



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

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2 May 2023

Excellency,

I wish to inform you that the Committee on the Elimination of Racial Discrimination, during its 109th session, considered the follow-up report submitted by the Permanent Mission of Thailand, pursuant to article 9 (1) of the Convention and rule 65 (1) of the Rules of Procedure of the Committee.

The Committee welcomes the submission of the report, in response to its request to receive information within one year on the implementation of the recommendations contained in paragraphs 22, 24 (b) and (d), and 38 of the Concluding Observations (CERD/C/THA/CO/4-8), adopted following the consideration of the State party's combined fourth to eighth periodic reports, at its 105th session, held in December 2021.

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 be included in its combined ninth to twelfth periodic reports, which is due for submission, in a single document, by 28 January 2026.

Paragraph 22 of the Concluding Observations

The Committee notes the information relating to the provision of legal aid services and the various legislative amendments, introduced to prevent Strategic Lawsuits Against Public Participation (SLAPP), including the adoption of Sections 161/1 and 161/2 of the Criminal Procedure Code. The Committee requests the State party to provide further information, supported by disaggregated statistics, on the use of the legal aid services as well as the application of the amended provisions by the courts in cases of public interest. The Committee requests the State party to also provide information in relation to the amendment of other relevant provisions, including sections 326-333 of the Criminal Code and section 14 of the Computer Crimes Act.

H.E. Mrs. Suphatra Srimaitreephithak
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The Committee notes the adoption of the Act of Prevention and Suppression of Torture and Enforced Disappearance, welcoming the provisions incorporating international human rights law. The Committee notes the limited mandate of the national committee to prevent and suppress torture and enforced disappearance established under the Act. The Committee reiterates its recommendation that the State party conduct effective, prompt, thorough, and impartial investigations into all incidents, and requests the State party to provide information on the implementation of the Act and on incidents reported by victims.

While welcoming the continued cooperation of the State party with the Office of the High Commissioner for Human Rights, the Committee considers the response to this recommendation partially satisfactory and requests it to provide, in its next periodic report, information on measures taken to fully implement the recommendation.

Paragraph 24 (b) and (d) of the Concluding Observations

The Committee notes the approval of the Action Plan for the Gradual Lifting of the Emergency Decree in the Southern Border Provinces for the years 2022-2027 and invites the State party to provide further information on this plan and its implementation in its next periodic report.

The Committee welcomes the provision of access to compensation for victims of human rights violations, including members of ethnic and ethno-religious groups living in the southern border provinces, under the State Compensation Act and the Southern Border Provinces Administration Centre's Remedy Manual. The Committee invites the State party to provide further information on the punishment and prosecution of officials found guilty, specifically in the period since the State party's review, in its next periodic report. The Committee regrets the lack information provided on investigations of allegations by members of ethnic and ethno-religious groups and finds the response of the State party to these recommendations partially satisfactory.

Paragraph 38 of the Concluding Observations

The Committee welcomes the provision of universally available COVID-19 vaccines and the measures adopted to facilitate accessibility in view of the specific needs of certain groups. Nevertheless, the Committee regrets the information received related to the provision of other healthcare services for, as reported by the State party, "non-Thai people including migrant workers, groups with status problems, and stateless people", which are covered by healthcare schemes distinct from the primary public health service system.

The Committee notes the various measures adopted by the Department of Social Development and Welfare, the Ministry of Finance, and the Social Security Office to mitigate the socioeconomic effects of the pandemic. However, the Committee regrets that no information was provided on the disproportionate socioeconomic effects of the pandemic on ethnic and ethno-religious groups, indigenous peoples, migrants, asylum seekers and refugees, and in turn, on guarantees of their specific needs in mitigation and recovery initiatives. The Committee finds the State party's response to this

recommendation unsatisfactory and reiterates its previous recommendation to guarantee consideration for the specific needs of the population groups most at risk of discrimination.

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,



Verene Shepherd
Chair

Committee on the Elimination of Racial Discrimination