



# THAILAND

## **AMNESTY INTERNATIONAL SUBMISSION TO THE UN UNIVERSAL PERIODIC REVIEW 39TH SESSION OF THE UPR WORKING GROUP, 1-13 NOVEMBER 2021**

### FOLLOW UP TO THE PREVIOUS REVIEW

1. At the last review, Thailand accepted 187 of 249 recommendations,<sup>1</sup> but steps to address long-term weaknesses in human rights protection remain outstanding. Commitments made to effectively prevent and punish grave human rights violations,<sup>2</sup> including steps towards abolition of the death penalty, enactment of legislation prohibiting torture and enforced disappearance<sup>3</sup> have not been implemented. The state has not taken adequate measures to protect freedom of assembly<sup>4</sup> and expression<sup>5</sup> and ensure legislation reflects its obligations.
2. Authorities have yet to implement new regulations aimed at strengthening the regulatory framework for refugees.<sup>6</sup> At present, there is no definition of “refugee” consistent with international law in either regulations or domestic law.
3. The government has passed a national action plan on business and human rights.<sup>7</sup>
4. There has been no significant progress on undertakings to consider or enact the ratification of treaties, including the Optional Protocol of the UN Convention against Torture<sup>8</sup> and the International Covenant on Civil and Political Rights (ICCPR).<sup>9</sup> Authorities have not followed through on standing invitations to Special Procedures.
5. Regrettably, Thailand rejected recommendations on stopping pushbacks to sea of asylum-seekers and refugees;<sup>10</sup> and amendment or review of specific legislation to comply with treaty obligations on freedoms of expression, association and peaceful assembly.<sup>11</sup> These remain relevant and are in urgent need of implementation.

### THE NATIONAL HUMAN RIGHTS FRAMEWORK

#### CONSTITUTION

6. Thailand’s 20th Constitution<sup>12</sup> came into force in March 2017, following a referendum which took place against a backdrop of constant criminalization of peaceful dissent designed to silence views critical of the government.<sup>13</sup> The 2017 Constitution introduces a different electoral system and is aimed at weakening political opposition.

## EMERGENCY LEGISLATION, SECURITY POWERS AND EXECUTIVE DECREE

7. The 1914 Martial Law Act (MLA)<sup>14</sup>, 2008 Internal Security Act (ISA)<sup>15</sup>, and 2005 Executive Decree for Public Administration in Emergency Situations (ED)<sup>16</sup> grant security forces overbroad powers of arrest, detention without warrant, censorship, and surveillance without adequate judicial oversight. Emergency laws have been almost continuously in force in southern border provinces since 2005 and have been periodically imposed for extended periods throughout the country. Officials exercise these powers to apply sweeping restrictions on human rights, especially the rights to freedom of expression and peaceful assembly, including by imposing criminal and financial sanctions.
8. A 2019 National Council for Peace and Order (NCPO) Order expands the role of the military-led Internal Security Operations Command (ISOC) in the management of internal security and widens the scope of its activities, to include broad responsibility for reconciliation and external security.<sup>17</sup>
9. Authorities have retained HNCPO Orders 3/2015<sup>18</sup>; 23/2015<sup>19</sup> and 13/2016, which grant military officials powers to carry out warrantless searches and detain individuals in unofficial places of detention without judicial safeguards, including under suspicion of drug crimes.

## NATIONAL HUMAN RIGHTS COMMISSION/(NHRC)/NATIONAL BROADCASTING AND TELECOMMUNICATIONS COMMISSION (NBTC)

10. Revisions to the National Human Rights Commission Act (2017) and legislation governing the NBTC<sup>20</sup>, have compromised the operations and independence of both bodies. In addition to tasking the NHRC to investigate "incorrect or unfair reports" about the government by NGOs, the Act has reduced the size and scope of the body and removed its powers to intervene in cases which are in court; to refer cases directly to administrative courts, and to carry out joint investigations with NGOs. The mandate and conduct of the NHRC continues to fall short of the minimum standards contained in the UN Paris Principles<sup>21</sup>, including on transparency and independence.

