of torture and extrajudicial killings (New Zealand); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment B51 Right to an effective remedy <b>Affected persons:</b> - judges, lawyers and prosecutors</p>	<p>Status: <b>Not implemented</b> Source: 3.2, 7.1-7.6</p>
<p>158.78 Accelerate the approval of the bill submitted to the Council of Ministers on prevention of enforced disappearances and repression of torture (Chile); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>D25 Prohibition of torture and cruel, inhuman or degrading treatment D32 Enforced disappearances A41 Constitutional and legislative framework <b>Affected persons:</b> - disappeared persons - general</p>	<p>Status: <b>Partially implemented</b> Source: Paragraph 3.1</p>
<p>159.9 Comply with its obligations under the International Covenant on Civil and Political Rights by putting an immediate end to the use of arbitrary detention (Denmark); <b>Source of position:</b> A/HRC/33/16/Add.1</p>	<p>Noted</p>	<p>D26 Conditions of detention D32 Enforced disappearances D33 Arbitrary arrest and detention <b>Affected persons:</b> - general</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 3.1-3.6</p>
<p>158.77 Define and legally classify enforced disappearance (Spain); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>D32 Enforced disappearances A41 Constitutional and legislative framework <b>Affected persons:</b> - disappeared persons</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 3.1</p>

<p>158.32 Accelerate the adoption process of the Law on the Prevention and Punishment of Torture and Enforced Disappearances (Congo); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>D32 Enforced disappearances A41 Constitutional and legislative framework D25 Prohibition of torture and cruel, inhuman or degrading treatment D33 Arbitrary arrest and detention <b>Affected persons:</b> - disappeared persons - general</p>	<p>Status: <b>Partially implemented</b>  Source: Paragraph 3.1</p>
<p>158.79 Make efforts to address the issue of enforced disappearance, such as ensuring accountability (Republic of Korea); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>D32 Enforced disappearances B51 Right to an effective remedy <b>Affected persons:</b> - disappeared persons</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 3.1-3.6, 7.1-7.4</p>
<p>159.32 End the practice of forced detention of dissenters in the so-called “re-education camps” and investigate all allegations of torture and ill-treatment therein (Czech Republic); <b>Source of position:</b> A/HRC/33/16/Add.1</p>	Noted	<p>D33 Arbitrary arrest and detention D25 Prohibition of torture and cruel, inhuman or degrading treatment D26 Conditions of detention B51 Right to an effective remedy <b>Affected persons:</b> - persons deprived of their liberty</p>	<p>Status: <b>Not implemented</b></p>
<p><b>Theme: Preventing discrimination and violence against women and children</b></p>			
<p>158.144 Continue its efforts to ensure adequate protection for vulnerable persons living in difficult conditions (United Arab Emirates); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>E21 Right to an adequate standard of living - general <b>Affected persons:</b> - vulnerable persons/groups</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 4.1-4.5</p>



<p>158.82 Establish an effective policy and legal framework to prevent and contrast all forms of discrimination and violence against women, including domestic violence, in order to ensure that women victims of violence receive adequate support and offenders are brought to justice (Italy); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>D29 Domestic violence F13 Violence against women B51 Right to an effective remedy B53 Support to victims and witnesses <b>Affected persons:</b> - women</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 7.7, 4.4-4.5</p>
<p>158.68 Continue to adopt gender-responsive policies and programmes to cultivate a conducive environment for women’s development and empowerment (Malaysia); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>F11 Advancement of women F14 Participation of women in political and public life <b>Affected persons:</b> - women</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 4.4-4.5</p>
<p>158.165 Ensure equal access to education of vulnerable people including women, children and persons with disabilities (Lao People’s Democratic Republic); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>E51 Right to education - General F4 Persons with disabilities <b>Affected persons:</b> - women - persons with disabilities</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 4.1-4.3</p>
<p>158.154 Further strengthen measures to ensure equal access to health services for all, while giving special attention to the needs of children, women and the elderly (Sri Lanka); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>E42 Access to health-care (general) <b>Affected persons:</b> - women - children - older persons</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 4.1-4.5</p>
<p>158.62 Advance women’s empowerment, and greater representation of women in all sectors (Lao People’s Democratic Republic); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>F11 Advancement of women F14 Participation of women in political and public life D7 Right to participation in public affairs and right to vote <b>Affected persons:</b> - women</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 6.5, 4.4-4.5</p>
<p>158.69 Continue its efforts to eliminate discrimination against women (Bangladesh); <b>Source of position:</b> A/HRC/33/16</p>	Accepted	<p>F12 Discrimination against women <b>Affected persons:</b> - women</p>	<p>Status: <b>Not implemented</b> Source: Paragraph 4.4-4.5</p>



