

**AMNESTY  
INTERNATIONAL**



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**UN Human Rights Council  
Nineteenth session, 27 February - 23 March 2012**

**Item 6:  
Consideration of UPR reports**

**THAILAND**

Madam President,

Amnesty International is disappointed that Thailand has rejected recommendations to abolish the death penalty, contrary to the express commitment it made in its 2009-2013 Human Rights Action Plan.<sup>1</sup> We recall Thailand's welcome decision in 2010 not to oppose the UN General Assembly call for a moratorium on executions. We also note Thailand's regular recourse to clemency for prisoners on death row.

However, Amnesty International is dismayed that Thailand resumed executions in 2009 after a hiatus of six years. We are concerned that all death row prisoners continue to be shackled despite a court decision in 2009 that declared this practice illegal; and that over half of all death sentences are passed for drug-related offences, in contravention of international law. We call on Thailand to abolish the death penalty, and in any intervening period to grant clemency to all persons on death row, and ensure that the death penalty is not part of initiatives to combat illegal drugs.

Madam President,

Several States expressed concern at the human rights situation amidst internal armed conflict in Thailand's southern-most provinces.<sup>2</sup> Muslim insurgents have committed acts constituting war crimes, while security forces have systematically used torture and other ill-treatment in their counter-insurgency efforts. Extraordinary legislation affords security forces enormous discretionary power and codifies their immunity from prosecution. No official or member of the security forces has been successfully prosecuted for a human rights violation since the conflict resumed in 2004. Amnesty International urges the government to ensure that counter-insurgency operations respect international human

<sup>1</sup>A/HRC/19/8, recommendations 89.1 (Argentina), 89.3 (Spain), 89.6 (Hungary), 89.7 (Switzerland), 89.27 (Turkey), 89.28 (France), 89.29 (Slovakia), 89.30 (Spain), 89.31 (Switzerland), 89.32 (Slovenia), 89.33 (Brazil), 89.34 (Argentina) and 89.35 (Nicaragua).

<sup>2</sup>Ibid., recommendations 88.54 (South Africa), 88.55 (Qatar), 88.65 (Malaysia) and 88.68 (Canada).

rights and humanitarian law, and to hold accountable alleged perpetrators of human rights violations.

Finally, Madam President, Amnesty International is concerned at the severe restrictions on freedom of expression, resulting particularly from the lèse-majesté law and the Computer-related Crimes Act.<sup>3</sup> Since the UPR Working Group reviewed Thailand in October 2011, at least three individuals have been convicted of violating these laws, including Ampol Tangnoppakul, sentenced to 20 years' imprisonment, and Joe Gordon, a dual US-Thai citizen given a two and a half year sentence. We urge Thailand to suspend application of these laws until they are brought into compliance with Thailand's international legal obligations, and to release prisoners of conscience detained under these laws.

Thank you, Madam President.

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<sup>3</sup> Ibid., recommendations 89.50 (Brazil), 89.51 (United Kingdom), 89.52 (France), 89.53 (France), 89.54 (New Zealand), 89.55 (Norway), 89.56 (Norway), 89.57 (Norway), 89.58 (Slovenia), 89.59 (Sweden), 89.60 (Spain), 89.61 (Indonesia), 89.62 (Switzerland), 89.63 (Canada) and 89.64 (Switzerland).