## LAWS RESTRICTING FREEDOM OF EXPRESSION, ASSEMBLY, ASSOCIATION AND PRIVACY

11. Restrictive and overbroad or ambiguously worded legal provisions, which often do not correspond to principles of necessity, proportionality and legality, grant authorities discretion to unduly limit and disproportionately sanction the peaceful exercise of these rights in the name of protecting national security, public order and reputations.
12. Provisions in the Criminal Code and laws<sup>22</sup> allow for criminal and/or financial penalties, including severe prison terms of up to 15 years imprisonment for the legitimate exercise of freedom of expression. Provisions of the Public Assembly Act (2015) impede enjoyment of the right to peaceful assembly, including by penalising failure to provide advance notifications to authorities.
13. The Cyber Crimes Act (CCA) (2016), National Intelligence Act<sup>23</sup> (2019) and Cybersecurity Act<sup>24</sup> (2019) grant officials<sup>25</sup> sweeping powers to block, carry out sweeping surveillance and censor online information without clearly defined objective criteria, transparency or adequate oversight mechanisms, as well as to require private companies to take down and restrict content on their online platforms or face prosecution.
14. Articles 161/1<sup>26</sup> and 165/2<sup>27</sup> of the Criminal Code have been introduced to prevent legal harassment of

human rights defenders, and grant courts powers to dismiss lawsuits filed in bad faith by private individuals, as well as to hear legal and evidentiary arguments at the filing stage.

#### TORTURE AND ENFORCED DISAPPEARANCE

15. Legislation on torture and enforced disappearance proposed in 2011 remains in draft form. Drafts have been dogged by shortcomings including the omission of provisions that define torture in line with international law, prohibit refoulement, and provide effective safeguards against enforced disappearance and establish it as a continuous crime.
16. The 'National Committee for Managing Cases relating to Torture and Enforced Disappearance' established in 2017 by a Prime Minister's Order <sup>28</sup> has yet to report publicly or keep alleged victims and their families informed of progress into its investigation. Relatives' and victims' right to seek redress for violations by security forces remains limited under military procedure codes.<sup>29</sup>

#### DEATH PENALTY

17. Amendments to the Narcotic Act 2017 abolished the mandatory death penalty for the offence of selling prohibited substances. However, in 2019 authorities expanded the scope of the death penalty, which remains applicable for offences which fail to meet the threshold of the "most serious crimes" under international law and standards.<sup>30</sup>

#### REFUGEES

18. Thai authorities have passed measures to grant protected status to persons in need of international protection. These measures do not define "refugees" in accordance with international human rights law and are yet to be implemented. These measures also do not provide sufficient guarantees against refoulement by allowing for the return of individuals in need of protection to other countries on the basis of undefined threats to national security and do not allow for a right of internal or legal appeal to the determination of protected status. The Immigration Act (1979) allows for indefinite arbitrary detention for undocumented migrants, asylum-seekers.

## THE HUMAN RIGHTS SITUATION ON THE GROUND

19. Officials implemented plans for political transition in the lead-up to 2019 elections in a context of the repression of human rights. The government responded with widespread violations of the rights of association, peaceful assembly, and expression both to opposition to their policies as well as to calls for reform, including from a peaceful youth-led movement.
20. Authorities have enhanced their powers of surveillance and censorship of digital technologies. Extended official recourse to sweeping emergency powers and expansion of security forces' powers of detention with weakened access to judicial safeguards undermine due process and further entrench unwarranted restrictions on human rights

#### INDEPENDENCE OF THE JUDICIARY

21. A Provincial Court judge raised fair trials concerns in capital cases in relation to alleged attempted interference to influence him to hand down a guilty verdict in a capital case and his findings of the inadmissibility of evidence in the case given by a suspect held under emergency laws.<sup>31</sup>

#### DEATH PENALTY

22. While significant numbers of death sentences have been commuted, courts continue to hand down death sentences for murder and drug-related crimes. In June 2018, authorities executed a 26-year-old man convicted for aggravated murder in the first execution in the country in nearly nine years.<sup>32</sup>

#### TORTURE AND ENFORCED DISAPPEARANCE

23. Torture continues to be documented in military and police custody, including in the context of the investigation of alleged narcotics and insurgency offences.<sup>33</sup> During basic training of military conscripts, commanders have also imposed punishments on new conscripts, which inflict pain or suffering and constitute torture.<sup>34</sup> Deaths of conscripts were reported in military facilities, often after alleged torture.<sup>35</sup>
24. Authorities have held individuals incommunicado, resulting in their temporary disappearance. Suspected enforced disappearances continued to be reported.