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<p>158.71 Continue to strengthen measures to effectively reduce discrimination and all forms of violence against women (Chile); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>F12 Discrimination against women F13 Violence against women <b>Affected persons:</b> - women</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 7.7, 6.5, 4.4-4.5</p>
<p>158.84 Intensify efforts to promote policies in the area of prevention, sanction and eradication of all forms of violence against women, including measures aimed at promoting their rights regardless of its religion, race, sexual identity or social condition (Mexico); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>F12 Discrimination against women F13 Violence against women B31 Equality &amp; non-discrimination B32 Racial discrimination <b>Affected persons:</b> - women - minorities/ racial, ethnic, linguistic, religious or descent-based groups</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 7.7, 6.5, 4.4-4.5</p>
<p>158.81 Continue to work at the provincial level to execute memorandums of understanding to combat violence against women and children (Fiji); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>F13 Violence against women F31 Children: definition; general principles; protection <b>Affected persons:</b> - women - children</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 7.7, 6.5, 4.4-4.5</p>
<p>158.83 Step up efforts to effectively combat violence against women and children (Kazakhstan); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>F13 Violence against women F31 Children: definition; general principles; protection <b>Affected persons:</b> - women - children</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 7.7, 6.5, 4.1-4.5</p>
<p>158.143 Take measures to enhance women’s participation in public and political decision-making (India); <b>Source of position:</b> A/HRC/33/16</p>	<p>Accepted</p>	<p>F14 Participation of women in political and public life D7 Right to participation in public affairs and right to vote <b>Affected persons:</b> - women</p>	<p>Status: <b>Not implemented</b>  Source: Paragraph 6.5</p>

**Theme: Human rights defenders**

158.22 Ensure that human rights defenders in Thailand are treated in accordance with the General Assembly Declaration on Human Rights Defenders (New Zealand); <b>Source of position:</b> A/HRC/33/16	Accepted	H1 Human rights defenders <b>Affected persons:</b> - human rights defenders	Status: <b>Not implemented</b> Source: Paragraph 7.1-7.6
158.119 Protect the human rights defenders and investigate any reported cases of intimidation, harassment and attacks against them (Luxembourg); <b>Source of position:</b> A/HRC/33/16	Accepted	H1 Human rights defenders <b>Affected persons:</b> - human rights defenders	Status: <b>Not implemented</b> Source: Paragraph 7.1-7.6
158.120 Stop all forms of harassment and intimidation of human rights defenders and effectively implement measures aimed at preventing violence and crimes against them (Czech Republic); <b>Source of position:</b> A/HRC/33/16	Accepted	H1 Human rights defenders <b>Affected persons:</b> - human rights defenders	Status: <b>Not implemented</b> Source: Paragraph 7.1-7.6
158.121 Investigate and ensure justice to all reported cases of intimidation, harassment and attacks of human rights defenders and journalists (Botswana); <b>Source of position:</b> A/HRC/33/16	Accepted	H1 Human rights defenders <b>Affected persons:</b> - human rights defenders	Status: <b>Not implemented</b> Source: Paragraph 7.1-7.6
158.122 That all alleged attacks on human rights defenders are promptly and thoroughly investigated, and that perpetrators are held accountable (Norway); <b>Source of position:</b> A/HRC/33/16	Accepted	H1 Human rights defenders B51 Right to an effective remedy <b>Affected persons:</b> - human rights defenders	Status: <b>Not implemented</b> Source: Paragraph 7.1-7.6
158.123 Ensure that the rights of the human rights defenders are properly respected and perpetrators are brought to justice (Romania); <b>Source of position:</b> A/HRC/33/16	Accepted	H1 Human rights defenders B51 Right to an effective remedy <b>Affected persons:</b> - human rights defenders	Status: <b>Not implemented</b> Source: Paragraph 7.1-7.6
159.51 Ensure that there are no restrictions on freedom of expression especially for the media and human rights defenders, and that no one faces threats and harassment, including attitude adjustment, for expressing their views and that all legislation affecting freedom of expression is compatible and implemented in line with Thailand's international obligations as recommended by the Special Rapporteur on the situation of human rights defenders in 2016	Noted	A25 Follow-up to special procedures A41 Constitutional and legislative framework D43 Freedom of opinion and expression H1 Human rights defenders	Status: <b>Not implemented</b> Source: Paragraph 7.1-7.4

