



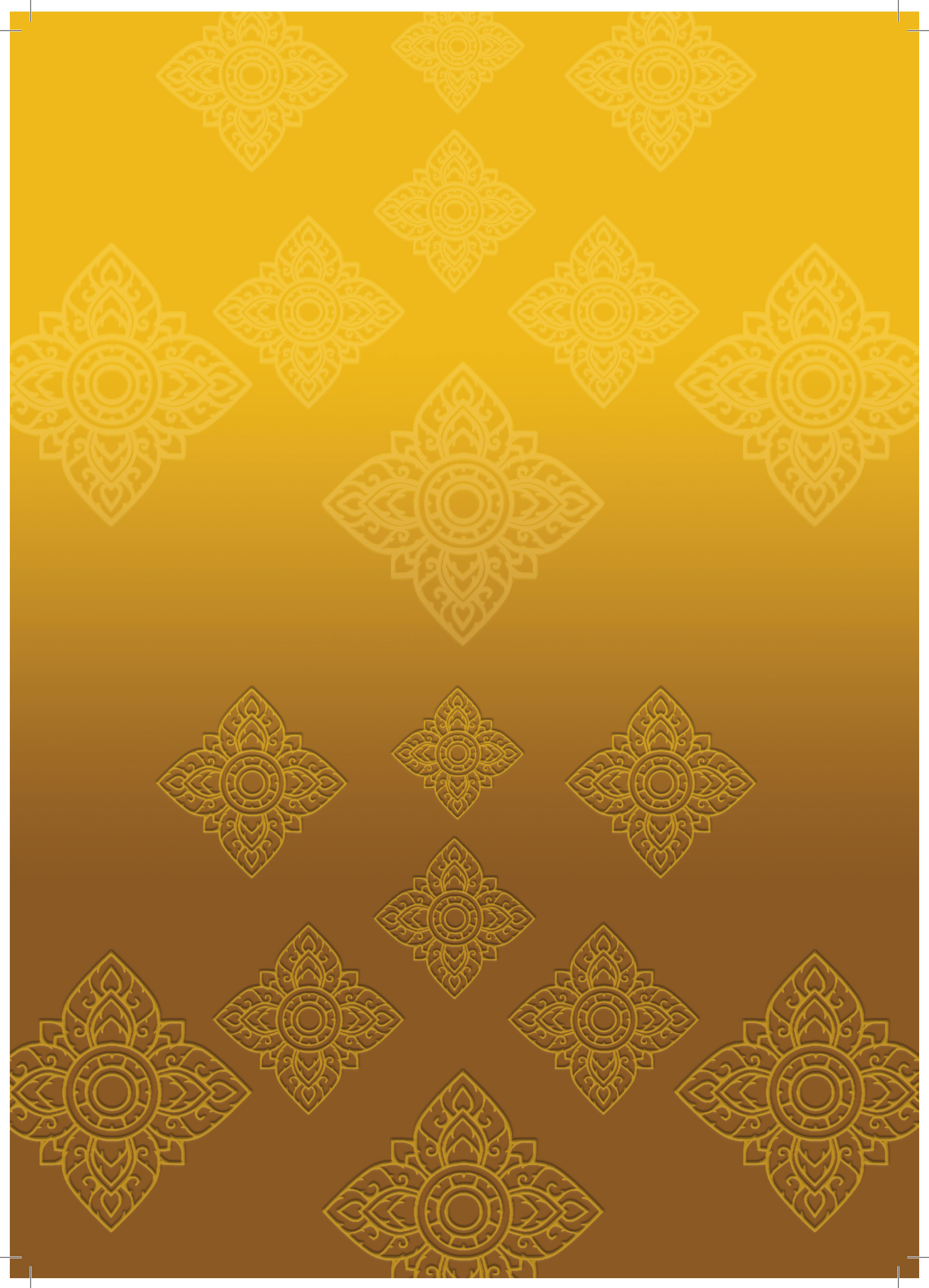
## The Summary of Thailand's



## 3<sup>rd</sup> National Human Rights Plan (2014 - 2018)



Rights and Liberties Protection Department  
Ministry of Justice





## Description of Meanings of the Emblem



### ...Picture of Thailand's map in the shape of an axe with a handle...

is a symbol of Thailand, telling about Thainess in every respect,  
and also showing Thai identities.

### ...Picture of Thai flag in the shape of a bird's wing...

means independence and integrity of Thailand, portraying  
its readiness to step out anywhere in the world gracefully.

### ...Picture of two persons holding hands and lifting up hands...

portrays unity and cooperation of Thai people in all sectors, who are ready to be  
exposed to the world with their rights fulfilled, with full freedom and liberties.

### ...Picture of smiles...

symbolizes the happiness of Thai people who proudly enjoy their rights and liberties.

### ...Blue Colour...

is the colour of independence, the colour that conveys peace, calmness and a broad vision.

### ...Grey Colour...

is the colour of neutrality, the colour that conveys diversity in society.

### ...Silver and Gold Colours...

are colour of prosperity, progress, wealth, warmth and friendly.  
These two colours can glow by themselves, compared to the effective and successful  
of National Human Rights Plan

## Message from the Executive of Ministry of Justice



Thailand became the 55<sup>th</sup> member of the United Nations on 16 December, 1946. As of now, the country is a high state party to 7 out of 9 international treaties on human rights. Accordingly, it is bound to implement the obligations of the Universal Declaration of Human Rights, international treaties on human rights to which it is a high state party, as well as other agreements concluded at global conferences. In addition, essential elements of the Universal Declaration of Human Rights and such international treaties on human rights have also been incorporated into the Constitutions of the Kingdom of Thailand, B.E. 2540 and B.E. 2550 (A.D. 1997 and A.D. 2007) such that they come into force – a development regarded as a move to effectively promote and protect human rights for the country's population.

The concept of the National Human Rights Plan first took shape as part of a global conference held in Vienna in 1993, and constitutes part of the Vienna Declaration and Program of Action and the programme of action. As Thailand appreciates and accords particular importance to the promotion and protection of human rights, it has prepared two National Human Rights Plans, to serve **as a tool on the part of the state in the form of a national - plan in the promotion, defense, and protection of its population's human rights**. This is so designed chiefly to ensure that the issue of human rights violation as present in the country is redressed in aggregate effectively and efficiently for the benefit of all of members of the public, as well as to develop Thailand's overall human rights administration system in a coherent and unified manner such that reasonable progress thereof is achieved, whereby the country's system is on a par with international standards in this regard. At present, on 12 November 2014, the Cabinet has already approved the 3<sup>rd</sup> National Human Rights Plans, which will be enforced during the year 2014-2018, with its salient features in that certain major aspects of the 1<sup>st</sup> and the 2<sup>nd</sup> National Human Rights Plans have been incorporated therein. Additionally, in order to ensure that the 3<sup>rd</sup> National Human Rights Plan achieves



comprehensiveness and universality provisions of the Constitution of the Kingdom of Thailand, the recommendations adopted for implementation by Thailand pursuant to the Universal Periodic Review (UPR), international obligations concerning human rights stipulated in the treaties to which Thailand is a high state party, as well as issues or requirements reflected by the Thai population have also been accounted for and blended into one coherent corpus so as to steer the country's human rights administration in the same direction in its entirety.

Therefore, the 3<sup>rd</sup> National Human Rights Plan bodes well for the human rights cause in the sense that our National Human Rights Plan has now integrated both grass-root elements and international practices alike, covering operations related to human rights across the board, whereby the population's interests take center stage in the true sense of the word. Accordingly, Thailand has prepared and published the 3<sup>rd</sup> National Human Rights Plan for international circulation in order to disseminate the contents thereof, which will effectively initiate an exchange and learning process at international level. This will, in turn, provide further insights and information as a stepping stone for its further development such that the country's National Human Rights Plan shall always be up to international standards in subsequent stages as appropriate.



(Pol.Gen. Chatchawal Suksomjit)  
Permanent Secretary for Justice  
December, 2014

## Executive Summary

Thailand has prepared the 3<sup>rd</sup> National Human Rights Plan (2014-2018), emphasizing a participatory process involving all parties concerned, whereby members of the public collectively learned, reflected, and deliberated upon, as well as prepared a human rights plan at the local level. This is a comprehensive process, involving representatives from all provinces, which has been developed further into a national human rights plan to be submitted for cabinet approval and implementation as Thailand's 3<sup>rd</sup> National Human Rights Plan (2014-2018) in subsequent stages. Essential elements of this plan are as follows;

### **1. The conceptual framework for and the drafting process of the 3<sup>rd</sup> National Human Rights Plan**

#### **❖ Conceptual framework**

The preparation of the 3<sup>rd</sup> National Human Rights Plan is based on a participatory conceptual framework, involving all parties concerned and representatives of all provinces across the country, very much in the same vein as the preparation process for the 1<sup>st</sup> and 2<sup>nd</sup> National Human Rights Plans. In addition, a presentation pattern has been adjusted in order that 3<sup>rd</sup> Human Rights Plan achieves a greater universality feature in comparison to the 2<sup>nd</sup> Plan.

