



THAILAND

# BASELINE ASSESSMENT OF R2P IMPLEMENTATION



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Responsibility to Protect

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The following Baseline Assessment Annex provides an overview of Thailand's efforts in implementing R2P as of 2019. For a full description of the methodology used in this study, see Part II of 'Implementing the Responsibility to Protect in the Asia Pacific: An Assessment of Progress and Challenges', available [here](#).

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Thailand performs strongest in relation to diplomatic initiatives to support R2P. It has provided statements at every Informal Interactive Dialogue on R2P since 2013, and has participated in numerous national and regional atrocity prevention events (e.g. the first regional public seminar on the High Level Advisory Panel's report, Mainstreaming the Responsibility to Protect, was held in Bangkok in October, 2014).

It has voted in support of all General Assembly resolutions that reference R2P and is a supporter of both the 'Code of Conduct regarding Security Council action against genocide, crimes against humanity or war crimes' and the 'French/Mexican initiative on Veto restraint in case of Mass atrocities'. Thailand has contributed to United Nations peacekeeping operations since 1991, making minor contributions to several mission with an explicit protection of civilians mandate. Despite its physically small peacekeeping contributions Thailand is amongst the top five global contributors in terms of proportions of women for police peacekeepers and has undertaken training exercises that focus on the protection of vulnerable groups and adherence to international law.

On the domestic front, though, Thailand confronts many challenges. Many of Thailand's indicators have moved in the wrong direction since the 2014 coup but remain quite favourable by regional standards. Thailand's civil society is vibrant though since the coup the degree of freedom of speech and expression has shrunk. Its education system is quite inclusive and has a relatively high level of gender parity. It performs weakest in terms of a lack of civilian oversight of the security sector, which has displayed a remarkable resistance to losing its structural and organisational power.

In November 2015, Thailand's Human Rights body – National Human Rights Commission of Thailand (NHRCT) – was downgraded from 'A' accreditation to 'B' by the Global Alliance of National Human Rights Institutions. Whilst there is solid support for the elimination of discrimination against women, migrant workers and some ethnic minorities still face various forms of discrimination. The State has ratified seven and signed two of the twelve core covenants deemed most relevant to R2P. It has signed but not ratified the Arms Trade Treaty and Rome Statute, but is yet to endorse the Refugee Convention, Geneva Protocol I or the Genocide Convention.

Whilst it is not a signatory to the Rome Statute, it has some legislative mechanisms to prosecute nationals for committing atrocity crimes abroad.

# THAILAND

Assessment	Indicator
<b>Very Strong</b>	Contribute to United Nations peacekeeping operations (especially those with a protection of civilians mandate)
	Support the Kigali Principles
	Support UN Security Council veto restraint on issues relating to atrocity prevention
<b>Strong</b>	Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council
	Ensure equal access to justice
	Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence
	Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness
	Participate in international, regional and national discussions on the further advancement of R2P
<b>Fair</b>	Protection of populations from atrocity crimes
	Reduction of atrocity crime risks
	Sign, ratify and implement relevant instruments of international law
	Establish and maintain National Human Rights Institutions in accordance with the Paris Principles
	Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination
	Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations
	Take measures to counter and prevent violent extremism
	Cultivate and protect an active, diverse and robust civil society
	Prevent nationals committing atrocity crimes overseas
	Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect
	Support the development and work of regional human rights and other preventive capacities
	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P
	Support the strengthening of the UN's capacity for atrocity prevention, including through the UN Human Rights system
	Support preventive actions on atrocity crimes
	Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping
<b>Weak</b>	Dealing with past atrocities
	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law
	Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such as good offices and preventive diplomacy

	Strengthen regional and international networks for atrocity crime prevention
	Strengthen the role and capacity of regional organisations
<b>Very Weak</b>	Appoint national R2P Focal Point
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships
	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect
	Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court
	Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity
	Conduct a national assessment of risk and resilience
	Ensure a legitimate, effective and civilian controlled security sector
	Support atrocity prevention through development and assistance partnerships

### Thailand Score: 43

Thailand is broadly supportive of R2P and has participated in every Informal Interactive Dialogue on R2P since 2013, supported all relevant General Assembly resolutions and has co-hosted and participated in numerous domestic and regional events on atrocity prevention. However, domestic protections against atrocity crimes are compromised in some respects, and a series of coups has caused protracted instability in addition to the challenges caused by the ongoing Pattani insurgency in the country's south.

Thematic Area	Indicator	Assessment	Notes
Basic Compliance	Protection of populations from atrocity crimes.	Fair	Among one of the first nations to sign the UN's Universal Declaration of Human Rights, Thailand has supported much of the work the UN has done in furthering R2P. However, in its domestic context Thailand's successive military-backed governments have committed atrocity crimes against the population or developed a context in which they can occur. Numerous human rights organisations and the UN have documented these. <sup>1</sup>
	Reduction of atrocity crime risks.	Fair	While there have been some steps to alleviate the causes of atrocity crimes in Thailand, particularly at the diplomatic level, problems remain with domestic implementation. The continuation of a military-backed government with a new constitution (see later Indicator), the ongoing insurgency in the south, <sup>2</sup> and an ongoing culture of impunity in the ruling class (see Indicator below) all account for little reduction in atrocity crime risks.
	Dealing with past atrocities.	Weak	An examination of how past atrocities are dealt with in Thailand point to a culture of impunity that resides within the political and social elites of the country. Treatment of state authorities involved in the 1976 Thammasat University massacre, <sup>3</sup> extrajudicial killings during a war on drugs in 2003, <sup>4</sup> and the non-transparent investigation into violence against 'Red Shirt' protesters in 2010 <sup>5</sup> are all examples of impunity regarding potential atrocity crimes. Unless these are addressed and a measure of justice and reconciliation introduced, impunity will continue to allow the perpetrators of abuses and crimes to go unpunished. This increases the risk of atrocity crimes occurring again.
Policy Mechanisms	Appoint national R2P Focal Point.	Very Weak	Thailand has no R2P Focal Point. <sup>6</sup>
	Incorporate atrocity crime risks and dynamics into conflict analysis and/or development partnerships.	Very Weak	There is no evidence to suggest Thailand has incorporated atrocity crime risks and dynamics into conflict analysis.
	Establish domestic mechanisms to hold the government accountable for upholding its responsibility to protect.	Very Weak	The current constitution written by the ruling military authorities in Thailand contains no

<sup>1</sup> For example: Human Rights Watch (HRW), 2019. *Thailand*, <https://www.hrw.org/thailand>; Amnesty International, 2019. *Thailand 2017/2018*, <https://www.amnesty.org/en/countries/asia-and-the-pacific/thailand/report-thailand/>; United Nations, Commission on Human Rights, Promotion and Protection of Human Rights: Human Rights Defenders, 12 March 2004, E/CN.4/2004/94/Add.1.