(United Kingdom of Great Britain and Northern Ireland); <b>Source of position:</b> A/HRC/33/16/Add.1		<b>Affected persons:</b> - general - human rights defenders - media	
158.142 Invigorate measures to safeguard the freedoms of press, speech, and broad participation from various sectors in political and public life (Colombia); <b>Source of position:</b> A/HRC/33/16	Accepted	D43 Freedom of opinion and expression <b>Affected persons:</b> - general - media	Status: <b>Not implemented</b>  Source: Paragraph 7.1-7.6, 6.5
158.141 Take measures to ensure the rights of peaceful assembly, freedom of expression and freedom of assembly, especially in the context of peaceful protests (Costa Rica); <b>Source of position:</b> A/HRC/33/16	Accepted	D43 Freedom of opinion and expression D44 Right to peaceful assembly <b>Affected persons:</b> - general	Status: <b>Not implemented</b>  Source: Paragraph 7.1-7.5
<b>Theme: Ensuring sustainable development</b>			
158.181 Monitor enforcement of environmental legislation to protect the rights of local communities and prevent environmental degradation (Maldives). <b>Source of position:</b> A/HRC/33/16	Accepted	B71 Human rights and the environment <b>Affected persons:</b> - general	Status: <b>Not implemented</b>  Source: Paragraph 5.1-5.4
158.148 Address the issue of human rights in the pursuit of economic growth in local areas (Nigeria); <b>Source of position:</b> A/HRC/33/16	Accepted	E21 Right to an adequate standard of living - general <b>Affected persons:</b> - persons living in rural areas	Status: <b>Not implemented</b>  Source: Paragraph 5.1-5.4