During this process, issues or requirements reflected by peoples and other stakeholders concerned, provisions of the current Constitution of the Kingdom of Thailand, the recommendations adopted for implementation by Thailand pursuant to the Universal Periodic Review (UPR), and international obligations concerning human rights stipulated in the treaties to which Thailand is a state party have been accounted for and blended into one coherent corpus so as to steer the country's human rights administration in the same direction in its entirety. It is evident that numerous recommendations in the National Human Rights Plan draw on recommendations set forth in the UPR process and the human rights treaties to which Thailand is a state party.

It is to be noted, however, that numerous other issues have also been included in the draft 3<sup>rd</sup> Plan, based on public hearings involving all parties concerned, as well as a human rights situation analysis and the actual plan drafting process at the local level in Thailand *per se*. Therefore, the preparation of the 3<sup>rd</sup> National Human Rights Plan bodes well for the human rights cause in the sense that the National Human Rights Plan has now integrated both grass-root elements and international practices alike, covering operations related to human rights across the board, whereby the population's interests take center stage in the true sense of the word.

#### **❖ The Preparation Process of the 3<sup>rd</sup> National Human Rights Plan**

The preparation of the 3<sup>rd</sup> National Human Rights Plan places an emphasis on the participation of all parties concerned across the country, a process through which members of the public collectively learned, reflected and deliberated upon, participated in, and prepared a human rights plan at the local (provincial) level, which has subsequently been developed in to a national plan. The entire process may be divided into two stages:

**Stage 1** (fiscal year 2012) **"The drafting of human rights plans at the local level"** is based on research and the connecting of relevant data in the Thai context to the principle of international human rights. All of these elements were then applied in the formulation of an operational direction framework. In addition, public hearings were conducted involving representatives from all parties concerned across all the provinces in the drafting process for national human rights plans from the provincial level covering 4 regions and Bangkok. Subsequently, the resulting findings were collated and developed into a draft of the 3<sup>rd</sup> National Human Rights Plan at the local level.



**Stage 2** (fiscal year 2013) “**The preparation of a complete version of the 3<sup>rd</sup> National Human Rights Plan**” is a process during which an aggregate draft of human rights plans developed at the local level was incorporated into a public hearing process involving the participation of 20 ministries and policy level agencies concerned. This draft was further improved as the first draft of the 3<sup>rd</sup> National Human Rights Plan. Subsequently, it was presented for reviews by all parties concerned through various channels. The resulting comments were then summarized, processed, and developed into the final draft of the 3<sup>rd</sup> National Human Rights Plan. Later, representatives from each ministry collectively set forth suggestions regarding performance indicators for each issue. Nationally recognized human rights specialists and experts were then invited to provide comments in the final round prior to the preparation of a complete version of the National Human Rights Plan which is to be submitted for cabinet approval and official announcement as appropriate.

## **2. Key elements of the 3<sup>rd</sup> National Human Rights Plan**

### **❖ Key targets of the 3<sup>rd</sup> National Human Rights Plan**

“A society that promotes rights, liberty, and equality, taking into consideration human dignity, with a view to attain a peaceful and contented society”.

### **❖ Directions of the 3<sup>rd</sup> National Human Rights Plan**

**The 3<sup>rd</sup> National Human Rights Plan** identifies 11 human rights dimensions and 15 target groups as follows;

- 1) A Human Rights Plan on Public Health;
- 2) A Human Rights Plan on Education;
- 3) A Human Rights Plan on Economic Rights;
- 4) A Human Rights Plan on Natural Resources and the Environment;
- 5) A Human Rights Plan on Housing;
- 6) A Human Rights Plan on Cultural Rights and Rights concerning Religion;
- 7) A Human Rights Plan on Data, Information, Information Technology, and Communication;
- 8) A Human Rights Plan on Transportation;
- 9) A Human Rights Plan on Civil and Political Rights;
- 10) A Human Rights Plan on Judicial Process; and
- 11) A Human Rights Plan on Social Security.

This plan explores and identifies target groups potentially susceptible to social security issues. In particular, the 15 target groups below which are considered to be vulnerable are covered by the following plans:

- (1) A Human Rights Plan on the Accused Persons/Persons Deprived of Liberty;
- (2) A Human Rights Plan on Former Inmates/Person Release of Detention;
- (3) A Human Rights Plan on Accused Persons Charged with Drug-Related Offences pursuant to the Narcotics Addict Rehabilitation Act B.E. 2545 [A.D. 2002]/drug addicts and individuals who have undergone rehabilitation treatments for drug addiction;

- (4) A Human Rights Plan on Victims and Injured Persons;
- (5) A Human Rights Plan on Persons Living with HIV/AIDS;
- (6) A Human Rights Plan on Workers;
- (7) A Human Rights Plan on People Living in Poverty / Individuals Affected by the Development Process;
- (8) A Human Rights Plan on Farmers;
- (9) A Human Rights Plan for Older Persons;
- (10) A Human Rights Plan for Children and Youth;
- (11) A Human Rights Plan for Women;
- (12) A Human Rights Plan on Persons with Disabilities;
- (13) A Human Rights Plan on Stateless Persons, Ethnic Groups, and Asylum- Seekers or Displaced Persons;
- (14) A Human Rights Plan on Individuals Affected by Violent Situations; and
- (15) A Human Rights Plan on Person with Different Sexual Orientation / Gender Identities.

### 3. Implementtation, monitoring and evalution of the 3<sup>rd</sup> National Human Rights Plan

In order to achieve the stipulated targets, the implementation of 3<sup>rd</sup> National Human Rights Plan (2014-2018) requires participatory collaboration involving all parties concerned so as to effectively implement it. - an algorithm through which a set of human rights policies or target groups lying within the mandate of each agency concerned are translated into operation. The goal of the 3<sup>rd</sup> National Human Rights Plan (2014-2018) is to make of Thailand “a society that promotes rights, liberty, and equality, taking into consideration human dignity, with a view to attain a peaceful and contented society”, a process through which all agencies shall collectively participate in the human rights plan implementation.



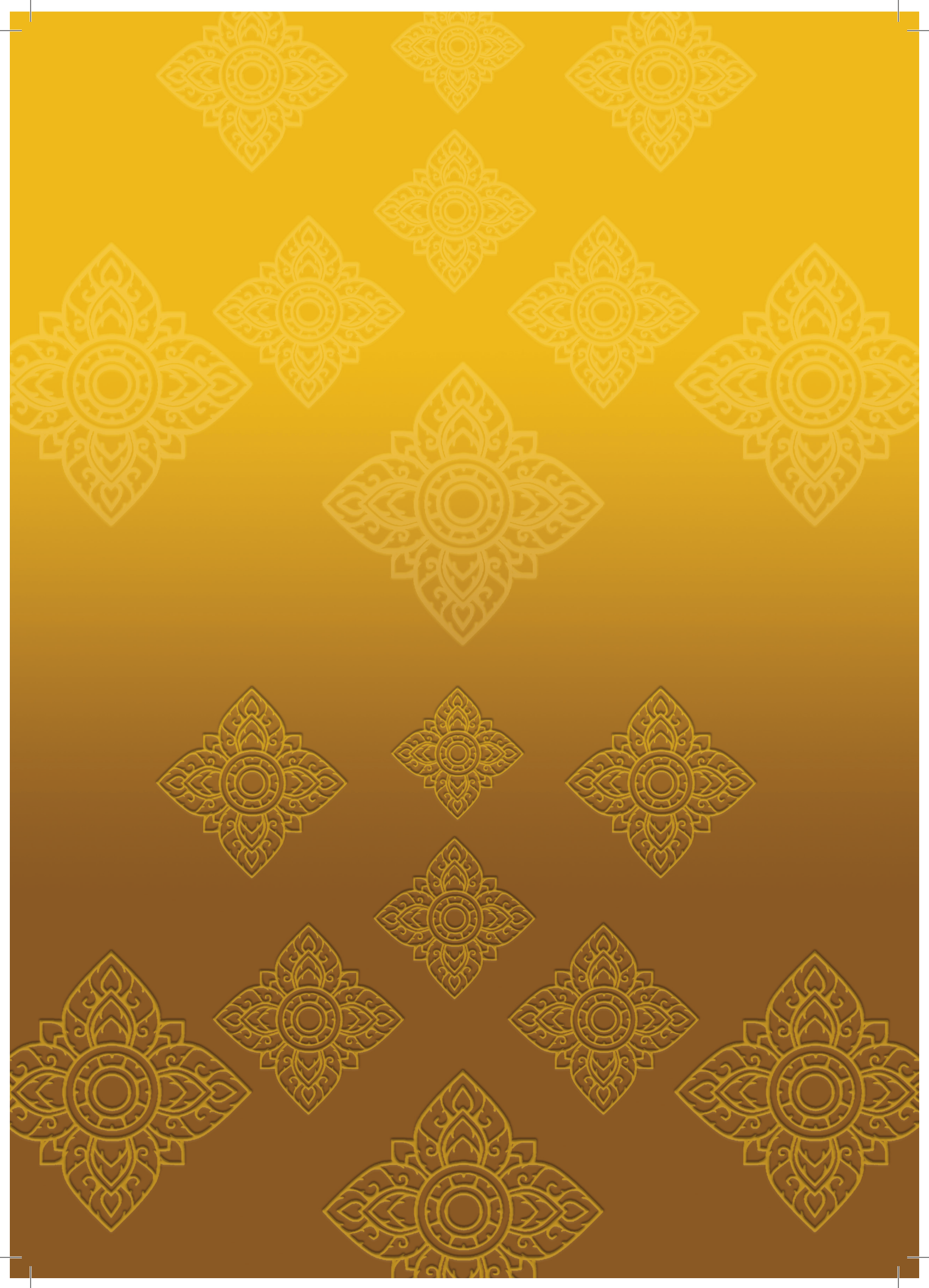


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# ◆ Part 1 ◆

## Introduction





“National Human Rights Plan has no meaning,  
no value... If nobody knows, understands,  
or practises it.”