#### IMPUNITY

25. Authorities routinely fail to initiate prompt, thorough, independent, and effective investigations into torture, extrajudicial killings, and cases of excessive and unnecessary lethal force and hold those suspected accountable. While authorities have created interim mechanisms to receive complaints, officials have failed to share information with the victims on their progress, methods, and findings, and to make public clarification of the truth to those affected.
26. Authorities have also failed to initiate or conduct prompt investigations and provide effective remedies for violent and lethal attacks by unidentified perpetrators against prominent public critics of the government and monarchy within Thailand and in exile. Critics of the government have faced repeated violent attacks on their persons and property, possibly timed to coincide with their planned peaceful protests against the government.<sup>36</sup>
27. Nine pro-democracy activists in exile in neighbouring countries have been abducted or subjected to suspected enforced disappearances, including by unidentified perpetrators, apparently linked to their public commentary on authorities and the monarchy.<sup>37</sup>

#### REPRESSION OF DISSENT

28. Authorities have targeted a broad range of people with criminal proceedings, including young people and minors, simply for peacefully exercising their human rights. Those charged under Article 112 of the Criminal Code on lèse-majesté have been denied the right to a public hearing, and received lengthy sentences of imprisonment,<sup>38</sup> often after arbitrary lengthy pre-trial detention with bail denied.<sup>39</sup>
29. Since the last review, authorities have targeted individuals with hundreds of criminal proceedings for sedition; lèse-majesté; computer crimes, public assembly infringements, and violations of emergency laws or decrees. In addition to filing politically motivated charges against opposition politicians, authorities have also deregistered political parties and disqualified individuals from running as

candidates.<sup>40</sup> Courts, state agencies and companies have targeted individuals commenting on their operations and reporting on alleged human rights violations, including torture, and abuses with criminal charges under laws on defamation and provisions on contempt of court.

30. Police have prohibited and forcibly dispersed peaceful protests, at times using unnecessary or excessive force and less lethal weapons.<sup>41</sup> Schools and universities have harassed and threatened students, including children, with educational penalties for taking part in such demonstrations. Young people including minors engaged in peaceful protests, have faced detention under emergency laws and criminal proceedings under Articles 112 and 116 and provisions under the Emergency Decree. Students and young people who have faced criminal proceedings have reported further obstacles to their education,<sup>42</sup> particularly when denied bail, to employment<sup>43</sup> and to their right to freedom of association.<sup>44</sup>
31. Officials have taken targeted discriminatory measures to censor online speech and broadcast media, including by requiring users, media, and internet service providers to take down content. They have unlawfully detained individuals, including students without warrants or due process-in connection with their posts on social media, and required them to remove critical posts.<sup>45</sup>

#### HUMAN RIGHTS DEFENDERS

32. State officials, companies and unidentified perpetrators have subjected human rights defenders, including land rights, indigenous and community defenders,<sup>46</sup> as well as trade union<sup>47</sup> pro-democracy and student activists to violent attacks,<sup>48</sup> abduction<sup>49</sup>, arbitrary detention<sup>50</sup>, judicial harassment<sup>51</sup>, harassment and intimidation, as well as disseminating online smears in state-sponsored information operations. Police have also harassed young human rights defenders by targeting their families and education providers.<sup>52</sup>
33. Despite the introduction of provisions allowing for the dismissal of charges for statements made in good faith and in the public interest by private parties, human rights defenders continue to face strategic lawsuits against public participation, in the form of multiple criminal and civil defamation suits filed by companies.
34. Human rights defenders' work has been impeded by changes to legal requirements for community consultation on environmental impact of infrastructural projects in areas of economic development and prosecutions of people without land title under the Forest Act and National Park Acts.<sup>53</sup> Authorities are continuing to fail to provide redress for grave violations against defenders, and there have been delays to specialist bodies conducting investigations and keeping families informed of progress into investigations.<sup>54</sup> For example, the Public Prosecutor dismissed all but one charge against officials who detained Porlajee 'Billy' Rakchongcharoen before he disappeared in April 2014, based on lack of evidence of his death, despite the discovery of his bone fragments.<sup>55</sup>