## Endnotes

- 1 Nithin Coca, *Surveillance of minority Muslims in southern Thailand is powered by Chinese-style tech*, 30 June 2020, <https://www.codastory.com/authoritarian-tech/surveillance-muslims-thailand/>; Darika Bamrungchok, *A glimpse at Thailand's digital ID through the biometric profiling of Malay Muslims*, 18 May 2020, available at: <https://globalvoices.org/2020/05/18/a-glimpse-at-thailands-digital-id-through-the-biometric-profiling-of-malay-muslims/>
- 2 Emergency Decree on Public Administration in Emergency Situation, B.E. 2548 (2005), Section 12, available at: <https://www.refworld.org/pdfid/482b005f2.pdf>
- 3 Bangkok Post, *Emergency decree for deep South extended*, 18 February 2020, available at: <https://reliefweb.int/report/thailand/emergency-decree-deep-south-extended>
- 4 Nation Thailand, *State of emergency in deep South to be extended for 3 months*, 16 September 2020, available at: <https://www.nationthailand.com/news/30394610>
- 5 Bangkok Post, *State of emergency to continue*, 15 December 2020, available at: <https://www.bangkokpost.com/thailand/general/2035263/state-of-emergency-to-continue>
- 6 Criminal Procedure Code, Section 131 and 131(1), 20 November 1996, available at: <https://www.ici.org/wp-content/uploads/2012/12/Thailand-Criminal-Procedure-Code-1934-2008-eng.pdf>
- 7 Cross-Cultural Foundation, *Research Project for Actions against Racial Discrimination in Thailand*, available at: [https://voicefromthais.files.wordpress.com/2020/01/fact-sheet\\_forced-dna-collection-in-the-southern-border-provinces-of-thailand-edited.pdf](https://voicefromthais.files.wordpress.com/2020/01/fact-sheet_forced-dna-collection-in-the-southern-border-provinces-of-thailand-edited.pdf)
- 8 Manushya Foundation and Justice for Peace Foundation, Joint Civil Society Report, *List of Themes to be considered by the Committee on the Elimination of Racial Discrimination (CERD)*, November 2020, p. 18, available at: [https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76\\_891806028a194e8e811258bc2ea9220e.pdf](https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76_891806028a194e8e811258bc2ea9220e.pdf)
- 9 Cross Cultural Foundation, *THAILAND: NGO assessment of the follow-up actions of the State party in implementing UN Human Rights Committee's recommendations*, 4 May 2020, para. 13, available at: [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/THA/INT\\_CCPR\\_NGS\\_THA\\_42138\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/THA/INT_CCPR_NGS_THA_42138_E.pdf)
- 10 Cross-Cultural Foundation, *Research Project for Actions against Racial Discrimination in Thailand*, available at: [https://voicefromthais.files.wordpress.com/2020/01/fact-sheet\\_forced-dna-collection-in-the-southern-border-provinces-of-thailand-edited.pdf](https://voicefromthais.files.wordpress.com/2020/01/fact-sheet_forced-dna-collection-in-the-southern-border-provinces-of-thailand-edited.pdf)
- 11 Wassana Nanuam, *SIM card registry a necessity, says Isoc*, 25 June 2019, available at: <https://www.bangkokpost.com/thailand/general/1701600/sim-card-registry-a-necessity-says-isoc>
- 12 Freedom House, *Freedom on the Net 2020: Thailand*, 2020, available at: <https://freedomhouse.org/country/thailand/freedom-net/2020>; Civil Rights Defenders, *Thailand's Facial Recognition policy in the Deep South raises serious human rights concerns*, 18 June 2020, available at: <https://crd.org/2020/06/18/thailands-facial-recognition-policy-in-the-deep-south-raises-serious-human-rights-concerns/>
- 13 Manushya Foundation and Justice for Peace Foundation, *Joint Civil Society Report, List of Themes to be considered by the Committee on the Elimination of Racial Discrimination (CERD)*, November 2020, p. 18, available at: [https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76\\_891806028a194e8e811258bc2ea9220e.pdf](https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76_891806028a194e8e811258bc2ea9220e.pdf)
- 14 Thana Boonlert, *Cabinet gives nod for draft bill on torture, abduction*, 24 June 2020, available at: <https://www.bangkokpost.com/thailand/general/1939836/cabinet-gives-nod-for-draft-bill-on-torture-abduction>
- 15 International Commission of Jurists, *Thailand: continuing delay in the enactment of the draft law on torture and enforced disappearance undermines access to justice and accountability*, 20 December 2019, available at: <https://www.ici.org/thailand-continuing-delay-in-the-enactment-of-the-draft-law-on-torture-and-enforced-disappearance-undermines-access-to-justice-and-accountability/>
- 16 International Commission of Jurists, Thai Lawyers for Human Rights and Cross-Cultural Foundation, *Supplementary Submission by the International Commission of Jurists, Thai Lawyers for Human Rights and Cross-Cultural Foundation on Thailand's Implementation of the Human Rights Committee's Prioritized Recommendations Following its Review of Thailand's Second Periodic Report at its 119th Session*, 24 April 2020, para. 20-22, available at: [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/THA/INT\\_CCPR\\_NGS\\_THA\\_42036\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/THA/INT_CCPR_NGS_THA_42036_E.pdf)
- 17 Aljazeera, *Over a dozen killed in attack in Thailand's Yala province*, 6 November 2019, available at: <https://www.aljazeera.com/news/2019/11/6/over-a-dozen-killed-in-attack-in-thailands-yala-province>, Benarnews, *Nontarat Phaicharoen and Mariyam Ahmad*, 11 October 2019, available at: <https://www.benarnews.org/english/news/thai/family-mission-10112019144329.html>