# Part 1



## Introduction

### 1. Historical Developments

Thailand became the 55<sup>th</sup> member of the United Nations on 16 December, 1946. In 1948, the country voted for the Universal Declaration of Human Rights. Currently, the country has become a State party to 7<sup>1</sup> out of 9 key international treaties on human rights. Accordingly, it is bound to implement the obligations from those instruments, together with other agreements concluded at global conferences. Essential elements of the Universal Declaration of Human Rights and international human rights treaties have also been incorporated into the Constitutions of the Kingdom of Thailand, B.E. 2540 and B.E. 2550 (A.D. 1997 and A.D. 2007) so that they are fully binding to effectively defend and protect the human rights of the country's population. The concept of a National Human Rights Plan has been developed, based on a global conference on human rights held in Vienna in 1993, during which the Vienna Declaration and Programme of Action were instituted. Paragraph 71 of the Vienna Declaration and Program of Action stipulates that each state should deliberate upon the need for a drafting of a national operational plan prescribing methods through which the state may improve, promote and protect human rights.

In order to concretely implement its human rights operations, the Thai government has already developed two National Human Rights Plans. The 1<sup>st</sup> Plan was announced and implemented

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<sup>1</sup> (1) International Covenant on Civil and Political Rights - ICCPR (2) International Covenant on Economics, Social and Cultural Rights - ICESCR (3) Convention on the Rights of the Child - CRC (4) Convention on the Elimination of All Forms of Discrimination Against Woman - CEDAW (5) Convention on the Elimination of All Forms of Racial Discrimination - CERD (6) Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment - CAT (7) Convention on the Rights of Persons with Disabilities - CRPD

between 2001 and 2005 with coordination and monitoring by the Secretariat of the Cabinet. The mission was later transferred to the Ministry of Justice through its Rights and Liberties Protection Department in 2002. During preparations of the 2<sup>nd</sup> National Human Rights Plan, the Cabinet passed a resolution on 18 April, 2007 calling for continued compliance with the 1<sup>st</sup> Plan until the 2<sup>nd</sup> Plan was completed and announced. The 1<sup>st</sup> Plan remained in effect from 2006 to 2008.

Subsequently, the Cabinet passed a resolution on 20 October, 2009, approving and announcing the coming into force of the 2<sup>nd</sup> National Human Rights Plan, which later expired in the fiscal year 2013. In order to achieve operational continuity, the Rights and Liberties Protection Department has worked in conjunction with Mahidol University in the preparation of the 3<sup>rd</sup> National Human Rights Plan (2014-2018) “through a participatory process involving all sectors”. This is a process through which members of the public and representatives of all provinces collectively learn about human rights and freedoms, and reflect, deliberate upon and participate in preparing plans at the local covering all provinces in the country. These plans are then developed into a national-level human rights plan for submission to the Cabinet, and to be officially announced as Thailand's 3<sup>rd</sup> National Human Rights Plan (2014-2018).

The National Human Rights Plan serves as a tool developed by the State for all parties concerned to apply in the promotion and protection of human rights in the form of a national framework in the field of human rights designed to develop Thailand's human rights administration in a unified manner so that there is progress and it is consistent with international standards. This plan also serves chiefly to redress problems related to the country's human rights violations. It aims to achieve greater efficiency and effectiveness, and render benefits for members of the general public. In addition, this constitutes an evidence of Thailand's commitment to human rights promotion and protection – a positive stance for the country to achieve a positive image in terms of human rights matters in the international community.

As such, it is of utmost importance to disseminate the 3<sup>rd</sup> National Human Rights Plans internationally with special reference to its conceptual framework, plan preparation process, essential elements and its steering into implementation. This should contribute to the creation of an international collective exchange and learning process, the results of which shall be applied in the development of the implementation of Thailand's National Human Rights Plan in subsequent stages.

## 2. Objectives

2.1 To distribute the summary of Thailand's 3<sup>rd</sup> National Human Rights Plan to the international community; and

2.2 To develop cooperation and a collective exchange and learning process in conjunction with the international community in relation to the conceptual framework, the plan preparation process, essential elements and the steering of Thailand's 3<sup>rd</sup> National Human Rights Plan into implementation.

## 3. Essential Elements of Thailand's 3<sup>rd</sup> National Human Rights Plan"

Part 1 Introduction

Part 2 The Conceptual Framework for and the Drafting Process of the 3<sup>rd</sup> National Human Rights Plan

Part 3 Key Elements of the 3<sup>rd</sup> National Human Rights Plan

Part 4 An Administration System for the Steering of the 3<sup>rd</sup> National Human Rights Plan towards Implementation as well as Monitoring and Evaluation

