



29 August 2014

Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, in the course of its 85<sup>th</sup> session, considered the follow-up report submitted by the Government of Thailand, pursuant to Rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the timely submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs 20, 21 and 25 of the concluding observations (CERD/C/THA/CO/1-3), adopted following the consideration of the State party's combined 1<sup>st</sup> to 3<sup>rd</sup> periodic report during its 81<sup>st</sup> session in August 2012.

The Committee appreciates the opportunity provided to continue its dialogue with the State party, and would like to draw the State party's attention to the observations mentioned below. The Committee requests that comments and responses on actions taken by the State party on these issues to be included in its 4<sup>th</sup> to 7<sup>th</sup> periodic report to be submitted in a single document on 28 January 2016.

**Paragraph 20 of the concluding observations:** The Committee thanks the State party for its response and its willingness to comprehensively address the issues contained in the recommendation. It encourages the State party to adopt and effectively implement the Promotion of Opportunities and Gender Equality Bill and the Local Administrative Organizations Bill, as well as provide more information on the provisions of these bills and their impact in combating discrimination against women of Malay ethnic origin. While commending the State party for its efforts to provide compensation to victims of violence, the Committee wishes to receive further information, in the next periodic report, on how individualized assessments are made on a case-by-case basis depending on the gravity of the harm suffered, and whether victims have recourse to the ordinary justice system should they find the assigned remedy to be inadequate. While acknowledging the projects undertaken by the private sector in the Southern Border Provinces, the Committee requests further information to be provided in the next periodic report on measures taken to ensure that occupational training and income-generating activities are not solely driven by the interests of private companies.

His Excellency Mr. Thani Thongphakdi  
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The Committee expresses concern at the underrepresentation of women in the Advisory Council, and requests that the State party provide information in the next periodic report on specific measures taken to promote the participation of women, as well as more comprehensive data on the representation of women in the labour market and in Government, particularly women from ethnic minorities, including women of Malay ethnic origin.

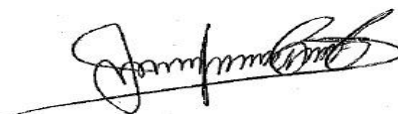
**Paragraph 21 of the concluding observations:** The Committee thanks the State party for its response, but remains concerned about racial profiling and the risk of human rights violations in the enforcement of the special laws in the SBPs. The Committee requests that the State party provide, in its next periodic report, further information and examples of how the National Human Rights Commission and civil society organizations are monitoring the enforcement of these laws and receiving complaints. While the Committee welcomes the State party's efforts to train and give guidance to officials enforcing the special laws in the SBP, the Committee requests further information on specific efforts to counter racial profiling in the application of these laws to be included in the next periodic report. The Committee also reiterates its recommendation that the State party investigate all allegations of human rights violations and prosecute those found responsible, and requests further information about such efforts in the next periodic report.

**Paragraph 25 of the concluding observations:** The Committee remains concerned about reports of Rohingya refugees being turned away by Thai authorities or facing indefinite detention in inadequate conditions. While noting that Thailand has been working with UNHCR and making efforts to improve its policies and procedures concerning displaced peoples, the Committee reiterates its recommendation to the State party to adopt legislation to ensure the protection of refugees and asylum-seekers. The Committee requests that the State party include, in its next periodic report, information on any new policies or laws affecting the treatment of displaced persons and refugees, the progress achieved in acceding to the 1951 Convention Relating to the Status of Refugees, as well as statistical data reflecting the status of refugees and asylum-seekers in Thailand.

Rest assured, Excellency, that the Committee looks forward to continuing its constructive dialogue with the Government of Thailand, with a view to providing it with assistance in its efforts to ensure the effective implementation of the Convention.

Please accept, Excellency, the assurances of my highest consideration.

Yours sincerely,



José Francisco Calí Tzay  
Chair

Committee on the Elimination of Racial Discrimination