- 18 Deep South Watch, *Summary of Incidents in Southern Thailand, JANUARY 2021*, 17 February 2021, available at: <https://deepsouthwatch.org/en/node/11973>
- 19 Deep South Watch, *DSW Database*, February 2020 - January 2021, available at: <https://deepsouthwatch.org/th/dsid>
- 20 Sunai Phasuk, *Southern Thailand Peace Efforts Should Promote Rights*, *Human Rights Watch*, 7 February 2020, available at: <https://www.hrw.org/news/2020/02/07/southern-thailand-peace-efforts-should-promote-rights>
- 21 Human Rights Watch, *Thailand: No End to Rights Crisis*, 14 January 2020, available at: <https://www.hrw.org/news/2020/01/14/thailand-no-end-rights-crisis>
- 22 International Commission of Jurists, Thai Lawyers for Human Rights and Cross-Cultural Foundation, *Supplementary Submission by the International Commission of Jurists, Thai Lawyers for Human Rights and Cross-Cultural Foundation on Thailand's Implementation of the Human Rights Committee's Prioritized Recommendations Following its Review of Thailand's Second Periodic Report at its 119th Session*, 24 April 2020, para. 32, available at: [https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/THA/INT\\_CCPR\\_NGS\\_THA\\_42036\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/THA/INT_CCPR_NGS_THA_42036_E.pdf)
- 23 WHO Thailand, *Thailand Situation in the Past 24 Hours*, 25 April 2020, available at: <https://reliefweb.int/sites/reliefweb.int/files/resources/2020-04-25-tha-sitrep-63-covid19-en-final.pdf>
- 24 Manushya Foundation and Justice for Peace Foundation, *Joint Civil Society Report, List of Themes to be considered by the Committee on the Elimination of Racial Discrimination (CERD)*, November 2020, p. 17, available at: [https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76\\_891806028a194e8e811258bc2ea9220e.pdf](https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76_891806028a194e8e811258bc2ea9220e.pdf)
- 25 Anchana Heemmina, *Report on Eliminating Intolerance and Discrimination Based on Religion or Belief and the Achievement of Sustainable Development Goal 16 (SDG 16) in the southern border provinces of Thailand*, available at: <https://www.ohchr.org/Documents/Issues/Religion/Submissions/CSOs/62.the-duayjai-group.docx>
- 26 Manushya Foundation and Justice for Peace Foundation, *Joint Civil Society Report, List of Themes to be considered by the Committee on the Elimination of Racial Discrimination (CERD)*, November 2020, p. 17, available at: [https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76\\_891806028a194e8e811258bc2ea9220e.pdf](https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76_891806028a194e8e811258bc2ea9220e.pdf)
- 27 Save the Children, *Children at the Centre Factsheet*, 10 October 2018, <https://thailand.savethechildren.net/sites/thailand.savethechildren.net/files/library/Children%20at%20the%20Centre%20Factsheet.pdf>
- 28 General Assembly, *Children and armed conflict: Report of the Secretary-General, A/73/907-S/2019/509*, 20 June 2019, para. 233, available at: <https://resourcecentre.savethechildren.net/node/15614/pdf/n1918621.pdf>
- 29 Cross Cultural Foundation (CrCF), Duayjai Support Group and Pattani Human Rights Network - HAP, *Joint Submission to the UN Committee on Economic, Social and Cultural Rights in Advance of the Examination of Thailand's Initial and Second Periodic Reports under Articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights*, 3 May 2015, para. 9, available at: [https://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/THA/INT\\_CESCR\\_CSS\\_THA\\_20363\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/THA/INT_CESCR_CSS_THA_20363_E.pdf)
- 30 Cross Cultural Foundation (CrCF), Duayjai Support Group and Pattani Human Rights Network - HAP, *Joint Submission to the UN Committee on Economic, Social and Cultural Rights in Advance of the Examination of Thailand's Initial and Second Periodic Reports under Articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights*, 3 May 2015, para. 11, available at: [https://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/THA/INT\\_CESCR\\_CSS\\_THA\\_20363\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CESCR/Shared%20Documents/THA/INT_CESCR_CSS_THA_20363_E.pdf)
- 31 Maximilian Morch, *The Slow Burning Insurgency in Thailand's Deep South*, 6 February 2018, available at: <https://thediplomat.com/2018/02/the-slow-burning-insurgency-in-thailands-deep-south/>
- 32 Coalition on Racial Discrimination Watch, *Shadow Report on Eliminating Racial Discrimination: THAILAND*, available at: [https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/THA/INT\\_CERD\\_NGO\\_THA\\_13686\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/THA/INT_CERD_NGO_THA_13686_E.pdf)
- 33 Manushya Foundation and Justice for Peace Foundation, *Joint Civil Society Report, List of Themes to be considered by the Committee on the Elimination of Racial Discrimination (CERD)*, November 2020, p. 19, available at: [https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76\\_891806028a194e8e811258bc2ea9220e.pdf](https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76_891806028a194e8e811258bc2ea9220e.pdf)
- 34 Manushya Foundation and Justice for Peace Foundation, *Joint Civil Society Report, List of Themes to be considered by the Committee on the Elimination of Racial Discrimination (CERD)*, November 2020, p. 21, available at: [https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76\\_891806028a194e8e811258bc2ea9220e.pdf](https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76_891806028a194e8e811258bc2ea9220e.pdf); PATANI Working Group for Monitoring of International Mechanisms, Thailand, *Joint CEDAW Shadow Report: Situation on Malay Muslim Women in Southern Thailand*, 2017, para. 17, available at: [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/THA/INT\\_CEDAW\\_NGO\\_THA\\_27699\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/THA/INT_CEDAW_NGO_THA_27699_E.pdf);
- 35 Manushya Foundation and Justice for Peace Foundation, *Joint Civil Society Report, List of Themes to be considered by the Committee on the Elimination of Racial Discrimination (CERD)*, November 2020, p. 21, available at: [https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76\\_891806028a194e8e811258bc2ea9220e.pdf](https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76_891806028a194e8e811258bc2ea9220e.pdf); PATANI Working Group for Monitoring of International Mechanisms, Thailand, *Joint CEDAW Shadow Report: Situation on Malay Muslim Women in Southern Thailand*, 2017, para. 29, available at: [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/THA/INT\\_CEDAW\\_NGO\\_THA\\_27699\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/THA/INT_CEDAW_NGO_THA_27699_E.pdf); Gabriel