Part 5 Conclusions, Recommendations, and Challenges

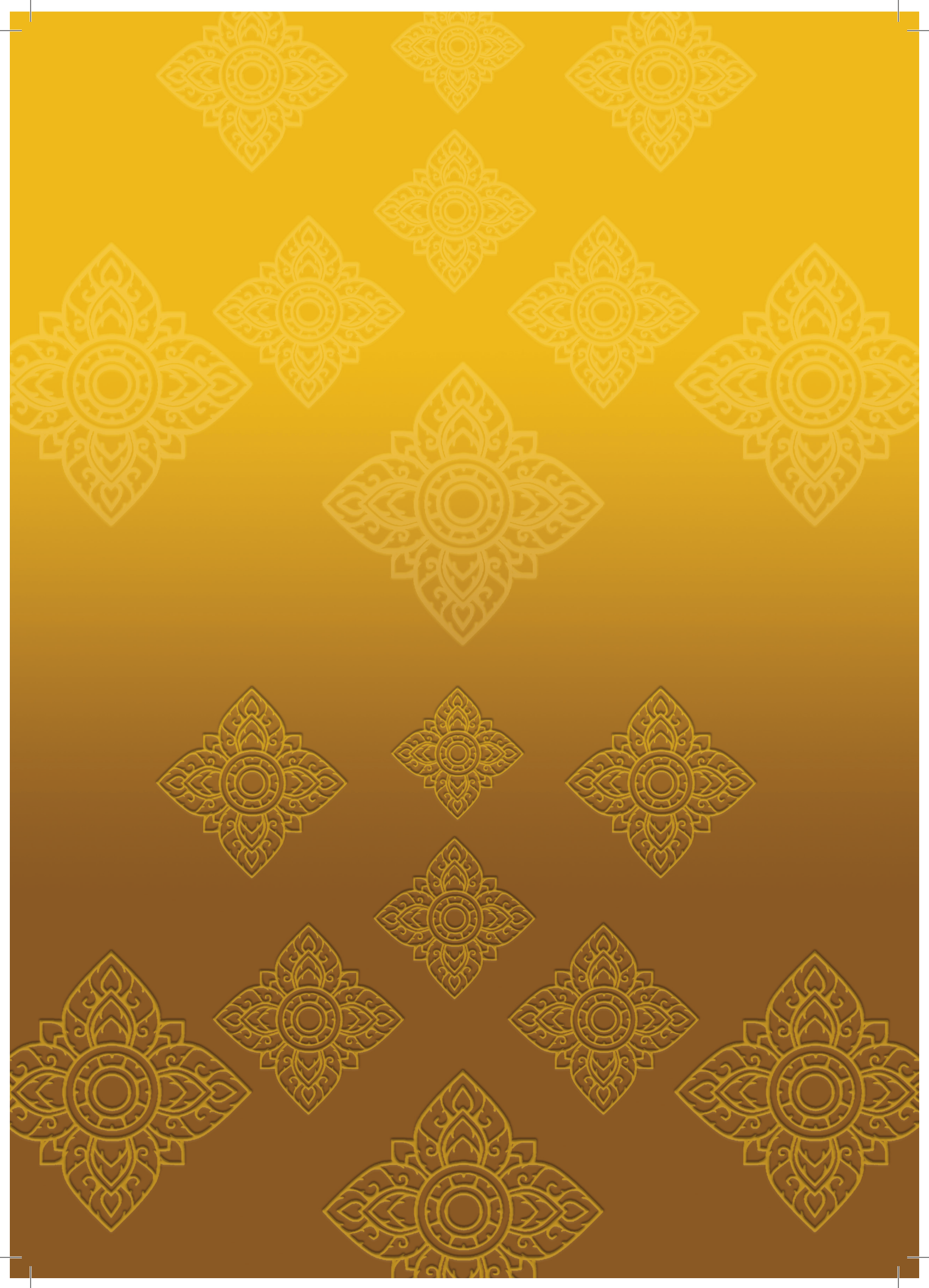
## 4. Expected Outcomes

4.1 An effective enhancement of Thailand's image with regard to human rights promotion and protection; and

4.2 A broad dissemination of Thailand's 3<sup>rd</sup> National Human Rights Plan to the international community.









## ◆ Part 2 ◆

### The Conceptual Framework and the Drafting Process of the 3<sup>rd</sup> National Human Rights Plan





# 3<sup>rd</sup> National Human Rights Plan

## “From glassroots to the International”





## Part 2



### The Conceptual Framework and the Drafting Process of the 3<sup>rd</sup> National Human Rights Plan

#### 1. The Conceptual Framework for the 3<sup>rd</sup> National Human Rights Plan

The preparation of the 3<sup>rd</sup> National Human Rights Plan is based on a conceptual framework through which the resulting plan emanates from the participation of all sectors concerned, covering representatives of all provinces across the country in the same vein as the 1<sup>st</sup> and 2<sup>nd</sup> National Human Rights Plans. Also, its presentation style has been adjusted from that of the 2<sup>nd</sup> National Human Rights Plan in order that the 3<sup>rd</sup> National Human Rights Plan achieves a higher degree of universality. This is a process whereby issues or voices by the Thai population, provisions of the Constitution of the Kingdom of Thailand, the recommendations adopted for implementation by Thailand's commitments under the Universal Periodic Review (UPR), and commitments on international human rights obligations to which Thailand is a State Party and, consequently, blended into one coherent document so as to steer the country's human rights administration in the same direction in its entirety.

It is evident that numerous recommendations in the National Human Rights Plan draw on recommendations set forth in the UPR mechanism and the human rights treaties to which Thailand is a State Party. It is to be noted, however, that numerous other issues have also been included in the draft 3<sup>rd</sup> Plan, based on public hearings involving all parties concerned, as well as a human rights situation analysis and the actual plan drafting process at the local level in Thailand. Therefore, the preparation of the 3<sup>rd</sup> National Human Rights Plan bodes well for the human rights cause in the sense that the National

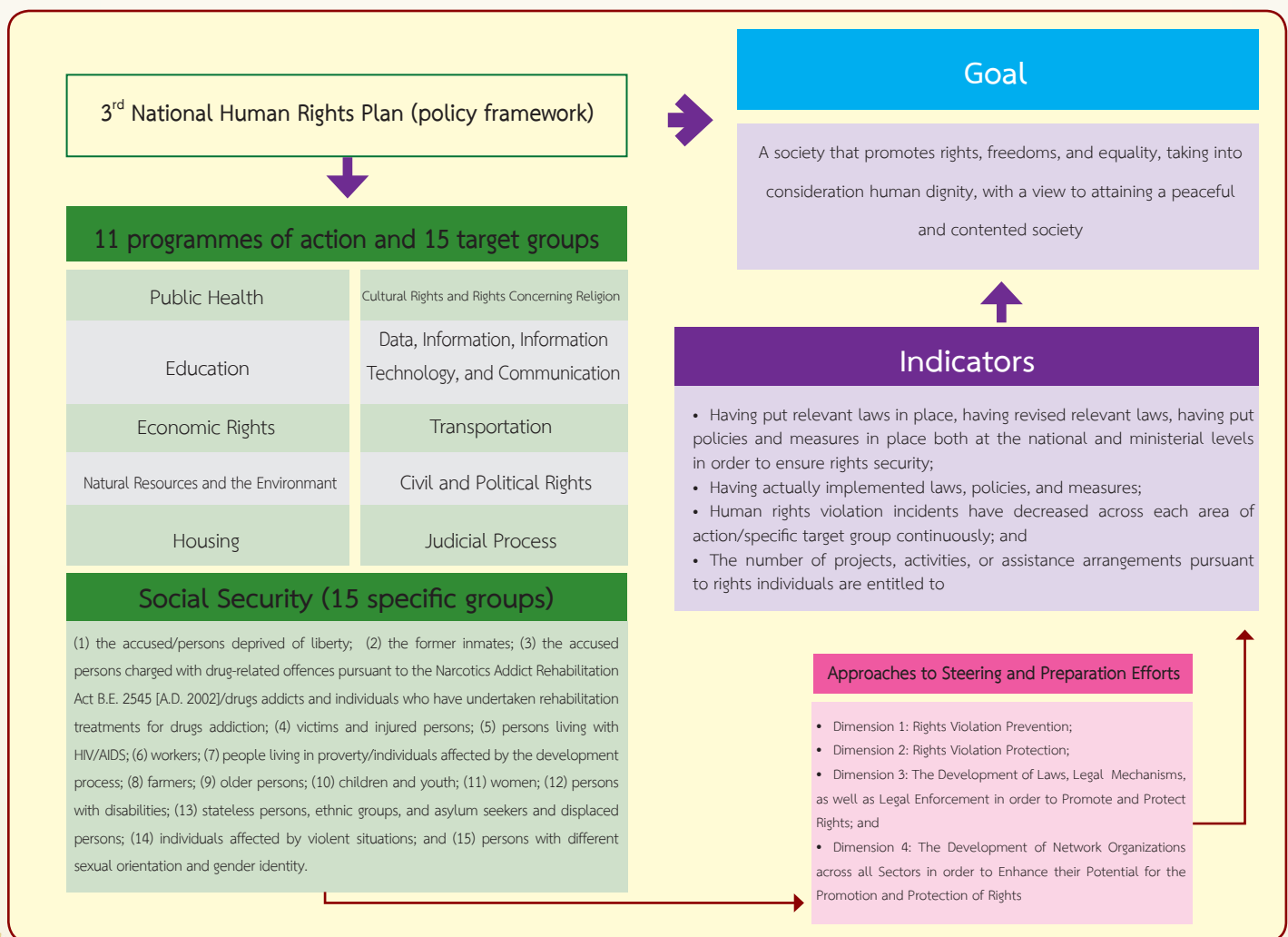
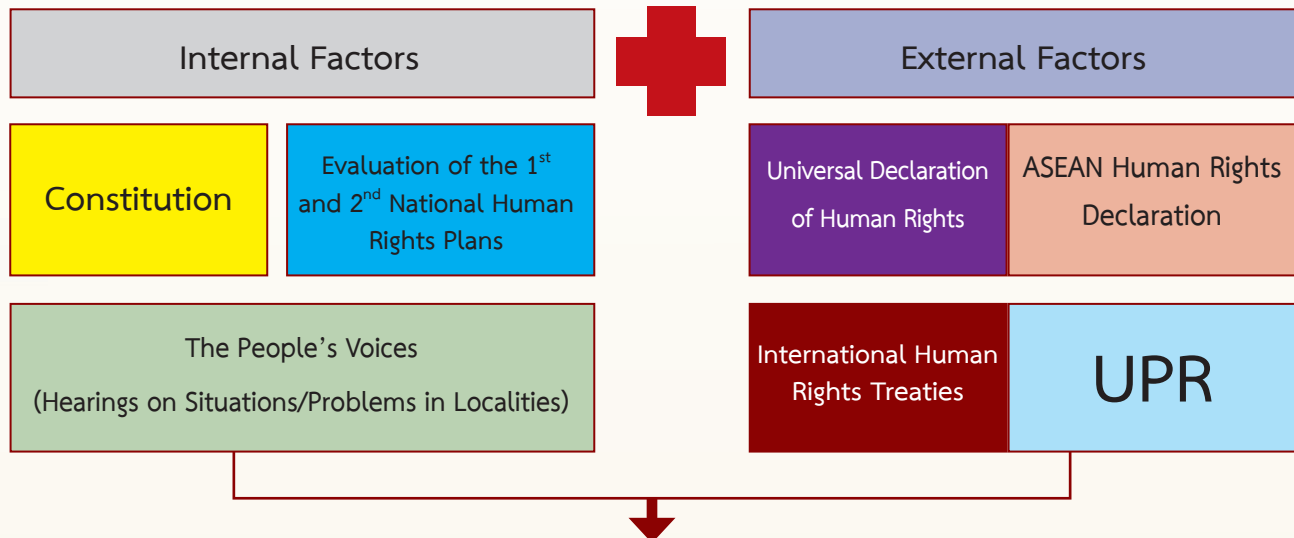
Human Rights Plan has now integrated both grass-roots elements and internationally-acknowledged practices, covering operations related to human rights across the board, whereby the population's interests truly take center stage.