<sup>2</sup> Consortium of Non-Traditional Security Studies in Asia, 2009. *The Responsibility to Protect in Southeast Asia: Issues and Challenges*, p. 5, <http://www3.ntu.edu.sg/rsis/nts/resources/nts-alert/NTS%20Alert%20April%202009.pdf>.

<sup>3</sup> Prachatai, 2016. *Culture of impunity and the Thai ruling class: Interview with Puangthong Pawakapan*, <https://prachatai.com/english/node/6612>; Cochrane, Liam. 2016. 'Survivors of Thailand's 1976 student massacre shine light on nation's 'shadow history''. *ABC News*, 6 October. Available at: <https://www.abc.net.au/news/2016-10-06/survivors-of-1976-student-massacre-shine-light-shadow-history/7907202>.

<sup>4</sup> Fenn, Mark, 2015. 'Thailand's Culture of Impunity'. *The Diplomat*, 22 January. Available at: <https://thediplomat.com/2015/01/thailands-culture-of-impunity/>.

<sup>5</sup> Amsterdam & Peroff LLP, 2016. *The Bangkok Massacres: A Call for Accountability*, <http://www.amsterdamandpartners.com/wp-content/uploads/2016/03/34676324-The-Bangkok-Massacres-A-Call-for-Accountability.pdf>.

<sup>6</sup> Global Centre for the Responsibility to Protect (GCR2P), 2018. *Members of the Global Network of R2P Focal Points*, [http://www.global2p.org/media/files/regional-breakdown\\_global-network-of-r2p-focal-points-2.pdf](http://www.global2p.org/media/files/regional-breakdown_global-network-of-r2p-focal-points-2.pdf).

			provisions for the government to be held accountable for their responsibility to protect. <sup>7</sup>
International Human Rights Obligations	Sign, ratify and implement relevant instruments of international law.	Fair	<p>Thailand has ratified seven and signed another two of the twelve international human rights laws (IHRL) most relevant to R2P.<sup>8</sup> These are:</p> <ul style="list-style-type: none"> <li>• <b>Geneva Conventions</b> (Ratification/Accession: 1954)</li> <li>• <b>International Covenant on Civil and Political Rights [ICCPR]</b> (Ratification/Accession: 1996)</li> <li>• <b>International Covenant on Economic, Social and Cultural Rights [ICESCR]</b> (Ratification/Accession: 1999)</li> <li>• <b>Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment [CAT]</b> (Ratification/Accession: 2007)</li> <li>• <b>Convention on the Elimination of All Forms of Discrimination Against Women [CEDAW]</b> (Ratification/Accession: 1985)</li> <li>• <b>Convention on Elimination of All Forms of Racial Discrimination [CERD]</b> (Ratification/Accession: 2003)</li> <li>• <b>Convention on the Rights of the Child [CRC]</b> (Ratification/Accession: 1992)</li> </ul> <p>Thailand has signed the <i>Arms Trade Treaty</i> [ATT] and the <i>Rome Statute of the International Criminal Court</i>, but has not ratified either treaty.</p> <p>For some of the treaties it has signed, Thailand has raised various reservations.</p> <p>It has neither signed nor ratified the following instruments:</p> <ul style="list-style-type: none"> <li>• <b>1951 Refugee Convention</b> and the <b>1967 Protocol</b></li> <li>• <b>Geneva Protocol I</b> and,</li> <li>• <b>Convention on the Prevention and Punishment of Genocide</b></li> </ul>
	Sign and ratify the Rome Statute of the International Criminal Court and cooperate fully with the Court.	Very Weak	Thailand has not fully ratified the <i>Rome Statute</i> and is not a member of the ICC. <sup>9</sup>
	Establish and maintain National Human Rights Institutions in accordance with the Paris Principles.	Fair	Thailand has a human rights body – the National Human Rights Commission of Thailand (NHRCT) – with the mission to protect human rights and

<sup>7</sup> For example, see HRW, 2017. *Thailand: Events of 2017*, <https://www.hrw.org/world-report/2018/country-chapters/thailand#>.

<sup>8</sup> United Nations Human Rights Office of the High Commissioner (UNOHCHR), n.d. *View the ratification status by country or by treaty*, [http://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/Treaty.aspx](http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx); United Nations Treaty Collection (UNTC), 2019. *1. Convention on the Prevention and Punishment of the Crime of Genocide*, [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtsg\\_no=IV-1&chapter=4&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtsg_no=IV-1&chapter=4&clang=en); UNTC, 2019. *8. Arms Trade Treaty*, [https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtsg\\_no=XXVI-8&chapter=26&clang=en](https://treaties.un.org/pages/ViewDetails.aspx?src=TREATY&mtsg_no=XXVI-8&chapter=26&clang=en); United Nations High Commissioner for Refugees (UNHCR), 2015. *States Parties to the 1951 Convention relating to the Status of Refugees and the 1967 Protocol*, <https://www.unhcr.org/protect/PROTECTION/3b73b0d63.pdf>; International Committee of the Red Cross (ICRC), n.d. *Treaties, States Parties and Commentaries: Thailand*, [https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountrySelected.xsp?xp\\_countrySelected=TH](https://ihl-databases.icrc.org/applic/ihl/ihl.nsf/vwTreatiesByCountrySelected.xsp?xp_countrySelected=TH); International Criminal Court, n.d. *The States Parties to the Rome Statute*, [https://asp.icc-cpi.int/en\\_menus/asp/states%20parties/Pages/the%20states%20parties%20to%20the%20rome%20statute.aspx#T](https://asp.icc-cpi.int/en_menus/asp/states%20parties/Pages/the%20states%20parties%20to%20the%20rome%20statute.aspx#T).

<sup>9</sup> Coalition for the International Criminal Court, n.d. *Thailand*, <http://www.coalitionfortheicc.org/country/thailand>.

produce an annual country report.<sup>10</sup> In November, 2015, the institute was downgraded from 'A' accreditation to 'B'.<sup>11</sup> The State also has an Office of the Ombudsman which is an independent agency empowered to consider and investigate complaints filed by any citizen.

Ensure domestic promotion and protection of human rights, focusing on the elimination of discrimination.