#### REFUGEES AND MIGRANTS

35. Authorities continue to indefinitely detain refugees, asylum-seekers and undocumented migrants in poor conditions in immigration detention centres, including Uyghur men.<sup>56</sup> Authorities have violated the principle of non-refoulement by forcibly returning people to situations where they face persecution,<sup>57</sup> including refugees from Cambodia.<sup>58</sup> Viet Namese<sup>59</sup> and Lao refugees<sup>60</sup> have disappeared in Thailand.
36. Thailand has not provided safe disembarkation to boats in its waters, including when they have been in distress and has maintained policies to "help on" or push back boats despite significant risks of loss of life and abuse on board.<sup>61</sup>

# RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

## **Amnesty International calls on the government of Thailand to:**

### *Death Penalty*

- Establish a moratorium on executions, ratify the Second Optional Protocol to the ICCPR, and enact legislation abolishing the death penalty.
- Ensure that the most rigorous internationally recognized standards for fair trial are respected in capital trials.

### *Emergency Powers and Decrees*

- Repeal Head of NCPO Orders 3/2015; 13/2016 and 23/2017.
- Amend emergency and martial laws to comply with treaty obligations on detention, considering the UN Human Rights Committee's General Comment 35 on the right to liberty.
- Ensure all measures taken to invoke states of emergency and derogate from rights obligations comply with requirements of notification, legality, necessity, and proportionality, and establish an independent oversight mechanism to monitor and report on measures taken.
- Revise the NHRC Act and ensure the body's mandate and operations meet standards set out in the Paris Principles.

### *Torture and Enforced Disappearance*

- Enact legislation criminalising torture and ill-treatment and enforced disappearance that reflects relevant treaty obligations and proceed to ratify OPCAT.
- Promptly, thoroughly, independently, and effectively investigate all allegations of human rights violations and abuses and bring suspected perpetrators to justice in trials in civilian courts which meet international standards of fairness.
- Ensure individuals whose rights have been violated are informed about progress and results of investigations and provided with an effective remedy and reparation including adequate compensation, restitution, satisfaction and guarantees of non-repetition, including by making the truth public about the fate and whereabouts of victims of enforced disappearances.
- Remove any procedural obstacles to the ability of victims of human rights violations and abuses to seek justice and an effective remedy including by amending the Military Procedure Code.
- Impose legal prohibitions upholding the principle of non-refoulement, ensuring that no one is forcibly transferred or returned to a country or territory where they would be at real risk of irreparable harm.

- Take immediate steps to ratify the first Optional Protocol to the ICCPR.

#### *Repression of Dissent*

- Immediately and unconditionally drop all criminal proceedings preferred against people solely for peacefully exercising their human rights including their rights to freedom of expression and assembly.
- Issue guidelines to all state bodies on their duty to protect and fulfil the rights to freedom of expression, peaceful assembly and association, fully taking into account the Human Rights Committee's General Comments 34 on freedom of expression and opinion and 37 on freedom of peaceful assembly, including by ensuring no-one is detained for peacefully expressing their human rights.
- Amend guidelines for policing assemblies to reflect international human rights standards and make them accessible to the public.
- Ensure that any restriction on peaceful expression, assembly, and privacy in law strictly meets requirements of legality, necessity and proportionality and make domestic legislation compliant with its international human rights obligations by amending or repealing the CCA, Public Assembly Act, Cybersecurity Act, laws on contempt of court, and Articles 112, 116, 238 and 326 of the Criminal Code.

#### *Human Rights Defenders*

- Draft and enact legal protection against SLAPP cases.