PATANI WORKING GROUP  
for Monitoring on International Mechanisms



Paluch, *In Thailand's Muslim south, authorities turn a blind eye to FGM*, 1 April 2015, available at: <https://www.theguardian.com/global-development/2015/apr/01/thailand-muslim-south-authorities-blind-eye-fgm-who>

36 Manushya Foundation and Justice for Peace Foundation, *Joint Civil Society Report, List of Themes to be considered by the Committee on the Elimination of Racial Discrimination (CERD)*, November 2020, p. 22, available at: [https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76\\_891806028a194e8e811258bc2ea9220e.pdf](https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76_891806028a194e8e811258bc2ea9220e.pdf)

37 Nation Thailand, *Cabinet nods to plan for Bt18.7 bn economic zone in Songkhla*, 21 January 2020, available at: [https://www.nationthailand.com/business/30380887?utm\\_source=category&utm\\_medium=internal\\_referral](https://www.nationthailand.com/business/30380887?utm_source=category&utm_medium=internal_referral); Mongkol Bangprapa, *South to get special economic zone*, 22 January 2020, available at: <https://www.bangkokpost.com/thailand/general/1840714/south-to-get-special-economic-zone>

38 Thomas Reuters Foundation, *'The sea is all we know': Thai villagers fight industrial zone*, 29 December 2020, available at: <https://news.trust.org/item/20201229100016-2a6fb>; Thomas Reuters Foundation, *Protesters under lockdown delay hearing on Thai mega project*, 18 May 2020, available at: <https://news.trust.org/item/20200519070903-r24rf>; EnLaw Foundation, *Legal Opinion on the illegitimated public hearing of SBPAC's Chana SEZ Project*, 14 May 2020, available at: <https://enlawfoundation.org/newweb/?p=5087>

39 Thomas Reuters Foundation, *Protesters under lockdown delay hearing on Thai mega project*, 18 May 2020, available at: <https://news.trust.org/item/20200519070903-r24rf>; EnLaw Foundation, *Legal Opinion on the illegitimated public hearing of SBPAC's Chana SEZ Project*, 14 May 2020, available at: <https://enlawfoundation.org/newweb/?p=5087>

40 EnLaw Foundation, *Legal Opinion on the illegitimated public hearing of SBPAC's Chana SEZ Project*, 14 May 2020, available at: <https://enlawfoundation.org/newweb/?p=5087>

41 Crisis Group, *Southern Thailand's Peace Dialogue: Giving Substance to Form*, 21 January 2020, available at: <https://www.crisisgroup.org/asia/south-east-asia/thailand/304-southern-thailands-peace-dialogue-giving-substance-form>

42 Asma Tanyongdao, Don Tajaroenkij and Chalida Tajaroenkij, *Research report on the Peace Dialogue Process (2020) and ceasefire in the Southern Border Province of Thailand*, December 2020, p.9-10

