



INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

" dedicated since 1952 to the primacy, coherence and implementation of international law and principles that advance human rights "

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ICJ Oral Intervention on the Adoption of the Outcome Document of the Universal Periodic Review of Thailand

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Madam President,

The International Commission of Jurists (ICJ) welcomes the commitments made by the Government of Thailand to address the issue of impunity by ensuring the prompt investigation of all allegations of human rights violations, and guaranteeing rights of victims and families to justice and an effective remedy in law (recommendations on 88.66, 88.67, 88.68, 88.69, 88.70, 88.71).

Importantly, however, implementation of these recommendations warrants a review of the special security laws operating in the southernmost provinces of Thailand to ensure their conformity with international human rights law and standards. In particular, there is a need for repeal of section 17 of the Emergency Decree and provisions in the Martial Law that grant to State officials immunity from criminal and civil prosecution.

Although victims may seek compensation from the Government for any wrongful act committed by its agents, this is just one element necessary to combat impunity. The Government of Thailand must in addition make a clear and public commitment to ensure that perpetrators of human rights violations, whether State or non-State actors, are brought to trial and duly punished. The application of these security laws – particularly in the southernmost provinces of Thailand – has only led to a pervasive culture of impunity.

The ICJ therefore urges the Government of Thailand to further respond positively to the following recommendations:

- To repeal section 17 of the Emergency Decree (Recommendation 89.19);
- To abolish provisions in the Martial Law Act and the Emergency Decree that grant immunity for criminal and civil prosecution to State officials (Recommendation 89.20); and
- To review security laws to ensure their conformity with international human rights law and standards (Recommendation 89.21).

Consistent with the pledge of the Government of Thailand to become a party to the International Convention for the Protection of All Persons and Enforced Disappearance, the ICJ finally urges prompt ratification of that Convention.

I thank you.

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