#### *Refugees*

- Give refugees a legal status and include a definition of refugee in screening procedures that is consistent with international law and allows for individualised assessment procedures and a right of appeal.
- Enforce the prohibition on refoulement in law and practice, ensure that people in need of international protection are not returned to a country where they may be at risk of irreparable harm, and do not transfer anyone to another territory without an assessment of the risk of being returned.
- Institute official disembarkation procedures to ensure individuals arriving by sea are able to seek protection from persecution.
- Amend the Immigration Act to prevent indefinite detention of undocumented refugees and migrants and implement alternatives to detention.

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<sup>1</sup> UN General Assembly, Report of the Human Rights Council on its thirty-third session, UN Doc. A/HRC/33/2, paras. 800-801.

- <sup>2</sup> Report of the Working Group on the Universal Periodic Review: Thailand, UN Doc A/HRC/33/16, Recommendation 158.76 (New Zealand)
- <sup>3</sup> A/HRC/33/16, Recommendations 158.11 (Romania) and 158.12 (Spain)
- <sup>4</sup> A/HRC/33/16, 159.58 (Switzerland); 158.130 (Czech Republic), 158.131 (Guatemala); 158.132 (Japan); 158.133 and 158.134 (Republic of Korea), 158.136 (Chile); 158.137 (France); and 158.142 (Colombia).
- <sup>5</sup> A/HRC/33/16, Recommendation 158.135 (Albania)
- <sup>6</sup> Amnesty International, *Thailand: Ensure New Refugee Regulation Meets International Standards*, 12 November 2019, <https://www.amnesty.or.th/en/latest/news/754/>; Thailand: *Regulation of the Office of the Prime Minister on the Screening of Aliens who Enter into the Kingdom and are Unable to Return to the Country of Origin* B.E. 2562 [Thailand], 25 December 2019, available at <https://www.refworld.org/docid/5e675a774.html>
- <sup>7</sup> A/HRC/33/16, Recommendation 158.49 (Sweden)
- <sup>8</sup> A/HRC/33/16, Recommendations 158.7 (Georgia) (Kazakhstan); 158.8 (Mozambique); 158.9 (Honduras); 158.10 (Austria) (France) (Guatemala) (Montenegro) (Poland) (Portugal) (Turkey) (Uruguay); (Norway); 158.13 (Czech Republic); (Denmark); (Morocco);
- <sup>9</sup> A/HRC/33/16, Recommendation 158.6 (Austria) (Poland).
- <sup>10</sup> A/HRC/33/16, Recommendation 159.64 (Turkey)
- <sup>11</sup> A/HRC/33/16, Recommendations 159.50-57 (Finland, United Kingdom of Great Britain and Northern Ireland, Belgium, Canada, Norway, Spain, Sweden, Latvia), 159.61-63 (Italy, Iceland, Brazil)
- <sup>12</sup> Constitution of the Kingdom of Thailand  
[https://www.constitutionalcourt.or.th/occ\\_en/download/article\\_20170410173022.pdf](https://www.constitutionalcourt.or.th/occ_en/download/article_20170410173022.pdf)
- <sup>13</sup> Amnesty International, *Open letter on human rights concerns in the run-up to the constitutional referendum*, <https://www.amnesty.org/en/documents/asa39/4548/2016/en/>  
Amnesty International, *Sunday's Referendum Takes Place in a 'Chilling Climate of Fear'*, 5 August 2016, <https://www.amnesty.org.uk/press-releases/thailand-sundays-referendum-takes-place-chilling-climate-fear>