## The Conceptual Framework for the drafting of the 3<sup>rd</sup> National Human Rights Plan





## 2. The Preparation of the 3<sup>rd</sup> National Human Rights Plan

The preparation of the 3<sup>rd</sup> National Human Rights Plan places an emphasis on the participation of all sectors across the country – a process through which members of the public collectively learn about human rights and liberty, reflect and deliberate upon, as well as make a decision regarding and prepare plans from the local/provincial level, which is to be developed into a national plan. This process is divided into 2 stages.



**Stage 1** (fiscal year 2012) “The drafting of human rights plans at the local level” research and the connecting of relevant data in the Thai context to the principle of international human rights, all of which were applied in the formulation of operational direction framework. In addition, public hearings were conducted with representatives from all parties concerned collectively drafting human rights plans at the local level, covering all the 4 regions and Bangkok. The resulting plans were then collated and led to the draft 3<sup>rd</sup> National Human Rights Plan drawing from the local level; and





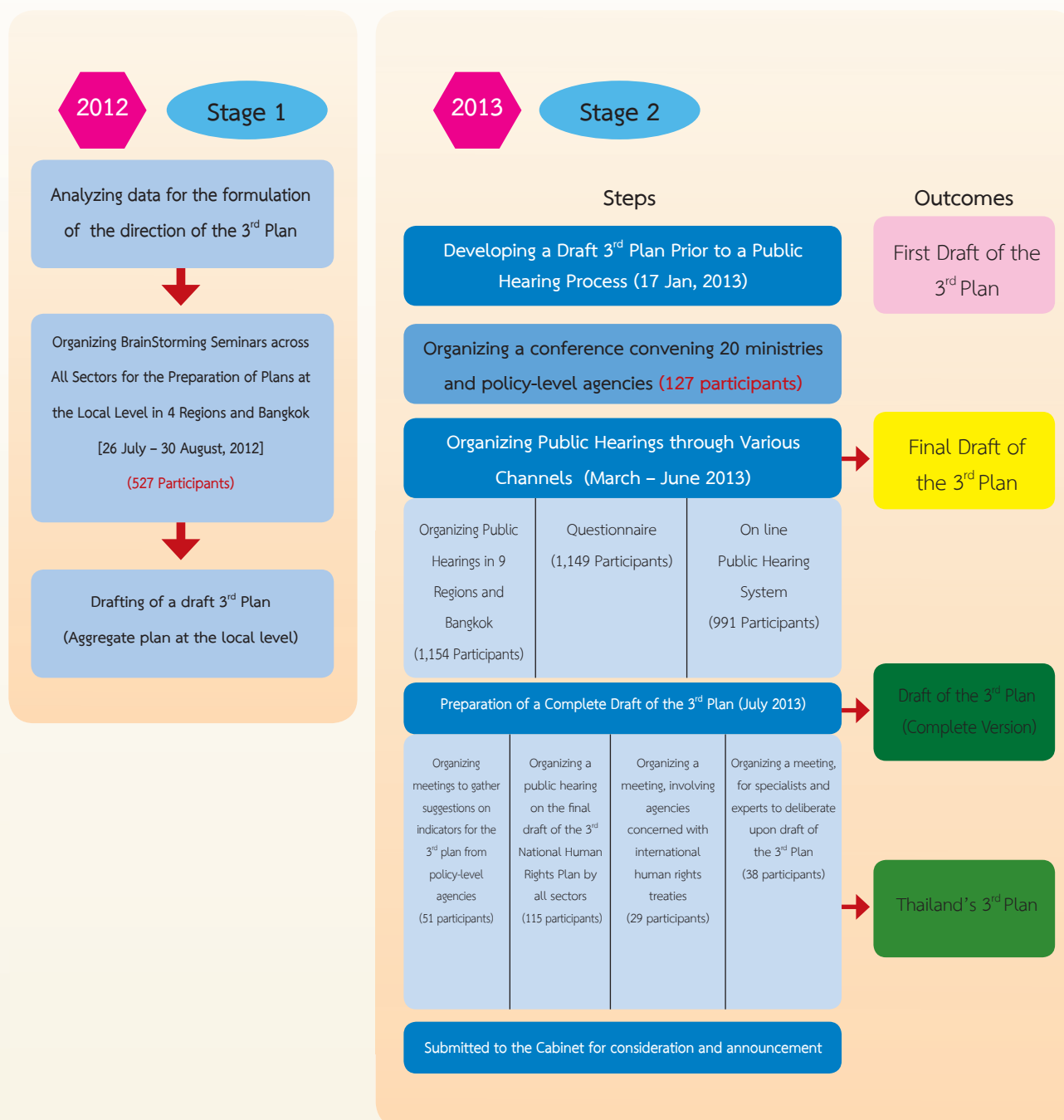
**Stage 2** (fiscal year 2013) “The preparation of a complete version of the 3<sup>rd</sup> National Human Rights Plan” is a process during which draft human rights plans developed at the local level were incorporated into a public hearing process involving the participation of 20 ministries and policy-level agencies concerned, and were further improved as the first draft of the 3<sup>rd</sup> National Human Rights Plan (2014-2018) at the national level. Subsequently, this draft was

presented for reviews by all parties concerned through various channels. The resulting comments were then summarized, processed, and developed into the final draft of the 3<sup>rd</sup> National Human Rights Plan (2014-2018). Later, representatives from each ministry collectively set forth suggestions regarding performance indicators for each issue. Nationally recognized human rights specialists and experts were then invited to deliberate upon the draft, and provide comments and ideas in the final round prior to the preparation of a complete version of the National Human Rights plan which is to be submitted for cabinet consideration and official announcement.





## The Preparation Process of the 3<sup>rd</sup> National Human Rights Plan



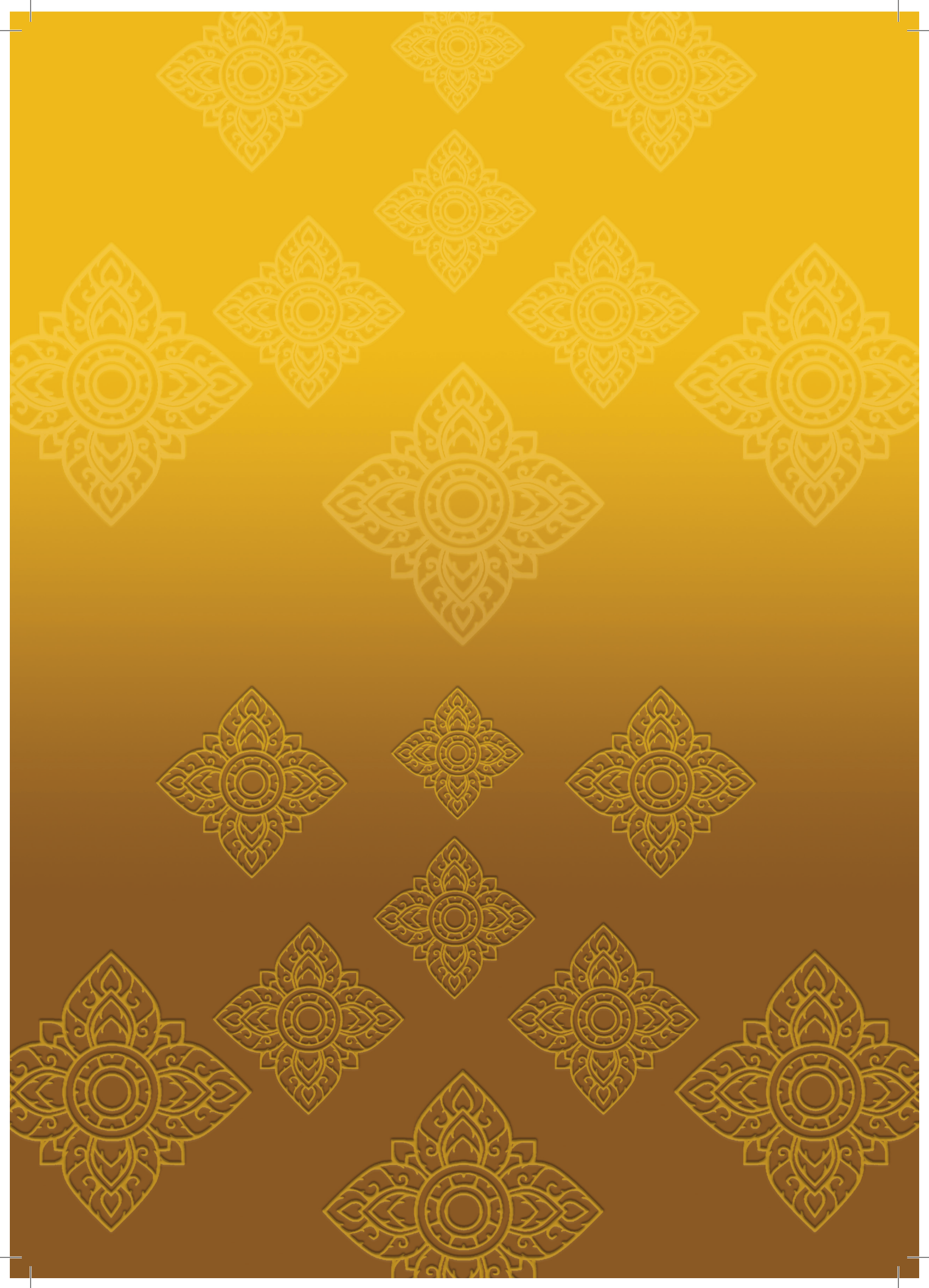
### 3. Target Groups Participating in the Plan Preparation Process

The target groups identified for this purpose are representatives of all sectors concerned, covering all the provinces across 4 regions and Bangkok – i.e. the public sectors, state enterprises, the private sectors, academics, members of the press, Non Governmental Organizations (NGOs), the people's sectors, politicians, business entities, local administrative organizations, networks, associations, as well as groups of those affected by acts of human rights violation. The total number of individuals participating in the plan preparation process through all designated channels was 4,181.

