

Thailand: Remove legal restrictions on the right to freedom of expression and association

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States should encourage Thailand to protect human rights defenders by removing legal restrictions on their rights, ISHR, FORUM-ASIA and TEA said in a new briefing paper launched today in the lead up to Thailand's next UPR in May.



(Geneva/Bangkok) - ISHR launched today a [major briefing paper on the situation of human rights defenders in Thailand](#) to inform the upcoming review of Thailand at the 25th session of the Universal Periodic Review in May 2016. The paper was prepared in partnership with FORUM-ASIA and Togetherness for Equality and Action (TEA), a leading Thai LGBTI organisation.

The briefing paper highlights that many recommendations rejected by Thailand during its first cycle of the Universal Periodic Review addressed issues that contributed to the difficult environment for human rights defenders. Such issues include limitations on the rights to freedom of expression and association, as well as the broad application of security laws.

The paper calls on the Thai Government to remove legal restrictions on the rights to freedom of expression, and freedom of association and peaceful assembly. Numerous restrictions currently exist, including in the Martial Law, the Emergency Decree, the Computer Crimes Act, the Internal Security Act, the Public Assembly Act and the lèse majesté provision of the Criminal Code.

'Human rights defenders in Thailand - particularly those expressing dissent - have faced significantly more risk since the military junta took power in May 2014. We urge the international community to call on Thailand to ensure that defenders can operate in a safe and enabling environment. Thailand needs to ensure that defenders are no longer subject to judicial and police harassment,' said Sarah Brooks, ISHR Programme Manager (East Asia) and Human Rights Advocate.

The briefing paper serves as a submission to the Universal Periodic Review and is intended to assist States and other stakeholders to formulate questions and recommendations regarding the protection of human rights defenders during the Universal Periodic Review.

In this respect, the briefing paper details key recommendations ISHR, FORUM-ASIA and TEA consider should be made to the Thai Government, including to:

- End impunity for crimes against human rights defenders, including through the development of legislation which explicitly acknowledges and protects their work and gives full force and effect to the UN Declaration on Human Rights Defenders.
- Ensure that official decisions regarding natural resource exploitation fully consider the inputs of human rights defenders; are made with the free, prior, and informed consent of affected communities; and include mechanisms for effective monitoring of projects and remedy for negative impacts.
- Include the voices of independent civil society in Thailand as central to the debate over how the country can move forward toward a democratic, inclusive political process and much-needed stability.
- Ensure that sexual orientation and gender identity are included as protected attributes in equal opportunity and anti-discrimination laws at the national and provincial levels.

For further information about the briefing paper or for any assistance or advice in the formulation of recommendations, please contact Sarah Brooks, ISHR Programme Manager and Human Rights Advocate at s.brooks@ishr.ch.