Fair

Thailand is a constitutional monarchy, with the king serving as head of state. In a 2014 bloodless coup, military and police leaders – taking the name National Council for Peace and Order (NCPO) – overthrew the civilian government. The interim constitution, promulgated by the NCPO in 2014, and emergency decrees ostensibly granted immunity to coup leaders and their subordinates, regardless of the legality of their actions. The NCPO has since overseen the development of a new constitution, which voters approved of in a national referendum in August 2016. However, since the referendum further changes have been made by the new king, Maha Vajiralongkorn, who succeeded to the throne after the death of his father, King Bhumibol, in October 2016.<sup>12</sup>

Chapter III, Section 27, of the most recent constitution on the 'Rights and Liberties of the People' prohibits "unjust discrimination" against a person based on race, language, sex, disability, physical or health condition, personal status, economic and social standing, religious belief, education, or political views.<sup>13</sup> Similarly, numerous domestic laws are designed to safeguard citizens basic rights. However, in practice numerous human rights issues remain.

Women generally enjoy the same legal status and rights as men. Nonetheless, women sometimes experienced discrimination. In 2015 the government passed the *Gender Equality Act*, imposing a maximum jail term of six months or a maximum fine of 20,000 baht (\$560), or both, for anyone committing gender discrimination. Regardless, domestic violence against women remains a significant problem.<sup>14</sup> No specific law prohibits female genital mutilation/cutting, which occurs in the Muslim-majority south, with no reports of the government preventing or addressing the practice.<sup>15</sup> During its 2<sup>nd</sup> UPR in 2016, Thailand responded to numerous recommendations designed to further eliminate discrimination against women.<sup>16</sup>

<sup>10</sup> National Human Rights Commission of Thailand (NHRCT), 2015. *About Us: Mandates*, <http://www.nhrc.or.th/AboutUs/The-Commission/Mandates.aspx>.

<sup>11</sup> Global Alliance of National Human Rights Institutions (GANHRI), 2017. *Chart of the Status of National Institutions*, <https://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart%20.pdf>.

<sup>12</sup> Head, Jonathan, 2017. 'Thailand's constitution: New era, new uncertainties'. *BBC News*, 7 April. Available at: <http://www.bbc.com/news/world-asia-39499485>.

<sup>13</sup> The Kingdom of Thailand, Office of the Council of State. *Constitution of The Kingdom of Thailand 2017 (Unofficial Translation)*, Chapter III, Section 27. Bangkok, 2017.

<sup>14</sup> Fernquest, Jon, 2017. 'Violence against women in Thailand, a survey'. *The Bangkok Post*, 14 February. Available at: <https://www.bangkokpost.com/learning/advanced/1198332/violence-against-women-in-thailand-a-survey>.

<sup>15</sup> U.S Department of State, 2016. *Thailand 2016 Human Rights Report*, p. 38, <https://www.state.gov/documents/organization/265588.pdf>.

<sup>16</sup> For example, see recommendations from Spain ('A – 158.66') and Bangladesh ('A – 158.69') in UPR Info, 2016. *2RP: Responses to Recommendations & Voluntary Pledges, Thailand*, p. 5.



Thailand is not a signatory to the *International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families* [CMW], although it has vowed to ‘study the possibility’ of becoming a party to the convention.<sup>17</sup> Although many of the treaty’s overall labour standards overlap with the International Labour Organization Conventions (which Thailand is a party to), there are specific issues regarding the status of migrant workers in Thailand.<sup>18</sup>

The interim constitution and the 2016 constitution provide for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally respected these rights, with some exceptions. Media reports, Human Rights Watch, and other sources alleged government officials took bribes from and colluded with human smugglers and traffickers who detained Rohingya on islands and other locations in the south. In 2015, authorities confined approximately 870 Rohingya and Bangladeshi persons who arrived in the country irregularly by boat to displacement camps.<sup>19</sup> In May 2017, over 1000 illegal workers were forced to return to Cambodia and in 2016 there were reports that Thai soldiers shot dead two, and injured seven, Cambodian citizens who illegally crossed the border.<sup>20</sup>

Ethnic minorities and indigenous peoples in Thailand face various forms of discrimination. Former Chinese civil war belligerents and their descendants have lived in the country for decades, whilst and children of Vietnamese immigrants reside in 13 north-eastern provinces; all live under laws and regulations restricting their movement, residence, education, and access to employment.<sup>21</sup>

Participate in international peer review processes, including the Universal Periodic Review (UPR) of the UN Human Rights Council.

Strong

Thailand has participated in a number of peer review processes. Thailand undertook its first UPR in 2011. It accepted 134 recommendations, rejected 49 and announced eight voluntary pledges.<sup>22</sup> Thailand submitted its 2<sup>nd</sup> UPR report to the Human Rights Committee in 2016. It accepted 187 of 249 recommendations immediately, and noted 62, making a number of pledges to work towards

<sup>17</sup> UPR Info, 2016. *2RP: Responses to Recommendations & Voluntary Pledges: Thailand*, [https://www.upr-info.org/sites/default/files/document/thailand/session\\_25\\_-\\_may\\_2016/recommendations\\_and\\_pledges\\_thailand\\_2016.pdf](https://www.upr-info.org/sites/default/files/document/thailand/session_25_-_may_2016/recommendations_and_pledges_thailand_2016.pdf).

<sup>18</sup> HRW, 2010. *From the Tiger to the Crocodile: Abuse of Migrant Workers in Thailand*, <https://www.hrw.org/report/2010/02/23/tiger-crocodile/abuse-migrant-workers-thailand>.

<sup>19</sup> U.S Department of State, 2016. Thailand 2016 Human Rights Report, p. 31.

<sup>20</sup> Mekong Migration Network (MMN), 2017. *New work permit rules make for an uncertain May Day for migrant workers*, <http://www.mekongmigration.org/?cat=19&paged=4>.

<sup>21</sup> U.S Department of State 2016. *Thailand 2016 Human Rights Report*, p. 45.

<sup>22</sup> United Nations, HRC, National report submitted in accordance with paragraph 5 of the annex to Human Rights Council resolution 16/21, 12 February 2016, A/HRC/WG.6/25/THA/1; UPR Info, 2012. *Recommendations & Pledges: Thailand*, [https://www.upr-info.org/sites/default/files/document/thailand/session\\_12 october\\_2011/recommendations\\_to\\_thailand\\_2012.p df](https://www.upr-info.org/sites/default/files/document/thailand/session_12_october_2011/recommendations_to_thailand_2012.p df).