### 4. Participation of Representatives from All Sectors Concerned in the Public Hearing Process Regarding the Draft of the 3<sup>rd</sup> National Human Rights Plan

According to public hearings conducted across groups of representatives from all sectors concerned, during the preparation of the 3<sup>rd</sup> National Human Rights Plan, it has been found that more than 94 percent of the sample groups agree with the draft plans for each field of operation, and more than 90 percent of the sample groups agree with the draft plan for each target group.







## ◆ Part 3 ◆

### Key Elements of 3<sup>rd</sup>

## National Human Rights Plan





# 3<sup>rd</sup> National Human Rights Plan

with a view to transform Thailand into

“a society that promotes rights, liberty, and equality,  
taking into consideration human dignity, with a view  
to attaining a peaceful and contented society”.





## Part 3



### Key Elements of 3<sup>rd</sup> National Human Rights Plan

#### 1. Key Goals of the 3<sup>rd</sup> National Human Rights Plan

“A society that promotes rights, freedoms, and equality, taking into consideration human dignity, with a view to attaining a peaceful and contented society.”

#### 2. Directions of the 3<sup>rd</sup> National Human Rights Plan

The 3<sup>rd</sup> National Human Rights Plan identifies 11 human rights dimensions and 15 target groups as follows;

- 1) A Human Rights Plan on Public Health;
- 2) A Human Rights Plan on Education;
- 3) A Human Rights Plan on Economic Rights;
- 4) A Human Rights Plan on Natural Resources and the Environment;
- 5) A Human Rights Plan on Housing;
- 6) A Human Rights Plan on Cultural Rights and Rights concerning Religion;
- 7) A Human Rights Plan on Data, Information, Information Technology, and Communication;
- 8) A Human Rights Plan on Transportation;
- 9) A Human Rights Plan on Civil and Political Rights;
- 10) A Human Rights Plan on Judicial Process; and
- 11) A Human Rights Plan on Social Security.

This plan explores and identifies target groups potentially susceptible to social security issues. In particular, the 15 target groups below which are considered to be vulnerable are covered by the following plans:

- (1) A Human Rights Plan on the Accused Persons/Persons Deprived of Liberty;
- (2) A Human Rights Plan on Former Inmates/Persons Released from Detention;
- (3) A Human Rights Plan on the Accused Persons Charged with Drug-Related Offences Pursuant to the Narcotics Addict Rehabilitation Act B.E. 2545 [A.D. 2002]/drugs addicts and individuals who have undergone rehabilitation treatments for drugs addiction;

- (4) A Human Rights Plan on Victims and Injured Persons;
- (5) A Human Rights Plan on Persons Living with HIV/AIDS;
- (6) A Human Rights Plan on Workers;
- (7) A Human Rights Plan on People Living in Poverty/Individuals Affected by the Development

Process;

- (8) A Human Rights Plan on Farmers;
- (9) A Human Rights Plan on Older Persons;
- (10) A Human Rights Plan on Children and Youth;
- (11) A Human Rights Plan on Women;
- (12) A Human Rights Plan on Persons with Disabilities;



(13) A Human Rights Plan on Stateless Persons, Ethnic Groups, and Asylum Seekers or Displaced Persons;

(14) A Human Rights Plan on Individuals Affected by Violent Situations; and

(15) A Human Rights Plan on Persons with Different Sexual Orientation/Gender Identities. Details of each human rights plan are as follows:

#### 1) A Human Rights Plan on Public Health

This plan aims to ensure that members of the public receive quality public health services and have equal access thereto according to their rights. The operational measures designed in this regard are:

- **Right awareness**, whereby the awareness level of members of the public are enhanced such that they are aware of their lawful rights to medical treatments and that patients are entitled to be informed of their treatment data in a concrete manner. Also, public relations media are developed and distributed to enhance the knowledge level among members of the public;

- **Access to public health services** such that resources are distributed comprehensively and equitably, for example, using mobile public health services, delivering service by channeling to specific groups, and providing systematic opportunities for compensation in the case of medical treatment; and

- **Equitable service quality** in which alternatives are increased regarding payments by individuals covered under the universal health care coverage scheme; integrated public health service delivery and patient referral system covering referral operations from remote areas to designated hospitals within specific areas. These measures also include the integration of medical service management systems under the three main funds – i.e. Social Security, the National Health Security Fund, and the Civil Servants' Health and Welfare Fund.

#### 2) A Human Rights Plan on Education

This plan aims to enable members of the public to have access to quality compulsory education in a comprehensive and equitable manner as they are lawfully entitled to. The operational measures designed in this regard are:

- Prepare long-term education development plans consistently across all successive governments;
- Encourage agencies responsible for educational provision to take a pivotal role in providing budgetary support to educational institutions in specific local areas;
- Promotion of career-enhancing projects geared towards students;
- Promotion of curriculum development through a participatory process;
- Development of curricula and educational structures that are in line with human rights principles, local contexts, and that are amenable to educational rights of specific groups and life-long learning; and
- Provision of courses with instructional contents on moral and ethical principles, respect for others, civics, an introduction to law, life skills, Thai and local cultures, and good relationships within family settings; as well as the integration of local wisdom into the development process of educational curricula in specific communities.

#### 3) A Human Rights Plan on Economic Rights

This plan aims to enhance the people's access to occupational opportunity and adequate income as they are lawfully entitled to. The operational measures developed in this regard are

- Ensure that policies are formulated and implemented in an equal manner so as to enable members of the public to have access to occupational opportunities and adequate income as they are lawfully entitled to;

- Optimize the efficient use of the country's resources, in particular with special reference to natural resources;

- Promote saving and mechanisms amenable to strong community-based and small-scale occupational; and

- Coordinate among national and international networks as a resilient response to the forthcoming ASEAN Economic Community.

#### 4) A Human Rights Plan on Natural Resources and the Environment

This plan aims to enable members of the public to live in a good environment, be aware of and appreciate their rights to living in a good environment and rights to participation in natural conservation and equality in the utilization of natural resources. The operational measures developed for this plan consist of

- Emphasis on the prevention of environmental problems in lieu of compensation practices to mitigate environmental consequences;
- Promotion of appropriate and safe use of chemicals among farmers, as well as a restructuring of cultivation areas suited to their respective cultivation potential;
- Promotion of garbage separation and waste water treatment so as to preserve the environment;
- Increase efforts to enforce laws on the environment and natural resources allocation in an active, equitable and unbiased manner;
- Revise sanctions to suit current situations;
- Bring legislation into line with current conditions;
- Hasten measures to provide assistance and compensation to individuals suffering natural disasters in a speedy, appropriate and equitable manner;
- Promote the role of local administrative organizations and communities in assessing environmental impact through a participatory process, including the expediting of legislation addressing the conservation and maintenance of natural resources and the environment;
- Enhance public consciousness as to the importance of natural resources and the environment; and
- Create incentives which will reward entrepreneurs who operate their enterprises in a responsible manner in relation to natural resources and the environment.

#### 5) A Human Rights Plan on Housing

This plan aims to enable members of the public to have access to habitation and safe water resources which are essential means of livelihood in adequate quantities. The operational measures developed for this plan are

- Reduce migration into urban areas;
- Increase the housing supply in urban areas;
- Make town planning systematic and efficient;
- Develop public infrastructure in an equal manner across regions; and
- Protect the people's right to purchase accommodations.

