

HRC33 – Item 6: Thailand UPR Adoption

Thailand's Military Junta should fulfil UPR pledges to protect and promote human rights

Thailand's military junta, the National Council for Peace and Order, has pledged much, but done little to protect and promote human rights since taking power in May 2014.

The junta continues to ban political activities and public gatherings; subjects those peacefully expressing dissenting views to criminal prosecution; and has conducted hundreds of arbitrary arrests. A recent NCPO order to end the practice of prosecuting civilian cases in military courts is a limited step because it won't apply to the more than 1,800 civilians already awaiting trial in military courts. The military also retains authority to arrest, detain, and interrogate civilians without safeguards against abuse or accountability for human rights violations.

Criticizing the monarchy remains a serious criminal offense in Thailand. Despite concerns expressed at this Council, the government has stepped up prosecution of persons for *lese majeste* – mostly for posting or sharing comments online. The media remains under tight constraints.

The killing and enforced disappearance of human rights defenders and other activists remains a pressing concern. The government has yet to fulfill its pledges to this Council to criminalize enforced disappearance and torture.

The government has shown no interest in investigating more than 2,000 extrajudicial killings related to then-Prime Minister Thaksin Shinawatra's "war on drugs" in 2003. No policy makers, commanders, or soldiers have been punished for wrongful use of force during the 2010 political confrontations in Bangkok, which left at least 90 dead and more than 2,000 injured. Nor have any security personnel been criminally prosecuted for human rights violations in the southern border provinces, where separatist insurgents have also committed numerous serious abuses against civilians.

In August, a new junta-proposed constitution passed a nationwide referendum that was marked by repression against dissenters and critics urging a "no" vote. Internationally recognized elements for a fair referendum process were missing – particularly the rights to freedom of expression, association, and peaceful assembly. At least 120 people were arrested for publicly opposing the draft constitution.

Despite promises to hold elections at the end of next year, the junta has imposed a political structure designed to prolong the military's grip on power. The current 2014 interim constitution gives the junta unlimited administrative, legislative, and judiciary power without any effective oversight or accountability, including for human rights violations. The new constitution endorses such powers and when it is promulgated, will protect the junta from being held accountable for any of the human rights abuses committed since taking power.