		revising legislations to be in line with its international human rights obligations. <sup>23</sup>
		Thailand has currently three periodic reports overdue for various Conventions (CAT, CERD, CRC), which are overdue by less than five years. <sup>24</sup>
Cooperate fully with UN Human Rights mandate holders and those of relevant regional organisations.	Fair	Thailand has held an open invitation to UN Special Procedure mandate holders since 4 November 2011. <sup>25</sup>
		There are 20 visits from UN Special Procedure mandate holders still pending and awaiting fulfilment. <sup>26</sup>
Ensure equal access to justice.	Strong	Both the interim constitution (2014) and the recently amended constitution (2017) provide for an independent judiciary. <sup>27</sup> Part VI, Section 68, also provides for free legal aid to indigent or underprivileged persons to access the justice process, including providing a lawyer. <sup>28</sup> However, the legal aid provided by the government has been criticized as intermittent and of low quality. <sup>29</sup>
		The NCPO have issued orders that have prohibited members of the judiciary from making any negative public comments about the NCPO. <sup>30</sup>
		While taking note of <i>Order 55/2016</i> , which transfers jurisdiction for offences committed by civilians on and after 12 September 2016 from military to civilian courts, the Human Rights Committee has raised concerned about the hundreds of ongoing cases and arrest warrants against civilians that remain to be adjudicated before the military jurisdiction. <sup>31</sup>
Criminalise incitement to commit genocide, war crimes, ethnic cleansing and crimes against humanity.	Very Weak	No domestic laws specifically criminalise genocide, ethnic cleansing or crimes against humanity.
		As mentioned, earlier, Thailand is not a party to the <i>Convention on the Prevention and Punishment of the Crime of Genocide</i> or a member of the ICC.
Take measures to counter and prevent violent extremism.	Fair	Thailand has requested UN assistance to draft legislation which implements Resolution 1540, aiming to prevent non-state actors from acquiring nuclear, biological and chemical weapons, and their means of delivery.
		On a regional level, Thailand supports the Treaty on Southeast Asia Nuclear Weapon Free Zone and

<sup>23</sup> UPR Info, 2016. *2RP: Responses to Recommendations & Voluntary Pledges: Thailand*; United Nations, HRC, A/HRC/33/16/Add.1.

<sup>24</sup> UNOHCHR, n.d. *Late and non-reporting States*, [https://tbinternet.ohchr.org/\\_layouts/TreatyBodyExternal/LateReporting.aspx](https://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/LateReporting.aspx).

<sup>25</sup> UNOHCHR, n.d. *Standing Invitations*, [https://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/StandingInvitations.aspx](https://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/StandingInvitations.aspx).

<sup>26</sup> UNOHCHR, n.d. *View Country visits of Special Procedures of the Human Rights Council since 1998*, [https://spinternet.ohchr.org/\\_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=THA](https://spinternet.ohchr.org/_Layouts/SpecialProceduresInternet/ViewCountryVisits.aspx?Lang=en&country=THA).

<sup>27</sup> Chapter III, Section 27, states that "All persons are equal before the law, and shall have rights and liberties and be protected equally under the law", in The Kingdom of Thailand, Office of the Council of State, *Constitution of The Kingdom of Thailand 2017 (Unofficial Translation)*, Chapter III, Section 27.

<sup>28</sup> Ibid., Section 196. Also supported by the *Justice Fund Act of 2015*.

<sup>29</sup> U.S Department of State, 2016. *Thailand 2016 Human Rights Report*, p. 14.

<sup>30</sup> Ibid., p. 11.

<sup>31</sup> United Nations, International Covenant on Civil and Political Rights (CCPR) HRC, Concluding observations on the second periodic report of Thailand, 25 April 2017, CCPR/C/THA/CO/2, para. 31.

has submitted a counter terrorism action plan to the Asia-Pacific Economic Cooperation (APEC) forum in 2013.<sup>32</sup>

In 2016, Thailand hosted a Roundtable Discussion on Regional Cooperation to Counter Terrorism and Terrorism with officials from Bangladesh, Indonesia, Malaysia, and The Philippines, to improve criminal justice cooperation and counter transnational terrorism.<sup>33</sup>

The government enacted the *Anti-Terrorist Financing Act* in 2013. Other provisions in the *Penal Code* have also been legislated to counter terrorism. However, these are far ranging and go well beyond merely criminalising violent extremism.<sup>34</sup>

Enact and implement laws protecting vulnerable groups, particularly in relation to sexual and gender-based violence.

Strong

The constitution states that “All persons are equal before the law” and, “Men and women shall enjoy equal rights,” but this does not always translate into practice.

As noted, Thailand has signed and ratified CEDAW. Whilst it initially had seven reservations to the Convention, over time it has withdrawn six of these, the remaining reservation being Article 29(1) which flags its unwillingness to use the International Court of Justice (ICJ).<sup>35</sup> In response to its CEDAW obligations, Thailand has introduced a number of constitutional and legislative reforms to protect women from gender-based violence. Most recently, the *Ministry of Social Development and Human Security* has promulgated the 2015 *Gender Equality Act*<sup>36</sup> as well as made amendments to relevant laws, such as Section 277 of the *Criminal Code* (regarding rape) and Sections 246 and 247 (regarding the prohibition of execution of pregnant prisoners).<sup>37</sup> The *Act* also covers gender expression, and thus includes protection for LGBTIQ persons. The *Act* established the Gender Equality Promotion Committee, tasked with promoting gender equality through governmental policies.<sup>38</sup> The *Act* also provides compensation for victims of gender-based discrimination. However, reports indicate that there has been a low level of practical utilization of the *Act* in the two years since its introduction.<sup>39</sup>

<sup>32</sup> Asia-Pacific Economic Cooperation (APEC), 2013. *Counter-Terrorism Action Plan – Thailand*, [http://www.apec.org/~media/Files/Groups/CTAPs/2013/2013\\_cttf1\\_017\\_Thailand.pdf](http://www.apec.org/~media/Files/Groups/CTAPs/2013/2013_cttf1_017_Thailand.pdf).

<sup>33</sup> United Nations Office on Drugs and Crime (UNODC), 2016. *Southeast Asia counter-terrorism officials meet to discuss improvements to regional cooperation*, <https://www.unodc.org/southeastasiaandpacific/en/2016/11/counter-terrorism-roundtable/story.html>.

<sup>34</sup> Jayangakula, Kittti. “Thailand and Terrorism: Is Thailand’s Law on Terrorism an Ambiguous Prosecutorial Tool that can Combat International Terrorist Activities?” In *DILA International Conference: ‘Role of International Law in Promoting Cooperation and Resolving Conflict in Asia’*, NUS Faculty of Law Bukit Timah Campus, Singapore, 8 June, 2012. Thanyaburi: East Asian University, 2012, p. 4, <https://ssrn.com/abstract=2131663>.

<sup>35</sup> See: UPR Info, 2016. *2RP: Responses to Recommendations & Voluntary Pledges: Thailand*.

<sup>36</sup> HRW, 2015. *Thailand Gender Equality Act B.E. 2558 (2015)*, <https://www.hrw.org/news/2015/09/21/thailand-gender-equality-act>.

<sup>37</sup> See: United Nations, HRC, A/HRC/33/16/Add.1, para. 10.