#### 6) A Human Rights Plan on Cultural Rights and Rights concerning Religion

This plan aims to enhance good understanding among ethnic groups, as well as encourage freedom of religious faiths and practices, rites, and expression of religious and cultural beliefs. The operational measures developed for this plan are

- Promotion of concepts and policies amenable to the acceptance of cultural diversity;
- Promotion of creative, socially responsible media production and presentation by media entrepreneurs;
- Promotion of Thai culture at home and in school;
- Enhance awareness in relation to Thai identity and the promotion of the existing culture;
- Encourage the state to revive and maintain local cultures and to allow communities to participate in the determination of their own cultural direction(s);
- Promote the role of traditional Thai culture in the enhancement of interpersonal relations within family settings;
- Reorganize the supervision of religious personnel, religious beliefs and teachings, and religious objects; and
- Consistently and regularly inculcate and transfer religious concepts to children and youth.



## 7) A Human Rights Plan on Data, Information, Information Technology, and Communication

This plan aims to enable members of the public to have access to information and communication technology, as well as public data and information comprehensively. The operational measures developed for this plan are

- Supervise the presentation of sensitive news;
- Ensure that the scope of human rights in the field of communication and information technology is comprehensively and clearly presented and broadcast;
- Supervise the scope and ethics of the media;
- Organize public-sector data and information into a centralized system;
- Promote access to communication technology across all spatial dimensions and groups;
- Disseminate training and knowledge about information technology to all target groups, especially older persons and persons with disabilities; and
- Enhance competitive opportunities for entrepreneurs in the field of information and communication technology.

## 8) A Human Rights Plan on Transportation

This plan aims to enable members of the public to have comprehensive access to and enjoy safe transportation services of good standards, as well as benefit from rehabilitative and remedial measures in the event of their being affected by using transportation services and being exposed to traffic, and receive compensation for being affected or when their rights are violated as a result of the implementation of transportation and traffic projects in an appropriate and equitable manner. The operational measures developed for this plan are

- Manage the environment and provide facilities, amenities or services in buildings, on the premises, in vehicles and within the framework of transportation services;
- Open up access to basic public services and social services in an equal manner;
- Develop regional areas;
- Implement restorative and remedial measures for individuals negatively affected while using transportation and traffic services;
- Provide compensation in an appropriate and equitable manner for individuals suffering eviction or whose rights are infringed as a result of the implementation of transportation and traffic projects;
- Enable users of transportation and traffic services to have access to complaint mechanisms in order to ensure that they receive efficient services; and
- Enhance the dissemination of data and information regarding transportation and traffic projects and the ability of members of the public to express their opinions regarding such projects that may exert negative impacts on concerned communities and individuals.

## 9) A Human Rights Plan on Civil and Political Rights

This plan aims to enable members of the public to receive protection in terms of their rights to and liberty for the expression of their opinions and political expression, as well as to benefit from the good performance of public duties on the part of personnel functioning in the bureaucracy and politics based on ethical principles: The operational measures developed for this plan are

- Promote political development along democratic lines at all levels;
- Promote the acquisition of knowledge, understanding and consciousness among members of the public, public officials, politicians, and all sectors concerned to ensure that they are all aware of their rights, duties and ethical responsibilities through media of various types and social institutions;
- Apply measures designed to inspect the functioning of political office holders and public-sector executives, and all sectors;
- Encourage effective application of codes of conduct in the public sector;
- Consistently promote the redress of inequality and the inequitable distribution of wealth within society;

- Consistently promote the redress of unrest in the three southern border provinces, and ensure that all parties concerned shall have access to judicial;
- Protect and facilitate people's liberty in peaceful political participation.
- Empower members of the public to inspect the exercise of power on the part of the public sector function and politicians in a concrete manner; and
- Prevent challenges related to corruption at all levels.

#### 10) A Human Rights Plan on the Judicial Process

This plan aims to enable members of the public to receive protection in relation to laws and justice procedure in a speedy, equitable, and equal manner without being subject to discriminatory practices. The operational measures developed for this plan are

- Change capital punishment to life imprisonment through parliamentary deliberation in light of the continued effort to upgrade Thailand's internal human rights laws to be consistent with international standards;
- Promote the advancement of knowledge and access to rights in relation to judicial procedures on the part of members of the public;
- Develop ethical principles, the rule of law, and good governance in the administration and functioning of personnel working in judicial procedures;
- Develop measures designed to effectively expedite the proceedings and implementation of court judgments;
- Encourage public participation in the inspection, and notification of leads, abuse of power cases on the part of officials;
- Create measures designed to ensure that all accusations regarding misconduct cases on the part of officials shall be actively investigated, and offenders shall be punished;
- Enhance social harmony;
- Conduct investigations into allegations regarding human rights violations in Thailand's southern border provinces, and immediately implement measures to improve situations in Thailand's southern border provinces;
- Consistently promote measures to redress human trafficking situations;
- Set up the definition of "torture", and pass legislation to criminalize torture;
- Bring into line all laws concerned with the nation's obligations under the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;
- Study the possibility of ratifying the Convention on the Protection of All Persons from Enforced Disappearance, and the United Nations Convention against Transnational Organized Crime;
- Promote alternative judicial procedures and sanction measures other than punishment in various forms;
- Strengthen the protection of victims' rights to ensure that they have access to judicial procedures;
- Create mechanisms, a classification system, a treatment and rehabilitation process, and a process for the post-release monitoring of children and youth in conflict with the Law;
- Create a mechanism connecting or referring cases to the various agencies concerned so as to ensure that parties concerned are systematically delivered with appropriate judicial procedures and services;
- Secure a central budget source and emergency budgetary items for payment to parties winning cases whereby courts have ordered that administrative agencies pay financial compensation directly; and
- Change the functions of agencies administering justice to a more participatory style of work.

#### 11) A Human Rights Plan on Social Security

This plan aims to enable members of the public, especially vulnerable and underprivileged groups who are susceptible to human rights violations in society to receive equal protection without being subject to discriminatory practices, and to ensure that they can live in society with dignity. This plan explores and identifies target groups potentially susceptible to social security issues. In particular, 15 target groups have been identified as being vulnerable. A specific human rights plan has been developed to address these groups.



**(1) A Human Rights Plan on the Accused Persons/Persons Deprived of Liberty.**

The operational measures developed for this plan are

- Improvement of the current conditions of prisons, and places of detention, including an extension of public utilities as necessary;
- Availability of lawyers to provide legal assistance to defendants in both civil and criminal cases;
- Development of a screening, classification, and referral system for children and youth in the justice procedure, as well as the development of a system for the treatment, correction, and rehabilitation of children and youth;
- Promotion of good treatment practices vis-à-vis suspects or defendants by taking into consideration human rights principles, including an exploration of other approaches to or tools in monitoring alleged offenders or defendants;
- Promote a reform of the treatment system vis-à-vis children and women in the justice procedure so as to achieve an appropriate system thereof;
- Develop alternative punishment systems;
- Revise the Corrections Act, B.E. 2479 [A.D. 1936] so that it is in line with the UN Standard Minimum Rules for the Treatment of Prisoners as well as other international human rights standard;
- Enhance understanding regarding human rights and human dignity among personnel in agencies concerned; the development of security arrangements and practices vis-à-vis the reproductive hygiene of persons deprived of liberty, by taking into consideration both men and women's specific problems and needs;
- Ensure that persons deprived of liberty receive medical treatment on an equal footing with members of the general public; and
- Promote spiritual development in terms of religious practice governance for persons deprived of liberty on the part of religious organizations.

**(2) A Human Rights Plan on Former Inmates**

The operational measures developed for this plan are

- Promote the use of assistance and protective measures for former inmates;
- Set up assistance centres for former inmates;
- Promote educational opportunities;
- Provide vocational training and employment opportunities for former inmates;
- Determine legal measures regulating treatment in regard to former inmates,
- Determine duties of agencies concerned in order to provide protection and welfare to former inmates well as the prevention of recidivism;
- Develop a database system on former inmates for monitoring purposes in post-release stages; providing measures to ensure access to welfare and assistance arrangements for former inmates, and
- Promote participation on the part of local administrative organizations in rehabilitative, monitoring and assessment arrangement for the benefit of former inmates.

**(3) A Human Rights Plan on the Accused Persons Charged with Drug-Related Cases Pursuant to the Narcotic Addict Rehabilitation Act B.E. 2545 [A.D. 2002]/narcotics addicts and individuals who have undergone rehabilitation treatments for drug addicts.**

The operational measures developed for this plan are

- Provide measures relating to career training and monitoring arrangements in support of underprivileged members of the public who have undergone drug addiction treatment;
- Create an efficient post-release social work system and monitoring mechanism;
- Provide facilities for arrested narcotics takers pending for further verification; and
- Separate alleged offenders facing narcotics charges from alleged offenders charged with general offences.

#### **(4) A Human Rights Plan on Victims and Injured Persons**

The operational measures developed for this plan are

- Develop efficient and comprehensive mechanisms for assistance, compensation, and remedy in favour of victims of and injured parties in crime;
- Ensure victims and their family members' rights in relation to access to justice and efficient legal remedies;
- Impose measures to protect members of the public from enforced disappearance; and
- Protect and assist victims of human trafficking and crime.