- <sup>14</sup> Martial Law, B.E. 2457 (1914), available at <https://library.siam-legal.com/thai-martial-law-be-2457-1914/>
- <sup>15</sup> Internal Security Act, B.E. 2551, (2008), English translation available at [http://thailaws.com/law/t\\_laws/tlaw0342.pdf](http://thailaws.com/law/t_laws/tlaw0342.pdf)
- <sup>16</sup> Emergency Decree on Public Administration in Emergency Situation, B.E. 2548 (2005), unofficial English translation available at <https://www.refworld.org/pdfid/482b005f2.pdf>
- <sup>17</sup> Head of NCPO Order 51/2019, [https://library2.parliament.go.th/giventake/content\\_ncpo/ncpo-head-order51-2560.pdf](https://library2.parliament.go.th/giventake/content_ncpo/ncpo-head-order51-2560.pdf)
- <sup>18</sup> Head of NCPO Order 3/2015, <https://voicefromthais.files.wordpress.com/2015/04/order-number-3-2558-3-2015-of-the-head-of-the-ncpo-on-maintaining-public-order-and-national-security.pdf>
- <sup>19</sup> NCPO Order 23/2015, Measures addressing efficient enforcement of the Act on Drug Prevention and Suppression 2519 <https://crcfthailand.org/2015/07/26/unofficial-translation-the-order-of-the-head-of-the-national-council-for-peace-and-order-ncpo-no-232015-enhancement-of-the-enforcement-of-the-narcotic-prevention-and-suppression-act-b-e-2519/>
- <sup>20</sup> Act on Organization to Assign Radio Frequency and to Regulate the Broadcasting and Telecommunications Services B.E. 2553, amended 2017
- <sup>21</sup> The United Nations Paris Principles, <https://nhri.ohchr.org/EN/AboutUs/Pages/ParisPrinciples.aspx>
- <sup>22</sup> These include provisions on sedition and lèse-majesté (Articles 112 and 116), criminal defamation (Articles 326 & 328), contempt of court (Section 198), in addition to Sections 30 and 31 of the Code of Civil Procedure, and the Organic Law Governing Constitutional Court, as well as the 2016 Computer Crimes Act (CCA).
- <sup>23</sup> National Intelligence Act B.E. 2562 (2019), English translation available at <https://www.nia.go.th/FILEROOM/CABFRM01/DRAWER01/GENERAL/DATA0041/00041619.PDF>
- <sup>24</sup> Cybersecurity Act, 2019, available at <https://thainetizen.org/wp-content/uploads/2019/11/thailand-cybersecurity-act-2019-en.pdf>
- <sup>25</sup> In particular, officials from the Ministry of Digital Economy and Society (MDES), National Cybersecurity Committee (NSC) and National Intelligence Coordinating Committee.
- <sup>26</sup> Text of draft bill available at [http://web.senate.go.th/bill/bk\\_data/533-6.pdf](http://web.senate.go.th/bill/bk_data/533-6.pdf)
- <sup>27</sup> [http://web.senate.go.th/bill/bk\\_data/535-6.pdf](http://web.senate.go.th/bill/bk_data/535-6.pdf)
- <sup>28</sup> Formed following Prime Minister's Office Order No. 131/ (2017) dated 23 May 2017 and No. 338/2562 (2019) dated 15 November 2019
- <sup>29</sup> Under the Military Procedure Act B.E. 2498, only state prosecutors can be the plaintiff in a case filed against a military official, any damaged party has to allow the state prosecutor to be the sole plaintiff of their case and no other parties are allowed to be co-plaintiffs.