<sup>38</sup> HRW, 2015. *Thailand Gender Equality Act B.E. 2558 (2015)*.

<sup>39</sup> Muna-McQuay, Lazeena, 2017, ‘Gender law ignored as inequality persists’. *The Bangkok Post*, 9 May. Available at: <https://www.pressreader.com/thailand/bangkok-post/20170309/281775628954785>.

			Other legislative measures designed to protect the rights of women include the 2007 <i>Domestic Violence Act</i> and Amendment to Article 397 of the <i>Penal Code</i> regarding punishment for sexual harassment and/or intimidation in public, the workplace, and in the domestic realm.
	Protect individuals and groups fleeing atrocity crimes and their risk, in accordance with International Refugee Law.	Weak	Regardless, the <i>Domestic Violence Act</i> has been criticized for being too soft and focusing on settlement and family conciliation. <sup>40</sup> As already noted, Thailand has not ratified the <i>1951 Refugee Convention</i> and its <i>1967 Protocol</i> . This has left a gap in the protection of those fleeing violence and persecution. Since 2015, Thailand has deemed fleeing Rohingya refugees as illegal immigrants and has had them detained or sent back to Myanmar, despite some rhetoric and intentions at accommodating them. <sup>41</sup> Further deportations of Chinese Uighurs and Turkish dissidents seeking asylum have further undermined Thailand's commitments to R2P. <sup>42</sup>
Domestic Implementation	Conduct a national assessment of risk and resilience.	Very Weak	Thailand has not undertaken a national assessment using the analysis framework on the prevention of genocide.
	Cultivate and protect an active, diverse and robust civil society.	Fair	The 1997 Constitution paved the way for a more robust civil society, sparking a growth in social movements. Some of these groups focused on wider socio-economic concerns, while others were more project specific (e.g. hydro-power generation, gas pipelines, waste treatment). <sup>43</sup> Driven largely by civil society organisations, a <i>Right to Information Act</i> was also brought into force in 1997. <sup>44</sup>  Whilst the 2016 Constitution and numerous auxiliary laws provide for freedom of association, assembly and speech, <sup>45</sup> since the 2014 coup the degree of freedom of speech and expression has shrunk drastically. The NCPO have enforced limits on free speech using a variety of regulations and criminal provisions, including shutting down media

<sup>40</sup> United Nations, CCPR, HRC, CCPR/C/THA/CO/2, para. 14.

<sup>41</sup> Ganjanakhundee, Supalak, 2018. 'Thailand's refusal to recognise Rohingya as refugees leaves them in illegal limbo'. *The Nation*, 5 March. Available at: <http://www.nationmultimedia.com/detail/asean-plus/30340157>; cf. Sattar, Maher, 2017. 'Rohingya camps in Bangladesh and Thailand, worlds apart'. *Al Jazeera*, 29 January. Available at: <https://www.aljazeera.com/blogs/asia/2017/01/rohingya-camps-bangladesh-thailand-worlds-170127113046730.html>; Lefevre, Amy Sawitta and Aukkarapon Niyomyat, 2017. 'Thailand 'preparing to receive' those fleeing Myanmar violence'. *Reuters*, 29 August. Available at: <https://www.reuters.com/article/us-myanmar-rohingya-thailand/thailand-preparing-to-receive-those-fleeing-myanmar-violence-idUSKCN1B9I64>.

<sup>42</sup> Gaughran, Audrey. 2017. 'Rohingya Fleeing Myanmar Face Difficulties in Thailand'. *The Diplomat*, 29 September. Available at: <https://thediplomat.com/2017/09/rohingya-fleeing-myanmar-face-difficulties-in-thailand/>.

<sup>43</sup> Cf. Nesarurai, Helen E. S. 2010. *ADB Working Paper Series on Regional Economic Integration: Labor and Grassroots Civic Interests in Regional Institutions*, <https://www.adb.org/sites/default/files/publication/28545/wp63-nesadurai-labor-and-grassroots.pdf>; Foran, Tira and Manorum, Kanokwan. 2009. "Pak Mun Dam: Perpetually contested?" in F. Molle, T. Foran and M. Käkönen, eds. *Contested Waterscapes in the Mekong Region: Hydropower, Livelihoods and Governance*. London, UK: Earthscan: pp. 55-80.

<sup>44</sup> Trapnell, S. E. ed., 2014. *Right to Information: Case Studies on Implementation: Thailand*. World Bank Group, p. 482; Also: Article 19, 2015. *The Right to Information in Thailand*, <https://www.article19.org/resources/the-right-to-information-in-thailand/>.

<sup>45</sup> The Kingdom of Thailand, Office of the Council of State, *Constitution of The Kingdom of Thailand 2017 (Unofficial Translation)*, Chapter III, Section 42-45.

outlets.<sup>46</sup> In a recent report, Amnesty International stated that Thai civil society was “under attack”.<sup>47</sup> The extent to which authorities were using the *lèse-majesté* provisions – which makes it a crime to criticise, insult, or threaten the king, queen, royal heir apparent or regent (Article 112 of the *Criminal Code*) – to stifle freedom of expression led to the UN Special Rapporteur on the freedom of opinion and expression to call on Thai authorities to stop using such provisions as a political tool.<sup>48</sup>

A number of other domestic laws have also been identified as a threat to free speech and a healthy civil society, namely the *Computer Crimes Act* (2005)<sup>49</sup> and the (draft) *Cybersecurity Act*.<sup>50</sup> The government has also revoked several television licenses.<sup>51</sup> These developments led a number of Thai media organisations to issue a joint statement on the 2015 World Press Freedom Day.<sup>52</sup>

Activists campaigning for human rights in Thailand have been targeted by the government. This practice has been largely acknowledged and condemned.<sup>53</sup>

Ensure a legitimate, effective and civilian controlled security sector.

Very Weak

The military-led NCPO has maintained control over the security forces and all government institutions. The law gives military forces authority over civilian institutions, including the police. NCPO *Order 13/2016* grants senior military officers a broad range of powers. These include the power to summon, arrest and detain suspects; conduct searches and seize assets; suspend financial transactions and ban suspects from travelling abroad in cases related to 27 criminal offences. At the same time, the *Order* grants criminal, administrative, civil and disciplinary immunity to military officials executing police authority in “good faith”.<sup>54</sup>

<sup>46</sup> Freedom House, 2016, *Thailand Freedom of the Press 2016*, <https://freedomhouse.org/report/freedom-press/2016/thailand>.

<sup>47</sup> Amnesty International, 2017. “They Cannot Keep Us Quiet”: *The Criminalization of Activists, Human Rights Defenders, And Others in Thailand*, p. 4, <https://www.amnesty.org/download/Documents/ASA3955142017ENGLISH.PDF>.