43 Asma Tanyongdao, Don Tajaroenkij and Chalida Tajaroenkij, *Research report on the Peace Dialogue Process (2020) and ceasefire in the Southern Border Province of Thailand*, December 2020, p.12; Kenneth Yeo Yaoren and Jasminder Singh, *Prospects for a Peace Deal in Thailand's Deep South*, 10 June 2020, available at: <https://thediplomat.com/2020/06/prospects-for-a-peace-deal-in-thailands-deep-south/>

44 Asma Tanyongdao, Don Tajaroenkij and Chalida Tajaroenkij, *Research report on the Peace Dialogue Process (2020) and ceasefire in the Southern Border Province of Thailand*, December 2020, p.14

45 Jason Johnson, *What to Make of Thailand's COVID Quasi-Ceasefire*, The Diplomat, 3 June 2020, available at: <https://thediplomat.com/2020/06/what-to-make-of-south-thailands-covid-quasi-ceasefire/>

46 Crisis Group, *Southern Thailand's Peace Dialogue: Giving Substance to Form*, 21 January 2020, available at: <https://www.crisisgroup.org/asia/south-east-asia/thailand/304-southern-thailands-peace-dialogue-giving-substance-form>; Kenneth Yeo Yaoren and Jasminder Singh, *Prospects for a Peace Deal in Thailand's Deep South*, 10 June 2020, available at: <https://thediplomat.com/2020/06/prospects-for-a-peace-deal-in-thailands-deep-south/>

47 Manushya Foundation and Justice for Peace Foundation, *Joint Civil Society Report, List of Themes to be considered by the Committee on the Elimination of Racial Discrimination (CERD)*, November 2020, p. 19, available at: [https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76\\_891806028a194e8e811258bc2ea9220e.pdf](https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76_891806028a194e8e811258bc2ea9220e.pdf)

48 Duanghathai Buranajaroenkij, *Women and the Peace Process in the Deep South of Thailand*, October 2018, available at: [https://www.researchgate.net/publication/336954998\\_Women\\_and\\_the\\_Peace\\_Process\\_in\\_the\\_Deep\\_South\\_of\\_Thailand](https://www.researchgate.net/publication/336954998_Women_and_the_Peace_Process_in_the_Deep_South_of_Thailand); Caleb Quinley, *Tired of conflict, Thailand's deep south women are on the front lines of peace*, 24 September 2020, available at: <https://www.thenewhumanitarian.org/feature/2020/09/24/Thailand-south-conflict-women-peace>

49 Asma Tanyongdao, Don Tajaroenkij and Chalida Tajaroenkij, *Research report on the Peace Dialogue Process (2020) and ceasefire in the Southern Border Province of Thailand*, December 2020, p.20

50 Caleb Quinley, *Tired of conflict, Thailand's deep south women are on the front lines of peace*, 24 September 2020, available at: <https://www.thenewhumanitarian.org/feature/2020/09/24/Thailand-south-conflict-women-peace>

51 Emergency Decree on Public Administration in Emergency Situations B.E. 2548 (2005), Section 17, available at: [http://ilo.org/dyn/natlex/natlex4.detail?p\\_lang=en&p\\_isn=110044&p\\_country=THA&p\\_count=420](http://ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=110044&p_country=THA&p_count=420)

52 Pravit Rojanaphruk, *Wissanu: Gov't to retain "attitude adjustment," but won't detain peoples*, 15 July 2019, available at: <https://www.khaosodenglish.com/politics/2019/07/15/wissanu-govt-to-retain-attitude-adjustment-but-wont-detain-people/>

53 Front Line Defenders, *Defamation case filed against Ismaael Teh*, 19 February 2018, available at: <https://www.frontlinedefenders.org/en/case/defamation-case-filed-against-ismaael-teh>