- <sup>30</sup> 2019 Regulations of the Chief Justice on “Reporting on Exclusive Policy Driven court file” authorize the Supreme Court to review and report on lower court cases, including draft verdicts to the Regional Chief Justice.
- <sup>31</sup> Cross Cultural Foundation of Thailand, *Return Justice, End Judicial Intervention and Ensure Independence of the Judiciary - case of Judge Khanakorn Pianchana’s suicide*, 26 April 2020, [www.crcfthailand.org/2020/04/25/](http://www.crcfthailand.org/2020/04/25/). See further concerns on evidence gathered during detention under emergency laws in International Commission of Jurists, *Legal Memorandum: Hearsay Evidence And International Fair Trial Standards*, <https://www.icj.org/wp-content/uploads/2012/08/Thailand-hearsay-evidence-legal-submission-2008-eng.pdf>
- <sup>32</sup> Amnesty International, *Country’s first Execution Since 2009 a Deplorable Move*, 19 June 2018, <https://www.amnesty.org/en/latest/news/2018/06/thailand-countrys-first-execution-since-2009-a-deplorable-move/>
- <sup>33</sup> Amnesty International, *‘Make Him Speak by Tomorrow’: Torture and Ill-treatment in Thailand*, (Index: ASA 39/4747/2016) , *Amnesty International Thailand: Submission to the Committee against Torture 63<sup>rd</sup> Session, 23 April- 18 May 2018, List of Issues Prior to Reporting* , submission <https://www.amnesty.org/download/Documents/ASA3978492018ENGLISH.PDF>
- <sup>34</sup> Amnesty International, *“We Were Just Toys to Them”: Physical, Mental and Sexual Abuse of Conscripts in Thailand’s Military*, (Index: ASA 39/1995/2020), 20 March 2020, <https://www.amnesty.org/en/documents/asa39/1995/2020/en/>
- <sup>35</sup> Human Rights Watch, *Army Conscript Beaten to Death*, 4 April 2017, [www.hrw.org/news/2017/04/05/thailand-army-conscript-beaten-death](http://www.hrw.org/news/2017/04/05/thailand-army-conscript-beaten-death)
- <sup>36</sup> Amnesty International, *Investigate Violent Attacks On Activists And Protect Rights To Freedom Of Expression And Peaceful Assembly*, (Index: ASA 39/0634/2019), <https://www.amnesty.org/en/documents/asa39/0634/2019/en/>
- <sup>37</sup> Amnesty International, *Cambodia: Fears of Abduction for Activist in Exile* (Index: ASA 23/2517/2020), 2 July 2019, <https://www.amnesty.org/en/documents/asa23/2517/2020/en/>
- <sup>38</sup> Human Rights Watch, *To Speak Out is Dangerous: Criminalization of Peaceful Expression in Thailand*, 24 October 2019, <https://www.hrw.org/report/2019/10/24/speak-out-dangerous/criminalization-peaceful-expression-thailand>
- <sup>39</sup> Working Group on Arbitrary Detention *Opinion No. 56/2017 concerning Thiansutham Suthijitseranee*, UN Doc. A/HRC/WGAD/2017/56, [https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session79/A\\_HRC\\_WGAD\\_2017\\_56.pdf](https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session79/A_HRC_WGAD_2017_56.pdf) And *Opinion 4/201 concerning Siraphop Kornaroot*, UN Doc. A/HRC/WGAD/2019/4, 30 May 2019, [https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session84/A\\_HRC\\_WGAD\\_2019\\_4.pdf](https://www.ohchr.org/Documents/Issues/Detention/Opinions/Session84/A_HRC_WGAD_2019_4.pdf)
- <sup>40</sup> Amnesty International, *Authorities Must Reverse Dissolution of Opposition Future Forward Party*, 21 February 2020; <https://www.amnesty.org/en/latest/news/2020/02/thailand-authorities-must-reverse-dissolution-of-opposition-future-forward-party/>
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- <sup>41</sup> Amnesty International, *Water Cannons Deeply Alarming Escalation*, 17 October 2020, <https://www.amnesty.org/en/latest/news/2020/10/thailand-water-cannons-deeply-alarming-escalation/>
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- <sup>42</sup> Amnesty International, *Further Information: Thailand: Student activist’s fifth bail request denied: Jatupat Boonpattaraksa*, (Index: ASA 39/5586/2017), 27 January 2018, <https://www.amnesty.org/en/latest/news/2021/03/thailand-release-deescalate-protest-grows/>
- <sup>43</sup> Bangkok Post, *Student activists, reporter acquitted in referendum case*, 29 January 2018, <https://www.bangkokpost.com/thailand/politics/1403982/student-activists-reporter-acquitted-in-referendum-case>
- <sup>44</sup> Officials refused to allow a youth activist facing charges for peaceful assembly to serve as Amnesty International’s board member, on the basis of his “demeanour” which they stated was deemed “contrary to the objective of the association and demonstrates a negative role model for the youth.. or “inappropriate” and may “undermine public order and national security.” CIVICUS, *Freedom of association in Thailand: an assessment of the enabling environment for civil society*, October 2020, p. 15, [https://www.civicus.org/documents/reports-and-publications/eena-reports/thailand-CIVICUS-FOA-assessment\\_en.pdf](https://www.civicus.org/documents/reports-and-publications/eena-reports/thailand-CIVICUS-FOA-assessment_en.pdf)
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- <sup>47</sup> ILO Governing Body, *388th Report of the Committee on Freedom of Association*, March 2019, pp. 62-8 on the Railway Trade Union of Thailand, [https://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_679796.pdf](https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_679796.pdf),
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