<sup>48</sup> UNOHCHR, 2017. *Thailand: UN rights expert concerned by the continued use of lèse-majesté prosecutions*, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=21149&LangID=E>.

<sup>49</sup> Cf. Holmes, Oliver, 2017. ‘Thai authorities appear to back down on threat to block Facebook’. *The Guardian*, 16 May. Available at: <https://www.theguardian.com/world/2017/may/16/thailand-deadline-for-facebook-to-remove-illicit-content-passes>.

<sup>50</sup> Sambandaraksa, Don, 2017. ‘Thailand Cybersecurity Act labelled a ‘Cyber warfare Act’ for mass surveillance’. *Disruptive.asia*, 7 April. Available at: <https://disruptive.asia/thailand-cybersecurity-act-labelled-cyber-warfare/>.

<sup>51</sup> Global Freedom of Expression Columbia University, 2015. *Thailand: The Revocation of License to Broadcast of Peace TV*, <https://globalfreedomofexpression.columbia.edu/updates/2015/05/thailand-the-revocation-of-license-to-broadcast-of-peace-tv/>.

<sup>52</sup> Thai Journalists Association, 2015. *Statement of the four Thai Professional Media Organization’s on the World Press Freedom Day - 3 May, 2015*, [http://www.tja.or.th/index.php?option=com\\_content&view=article&id=3711%3Astatement-of-four-thai-professional-media-organizations-on-the-world-press-freedom-day-3-may-2015&catid=37%3Astatement&Itemid=8](http://www.tja.or.th/index.php?option=com_content&view=article&id=3711%3Astatement-of-four-thai-professional-media-organizations-on-the-world-press-freedom-day-3-may-2015&catid=37%3Astatement&Itemid=8).

<sup>53</sup> Cf. Amnesty International, 2017. “They Cannot Keep Us Quiet”: *The Criminalization of Activists, Human Rights Defenders, And Others in Thailand*, p. 15; International Commission of Jurists (ICJ), 2015. *Thailand: immediately end harassment and intimidation of human rights lawyer Sirikan Charoensiri*, <https://www.icj.org/thailand-immediately-end-harassment-and-intimidation-of-human-rights-lawyer-sirikan-charoensiri/>; UNOHCHR Regional Office for South-East Asia, 2017. *UN Human Rights Office hails decision by Thailand to drop cases against three leading human rights defenders*, <http://bangkok.ohchr.org/news/press/thaiHRDs.aspx>.

<sup>54</sup> U.S Department of State, 2016. *Thailand 2016 Human Rights Report*, p. 1 and 6.

	<p>Ensure the education system reflects the ethnic, national and cultural diversity of society, and sets examples of inclusiveness.</p>	<p>Strong</p>	<p>Since the end of the absolute monarchy in 1932, the military has shown a remarkable resistance to losing its structural and organisational power.<sup>55</sup></p> <p>The Constitution states that every child has the right to quality, free education from pre-school to the completion of school.<sup>56</sup></p> <p>Thailand has not ratified the <i>Convention Against Discrimination Against Education</i>. Regardless, it has demonstrated a significant commitment to education policy, driven in recent years by a desire to bring the Thai economy up to speed with the rest of the world. This has allowed overall participation rates in education to be very high.<sup>57</sup></p> <p>The 1997 Constitution and later legislative documents made primary and lower secondary education compulsory. In 2002, a <i>National Education Act</i> amendment made 12 years of primary and secondary education free, including for non-Thai children living in Thailand.</p> <p>Thailand has achieved regionally high levels of gender parity in its education.<sup>58</sup></p>
	<p>Prevent nationals committing atrocity crimes overseas.</p>	<p>Fair</p>	<p>Thailand is not a signatory to the <i>Rome Statute of the International Criminal Court</i>, but nationals can be prosecuted for atrocity crimes committed in other countries.</p>
<p>Bilateral and Multilateral Relations</p>	<p>Participate in international, regional, and national discussions on the further advancement of R2P.</p>	<p>Strong</p>	<p>In 2008, when Surin Pitsuwan was ASEAN Secretary-General, he explicitly linked human security, R2P and humanitarian intervention.<sup>59</sup> However, by 2009 Thailand appeared to have gone quiet after their initial active support. Thailand made no official statements at the UN Informal Interactive Dialogue on R2P until 2013, but have made statements every year since. Thailand has increasingly come to emphasise that whilst they support the general notion of R2P, they have reservations concerning Pillar III.<sup>60</sup></p> <p>In the 2016 Informal Interactive Dialogue, Thailand reaffirmed its support "...provided that it applies to only the prevention of mass atrocities which are genocide, war crimes, ethnic cleansing and crimes against humanity, not to the change of a ruling regime or political agenda...".<sup>61</sup> Thai officials also stressed the legitimacy of a joint UN-sanctioned undertaking and not unilateral action.</p> <p>Thailand has hosted various regional events focused on R2P. For example, in October 2014, the</p>

<sup>55</sup> Kode, Johannes and Deniz Kocak. 2014. "Impediments to Security Sector Reform in Thailand", in F. Heiduk. *Critical Studies of the Asia Pacific Series*. London: Palgrave Macmillan.

<sup>56</sup> The Kingdom of Thailand, Office of the Council of State, *Constitution of The Kingdom of Thailand 2017 (Unofficial Translation)*, Chapter V, Section 54.

<sup>57</sup> OECD, 2016. *Education in Thailand: An OECD-UNESCO Perspective*, p. 71, <http://www.oecd.org/publications/education-in-thailand-9789264259119-en.htm>.

<sup>58</sup> Ibid., p 74.

<sup>59</sup> RSIS Centre for Non-Traditional Security Studies, 2008. *Keynote Address by ASEAN Secretary-General Dr. Surin Pitsuwan, Launch of the RSIS Centre for Non-Traditional Security (NTS) Studies 6 May 2008 Traders Hotel, Singapore*, <https://www.rsis.edu.sg/wp-content/uploads/2014/10/Keynote-Address-by-Dr-Surin-Pitsuwan-Secretary-General-ASEAN.pdf>.

<sup>60</sup> Cf. International Coalition for the Responsibility to Protect (ICRtoP), 2015. *Statement of Thailand – Informal Interactive Dialogue on R2P, 8 September 2015*, <http://www.responsibilitytoprotect.org/thailand-1.pdf>.

<sup>61</sup> GCR2P, 2016. *Intervention at an informal interactive dialogue of the GA (3 minutes) on Responsibility to Protect 10.00-13.00 hrs. Tuesday, 6 September 2016, Trusteeship Council Chamber*, <http://www.globalr2p.org/media/files/thailand-2.pdf>.