- 
- 54 Cross Cultural Foundation, *ISOC complains against the Manager Online must be dropped: News report on an alleged act of torture is not a crime*, 10 February 2018, available at: <https://crcfthailand.org/2018/02/10/isoc-compaint-against-the-manager-online-must-be-dropped-news-report-on-an-alleged-act-of-torture-is-not-a-crime/>
- 55 Manushya Foundation and Justice for Peace Foundation, *Joint Civil Society Report, List of Themes to be considered by the Committee on the Elimination of Racial Discrimination (CERD)*, November 2020, p. 20, available at: [https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76\\_891806028a194e8e811258bc2ea9220e.pdf](https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76_891806028a194e8e811258bc2ea9220e.pdf) ; Bangkok Post, *Senior judge dies in second suicide bid*, 7 March 2020, available at: <https://www.bangkokpost.com/thailand/general/1873689/senior-judge-dies-in-second-suicide-bid>; Mariyam Ahmad, *Thai Judge Who Accused Superiors of Meddling in Verdicts Commits Suicide*, 7 March 2020, available at: <https://www.benarnews.org/english/news/thai/Thai-judge-dies-03072020104253.html>
- 56 PATANI Working Group for Monitoring of International Mechanisms, *Joint CEDAW Shadow Report on Situation of the Rights of Malay Muslim Women in Southern Thailand*, 2017, para. 35, available at: [https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/THA/INT\\_CEDAW\\_NGO\\_THA\\_27699\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CEDAW/Shared%20Documents/THA/INT_CEDAW_NGO_THA_27699_E.pdf)
- 57 Manushya Foundation and Justice for Peace Foundation, *Joint Civil Society Report, List of Themes to be considered by the Committee on the Elimination of Racial Discrimination (CERD)*, November 2020, p. 20, available at: [https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76\\_891806028a194e8e811258bc2ea9220e.pdf](https://a9e7bfc1-cab8-4cb9-9c9e-dc0cee58a9bd.filesusr.com/ugd/a0db76_891806028a194e8e811258bc2ea9220e.pdf)





### **About Manushya Foundation**

Manushya Foundation is a women-led and innovative non-profit organization with the goal to reinforce the power of local communities, in particular women human rights defenders, so they can advance their human rights and fight for equality and social justice. Manushya means "Human Being" in Sanskrit; it was founded in 2017 to engage, mobilise and empower local communities across Asia to be at the center of decisions and policies that affect them by: connecting humans through inclusive coalition building and; by developing strategies focused at placing local communities' voices at the centre of human rights advocacy and domestic implementation of international human rights obligations and standards. Manushya Foundation strengthens the solidarity and capacity of communities and grassroots to become Agents of Change fighting for their rights and providing solutions to improve their lives, their livelihoods and the human rights situation on the ground.



### **About Civil Society Assembly For Peace (CAP)**

CAP is a network focusing on the approach to peace in the Southern Border / Patani through the participation of people in accordance with democratic principles and respect for universal human rights. There are 28 network organizations participating in this submission: 1. Muslim Attorney Centre Foundation (MAC); 2. Southern Paralegal Advocacy Network (SPAN); 3. Patani Human rights Organization Network (HAP); 4. Patani Intellectual Network (INSOUTH); 5. Youth Integration For Community Empowerment Center (YICE); 6. Persatuan Perempuan Patani (PERWANI); 7. Bunga Raya Group Patani; 8. Pusat Budaya Melayu Patani (BUMI); 9. Pusat Pengembangan Kebudayaan Islam (PUKIS); 10. Persatuan Intelek Cinta Seni Budaya (PICSEB); 11. Nusantara Foundation For Human Rights And Development; 12. Public Health officer for Social Welfare (PHOS); 13. Justice For Peace (JOP); 14. AD-DIN Perubatan dan Kesihatan Awan (AD-DIN); 15. Patani Youth of Changes Network (YouthNet); 16. Jaringan Mangsa dari Undang-undang Darurat (JASAD); 17. Jaringan Belia-Lembangan Sungai Saiburi (JALEM); 18. Jaringan Menggalak Etika Islam (JATI); 19. Jaringan Guru Sekolah Melayu / Tadika; 20. Pencinta Sejarah Patani (PSP); 21. Persatuan Silat Harimau Patani (PerShap); 22. Jaringan Wanita Membela Hak Asasi Patani (JAWANI); 23. Jaringan Remaja Menuntut Hak Asasi untuk Pengembangan (JAP); 24. Lembaga Guru untuk Penelitian System Pendidikan nusantara (TI); 25. Social biznet network (SBN); 26. Socail Development Organization (PERTAMA ); 28. Pusat Perhubunggan Jaringan Memgsatahanan (TEMAN).



### **About The Patani Working Group for Monitoring on International Mechanisms:**

Working to connect and communicate between international mechanisms both at the regional and global levels with the Southern Border Provinces of Thailand.



### **About The Federation of Patani Students and Youth (PerMAS):**

For organizations that connect Patani student representatives both domestically and internationally. The base organizations of PERMAS include 30-37 organizations, both independent and international student club organizations.

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UFVQnXSV4nVXRFg