		Department of International Relations, Faculty of Political Science at Chulalongkorn University co-organized the first public seminar in the region on the High Level Advisory Panel's (HLAP) Report, <i>Mainstreaming the Responsibility to Protect: Pathway Towards a Caring ASEAN Community</i> . <sup>62</sup>
Leverage existing mechanisms and institutions (including regional and sub-regional organisations) to encourage States to fulfil their responsibility to protect.	Fair	Thailand was a member of the UN Human Rights Council from 2010 to 2013, <sup>63</sup> and the UN Security Council from 1985-1986.  <b>UN General Assembly Resolutions:</b> <sup>64</sup>  Thailand has voted in support of all resolutions that have referenced R2P.  In 2012, Thailand co-sponsored the Human Rights Council side event 'The Role of the Human Rights Council in Implementing the Responsibility to Protect'. <sup>65</sup>  In the UN Security Council's Protection of Civilians in Armed Conflict debate in 2014, Thailand referenced R2P to encourage states to fulfil their responsibility. <sup>66</sup>
Encourage and assist States to fulfil their R2P in situations of emerging and ongoing crisis, such as good offices and preventive diplomacy.	Weak	Outside of rhetoric in the UN, Thailand has done little to help States during crises. The situation in Myanmar is a case in point. Thailand has put the maintenance of good relations with Myanmar's military government ahead of the protection of the vulnerable Rohingya population. <sup>67</sup> They have even gone as far as to decorate the Myanmar Army's chief days before 'clearance operations' began against the Rohingya. <sup>68</sup>
Strengthen regional and international networks for atrocity crime prevention.	Weak	In its 2014 statement at the Informal Interactive Dialogue on R2P, the representative for Thailand stated "Regional organisations and the UN should develop systemic capacity building programs in relevant fields..." and that such training and capacity building mechanisms require monitoring and evaluation. <sup>69</sup>

<sup>62</sup> See Asia Pacific Centre for the Responsibility to Protect (APR2P), 2015. *Public Seminars on the High Level Advisory Panel's (HLAP) Report on Mainstreaming R2P in Southeast Asia: Bangkok and Jakarta*, [https://r2pasiapacific.org/files/435/spotlight\\_apr2015\\_issue19\\_publicseminarsHLAP\\_bangkokandjakarta.pdf](https://r2pasiapacific.org/files/435/spotlight_apr2015_issue19_publicseminarsHLAP_bangkokandjakarta.pdf).

<sup>63</sup> Past members can be searched for by their regional group or by their year served: United Nations Human Rights Council, 2018. *List of past members of the Human Rights Council*, <http://www.ohchr.org/EN/HRBodies/HRC/Pages/PastMembers.aspx>.

<sup>64</sup> GCR2P, 2017. *UN General Assembly Resolutions Referencing R2P*, <http://www.globalr2p.org/resources/1133>. (Voting records for each resolution accessed using the UNGA's voting records search, available at: <http://www.un.org/en/ga/documents/voting.asp>).

<sup>65</sup> GCR2P, 2012. *The Role Of The Human Rights Council In Implementing The Responsibility To Protect*, <http://www.globalr2p.org/media/files/genevhrr2psideventge19vi12rev.pdf>.

<sup>66</sup> GCR2P, 2014. *The Protection of Civilians in Armed Conflict UN Security Council Debate 12 February 2014*, p. 2, <http://www.globalr2p.org/media/files/poc-debate-2014-2.pdf>.

<sup>67</sup> The Nation, 2018. 'Thai silence deafening as world condemns Myanmar'. *The Straits Times*, 13 September. Available at: <https://www.straitstimes.com/asia/thai-silence-deafening-as-world-condemns-myanmar-the-nation>; Harper, Jo, 2018. 'Bangkok backs Myanmar military as Rohingya clashes intensify'. *DW*, 24 February. Available at: <https://www.dw.com/en/bangkok-backs-myanmar-military-as-rohingya-clashes-intensify/a-42724164>.

<sup>68</sup> Special Broadcasting Service (SBS), 2018. 'Myanmar army chief honoured by Thailand despite Rohingya crisis'. *SBS*, 16 February. Available at: <https://www.sbs.com.au/news/myanmar-army-chief-honoured-by-thailand-despite-rohingya-crisis>.

<sup>69</sup> Permanent Mission of Thailand to the United Nations, 2014. *Statement by His Excellency Mr. Norachit Sinhaseni Ambassador and Permanent Representative of Thailand to the United Nations*, <http://statements.unmeetings.org/media/4493815/thailand.pdf>.

	Strengthen the role and capacity of regional organisations.	Weak	Beyond rhetorical support for these initiatives, little evidence could be found of Thailand providing practical support. Thailand was a founding member of ASEAN and will take over the chairmanship of the organisation from Singapore in 2019, with the theme of 'Advancing Partnership for Sustainability'. <sup>70</sup> While its standing in the organisation has been weakened by domestic turmoil in the last decade, the new chairmanship may give Thailand a chance at redeeming itself in the organisation, despite the challenges it currently faces. <sup>71</sup>
	Support the development and work of regional human rights and other preventive capacities.	Fair	The government has been, and remains, broadly supportive of the furthering of human rights in Thailand and the region, particularly through the UPR process. Over the years it has hosted diplomatic and academic meetings on human rights. For example, in 2017 the Ministry of Foreign Affairs gathered representatives from Thailand and eight other countries to discuss views on human rights obligations in Thailand. <sup>72</sup>
	Support atrocity prevention through development and assistance partnerships.	Very Weak	While Thailand possesses and nurtures development relationships through the Thailand International Cooperation Agency (TICA), the effectiveness of its program has been questioned. In a review of Thailand's development model, it was recommended the State develop a more comprehensive plan on how it can support "...international development and the benefits for both Thailand and partners." <sup>73</sup> Atrocity prevention is not mentioned as part of Thailand's development assistance.
United Nations, prevention, Peacekeeping, and assistance	Support the early warning and capacity building efforts of the UN Office on Genocide Prevention and R2P.	Fair	Thailand was not in attendance for the 2010 dialogue 'Early Warning, Assessment and the Responsibility to Protect'. However, they have shown some support for early warning mechanisms and capacity building efforts in other years.  For example, at the 2014 Informal Interactive Dialogue on R2P, Thailand affirmed that international assistance and partnerships in capacity building are essential to prevention. It stated various mechanisms in the UN Human Rights Council are important in strengthening prevention capacity. Its statement also lists ways in which it has "...invested heavily in building capacity for its national authorities and relevant bodies in human rights fields...", and also highlights the importance in empowering women for conflict management and prevention. <sup>74</sup>
	Support the strengthening of the UN's capacity for atrocity	Fair	Thailand has long supported human rights regimes through the auspices of the UN. During its time on

<sup>70</sup> Ministry of Foreign Affairs of the Kingdom of Thailand, 2018. *Thailand Unveils the Theme and Logo for Thailand's ASEAN Chairmanship in 2019*, <http://www.mfa.go.th/main/en/news3/6885/96412-Thailand-Unveils-The-Theme-and-Logo-for-Thailand%E2%80%99s.html>.

<sup>71</sup> Auethavornpipat, Ruji, 2018. 'Thailand should lead ASEAN with a migrant worker agenda'. *The Interpreter*, 26 November. Available at: <https://www.lowyinstitute.org/the-interpreter/thailand-should-lead-asean-migrant-worker-agenda>; Parameswaran, Prashanth, 2018. 'Thailand's ASEAN Chair Challenge in 2019'. *The Diplomat*, 29 November. Available at: <https://thediplomat.com/2018/11/thailands-asean-chair-challenge-in-2019/>.

<sup>72</sup> Ministry of Foreign Affairs, 2017. *Discussion: Obligations and Human Rights Actions in Thailand*, by Professor Kittikun Vitituntaporn, <http://humanrights.mfa.go.th/th/news/140/>.

<sup>73</sup> Miller, Mark and Werapong Prapha, 2013. *Strategic Review of Thailand's International Development Cooperation*, p. 13, <http://www.tica.thaigov.net/main/en/e-book/3532>.

<sup>74</sup> Permanent Mission of Thailand to the United Nations, 2014. *Statement by His Excellency Mr. Norachit Sinhaseni Ambassador and Permanent Representative of Thailand to the United Nations*.



	prevention, including through the UN Human Rights system.		the UN Human Rights Council, it strengthened technical cooperation and capacity building efforts among members and UN mechanisms in the context of human rights. <sup>75</sup>
	Support preventive actions on atrocity crimes.	Fair	Representatives from Thailand have participated in many workshops and dialogues discussing ways of dealing with atrocity crime prevention within the region. For Thailand, these meetings have put forward possibilities as to how R2P can be best applied in the Thai context. <sup>76</sup>
	Contribute to United Nations peacekeeping operations (especially those with a protection of civilians mandate).	Very Strong	Thailand began contributing to peacekeeping in 1991. Thailand is ranked 45 <sup>th</sup> in the world in its peacekeeper contributions. <sup>77</sup> Furthermore, it is in the top five countries for contributing large proportions of women as police peacekeepers. <sup>78</sup> Several of the operations it is or has contributed to have a specific protection of civilians mandate, including UNAMID, UNMISS and MINUSTAH. <sup>79</sup>  Thailand has also contributed to landmine clearance and rebuilding infrastructure as part of UNAMIC and UNTAC. Thailand supplied 1581 soldiers for INTERFET. <sup>80</sup>
	Develop the capacities needed to support civilian protection, including through the training of military and civilian personnel for peacekeeping.	Fair	Thailand is part of an important bilateral arrangement with Australia, “PIRAP-JABIRU”, a biennial peacekeeping exercise which significantly contributes to training for peacekeeping, security and law enforcement personnel including police, military and non-governmental organizations. Although initially involving only two countries, it has since expanded to include participants from more than 20 countries, including both China and Myanmar. <sup>81</sup>  The 2016 peacekeeping exercise included a focus on protection of vulnerable groups such as women and children, and emphasized peacekeepers rights and duties under international law. <sup>82</sup> Whether further atrocity crime risk factors and dynamics were included with the training is unclear.
	Support the Kigali Principles.	Very Strong	As of July 2018, Thailand has signed the Kigali Principles on the Protection of Civilians. <sup>83</sup>
	Support UN Security Council veto restraint on issues relating to atrocity prevention.	Very Strong	Thailand is a supporter of the ‘Code of Conduct regarding Security Council action against genocide,

<sup>75</sup> Permanent Mission of Thailand to the United Nations, 2017. *Human Rights and Social Issues*, <http://www.thaiembassy.org/unmissionnewyork/en/relation/80917-Human-Rights.html>.

<sup>76</sup> For example: International Coalition for the Responsibility to Protect (ICRtoP), 2015. *Advancing Atrocities Prevention in Southeast Asia*, <http://responsibilitytoprotect.org/SE%20Asia%20Report%20Web%20Version.pdf>. See also links under ‘Thailand’ at <https://r2pasiapacific.org/r2p-asia-pacific>.

<sup>77</sup> United Nations Peacekeeping, 2018. *Troop and Police Contributors*, <https://peacekeeping.un.org/en/troop-and-police-contributors>.

<sup>78</sup> Karim, S. and Beardsley, K., 2017. *Equal Opportunity Peacekeeping: Women, Peace, and Security in Post- Conflict States*. Oxford University Press, p. 39.


<sup>79</sup> Peou, Sorpong, 2013. *Peacekeeping Contributor Profile: Thailand*, <http://www.providingforpeacekeeping.org/2015/03/30/peacekeeping-contributor-profile-thailand/>.

<sup>80</sup> Ibid.

<sup>81</sup> Department of Defence: Australian Defence College, n.d. *Exercise Pirap Jabiru*, <http://www.defence.gov.au/adc/acsc/peacekeeping/pj/>; Parameswaran, Prashanth, 2016. ‘Australia, Thailand Host Regional Peacekeeping Exercise’. *The Diplomat*, 17 May. Available at: <http://thediplomat.com/2016/05/australia-thailand-host-regional-peacekeeping-exercise/>.

<sup>82</sup> Parameswaran, Prashanth, 2016. ‘Australia, Thailand Host Regional Peacekeeping Exercise’. *The Diplomat*, 17 May. Available at: <https://thediplomat.com/2016/05/australia-thailand-host-regional-peacekeeping-exercise/>.

<sup>83</sup> GCR2P, 2018. *The Kigali Principles on the Protection of Civilians*, [https://r2pasiapacific.org/files/2942/2018\\_kigali\\_principles.pdf](https://r2pasiapacific.org/files/2942/2018_kigali_principles.pdf).



crimes against humanity or war crimes'.<sup>84</sup>  
Additionally, Thailand has signed the declaration to support the 'French/Mexican initiative on Veto restraint in case of Mass atrocities'.<sup>85</sup>

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<sup>84</sup> GCR2P, 2017. *List of Supporters of the Code of Conduct regarding Security Council action against genocide, crimes against humanity, or war crimes, as elaborated by ACT*, <http://www.globalr2p.org/media/files/2017-01-25-coc-list-of-supporters.pdf>.

<sup>85</sup> GCR2P, 2016. *Support to the French Mexican initiative on veto restraint in case of mass atrocities*, <http://www.globalr2p.org/media/files/veto-list.pdf>.