#### **(5) A Human Rights Plan on Persons Living with HIV/AIDS**

The operational measures developed for this plan are

- Promote projects designed to enhance a better understanding regarding persons living with HIV/AIDS to minimize social stigmatism and discrimination;
- Promote social welfare promotion;
- Promote access to medicine and treatment for persons living with HIV/AIDS;
- Apply incentives or determine legal sanctions to preempt inequitable discrimination vis-à-vis persons living with HIV/AIDS on the part of employers, workplaces, and educational institutions;
- Amend rules or acts prescribing the recruitment of persons living with HIV/AIDS;
- Impose measures requiring officials concerned to ensure that specific data on persons living with HIV/AIDS are kept confidential;
- Ensure that agencies concerned work in conjunction with the National AIDS Strategic Plan (2012 - 2016), which supervises operations designed to minimize rates of new HIV infection cases, AIDS-related deaths, and social stigmatism on account of HIV/AIDS;
- Promotion of measures designed to prevent HIV/AIDS infection; and to achieve uniform service delivery in cases involving persons living with HIV/AIDS cases so that any such individual has access thereto in a convenient and speedy manner and enjoys the same standard of services delivery across all the 3 funding arrangements – i.e. the Social Security Fund, the National Health Security Fund, and the Civil Servants' Health and Welfare Fund.

#### **(6) A Human Rights Plan on Workers**

The operational measures developed for this plan are

- Supervise the implementation of relevant labour protection laws pursuant to the Labour Protection B.E. 2541 (A.D. 1998);
- Promote and protect workers' livelihood so that they enjoy occupation health and safety arrangements and good working environment;
- Promote workers' rights under labour relations laws;
- Promote and protect home workers' rights to ensure that they are actually protected in accordance with the Home Workers Act, B.E. 2553 [A.D. 2010];
- Promote rights to social security; and
- Strengthen the enforcement of laws on migrant workers protection.

#### **(7) A Human Rights Plan on People Living in Poverty/Individuals Affected by the Development Process**

The operational measures developed for this plan are

- Expedite the resolution of problems by placing an emphasis on fundamental structure development in order to enable members of the public to enjoy the right to development on an equal footing;
- Promote potential in the participation in development and self-management on the part of local communities;
- Provide basic services essential for the livelihood of the impoverished;
- Enhance and develop career prospects, livelihood and the environment in impoverished urban communities to ensure that impoverished segments of the urban population may lead a proper life and are capable of fending for themselves;



- Solve problems related to infrastructure underlying inequality in access to opportunities and services on the part of impoverished and marginalized individuals; and
- Consistently promote measures designed for an adjustment in the application of strategic plans and the National Economic and Social Development Plan.

#### **(8) A Human Rights Plan on Farmers**

The operational measures developed for this plan are

- Empower farmers to have access to land resources;
- Create an understanding on human rights in terms of farmers' rights, while taking into consideration consequences for others as a result of use of chemicals;
- Development farmers' potential in terms of technical expertise, finances, monetary matters, management, marketing, and processing;
- Promote and strengthen farmers' right of association in the form of cooperatives;
- Encourage the distribution of land tenancy rights for livelihood purposes;
- Enhance managerial efficiency in the administration of water resources so that identified agricultural areas are covered;
- Build up equity and a system for the protection of rights associated with contract farming; and
- Promote farmers' rights in terms of rights based on land resources laws, and rights to compensation for damage caused by natural disasters.

#### **(9) A Human Rights Plan on Older Persons**

The operational measures developed for this plan are

- Enhance strong and healthy senior citizens' potential so that they have access to life-long education and learning;
- Promote the upgrading of quality of life for older persons through potential social enhancements in the form of the development of life-long education and learning, medical and public health matters, science and technology, as well as job recruitment suited to their conditions and requirements;
- Adjust the role of the Senior Citizens' Fund so as to enable it to exhibit greater potential in providing care to older persons;
- Enhance the country's and its population's readiness for efficient participation in the forthcoming advent of the aging society; the promotion of long-term care and the development of a social care system designed for underprivileged older persons not capable of self-care; the determination of the country's monetary and fiscal policies in response to the forthcoming aging society in a way amenable to an adequate development of an economic security system for older persons; and
- Reorganize and provide equipments, facilities or services in buildings, on relevant premises, as well as vehicles and transportation services for older persons.

#### **(10) A Human Rights Plan on Children and Youth**

The operational measures developed for this plan are

- Integrate policies concerning security provision for children in the southern border provinces;
- Control the environment of educational institutions so that they are suitable for educational and learning purposes and are free from inappropriate elements;
- Impose the compulsory measures amenable to the promotion of good relations among family members;
- Enhance children's knowledge on their lawful rights to work, as well as promoting children's and youth's awareness of their duties as citizens together with their lawful rights;
- Develop a good quality of educational outcome measurement system;
- Hasten preventative measures vis-à-vis groups of children requiring special protection;
- Protect and promote of rights to access to data and knowledge on sex education,
- Protect rights to education for children identified as having behavioral issues; and
- Promote right to access to public transportation systems.

### **(11) A Human Rights Plan on Women**

The operational measures developed for this plan are

- Promote the role of communities at the local level in providing leads for the suppression of human trafficking;
- Promote the utilization of the Women's Role Development Fund in the provision of basic social welfare to female victims of human trafficking and domestic violence; an adjustment of attitudes and values regarding the issue of domestic violence;
- Develop a system and mechanism for operations designed to provide social assistance and the functioning of the justice procedure in a comprehensive manner in order to support individual women faced with domestic violence and sexual violence;
- Expedite economic development in rural areas and severely poverty-stricken areas;
- Promote good relations within family settings;
- Promote the advancement of knowledge on women's rights comprehensively across all the target groups, and
- Conduct campaigns to enhance knowledge and understanding about the provisions of the Domestic Violence Act B.E.2550 [AD. 2007].

### **(12) A Human Rights Plan on Persons with Disabilities**

The operational measures developed for this plan are

- Law enforcement or the provision of appropriate and tailored facilities for people with disabilities on the premises of government agencies and public places;
- Expedite access to formal educational opportunities among people with disabilities in terms of facilities, curricula, and the creation of educational incentives;
- Enhance the potential and role of people with disabilities and organizations of people with disabilities in political participation and policy-making decision;
- Promote scientific and technological development, as well as research designed to enhance the quality of life for people with disabilities;
- Create awareness and promote good attitudes vis-à-vis people with disabilities within society;
- Supervise and ensure the active implementation of labour laws concerning people with disabilities;
- Establish the registration system for people with disabilities;
- Develop a comprehensive system on treatment, care, prevention and addressing problems faced by people with disabilities;
- Reorganize the environment and the provision of facilities or services in buildings and on premises and transportation services so as to enable people with disabilities to have access thereto and make use thereof, as well as enjoy special benefits relating to public transportation services; and
- Eradicate all forms of discrimination against people with disabilities.

### **(13) A Human Rights Plan on Stateless Person, Ethnic Groups, and Asylum Seekers or Displaced Persons**

The operational measures developed for this plan are

- Expedite the clarification process regarding relevant state policy and laws in practice;
- Consistently promote measures to ensure the promotion and protection of human rights;
- Develop measures designed for the protection of benefits as well as the protection thereof through appropriate legal measures;
- Strengthen the legal framework, the state's policy, relevant laws as well as human rights promotion and protection measures;
- Enhance legal knowledge and understanding;



- Promote normal and regular access to health-related security arrangements;
  - Set up a joint committee for managerial purposes at the national and local levels;
- Develop a system for the selection and determination of status for stateless individuals and alyssum seekers, or displaced persons in Thailand;
- Coordinate with the ASEAN community and South Asian countries in order to collectively determine a set of concrete programmes of action;
  - Develop a database on stateless individuals and alyssum seekers, or displaced persons; and
  - Enhance positive attitudes within Thai society so as to encourage members of the public to appreciate and accept identity and ethnic diversity.

#### **(14) A Human Rights Plan on Individuals Affected by Violent Situations**

The operational measures developed for this plan are

- Consistently promote public participation in the Southern border Provinces;
- Ensure access to justice for all parties;
- Deliberate upon a possible improvement of the situations in Thailand's Southern border Provinces;
- Promote social harmony, which is to culminate in political and social stability;
- Develop databases on cases and consequences of violent incidents in an integrated manner;
- Revise and improve approaches to the provision of compensation and remedies to individual suffering losses and sustaining damage in violent incidents so that these arrangements are provided in a uniform direction and in an equal manner;
- Revise and improve approaches to the provision of assistance to officials pursuant to types of impacts suffered;
- Revise case proceedings vis-à-vis individuals arrested on account of violent incidents based on political opinions;
- Bring the country's laws into line with international laws on human rights in relation to freedom of expression; and
- Clearly and concretely determine rights and approaches available to members of the public in terms of freedom of assembly for the purposes of peaceful protesting.

#### **(15) A Human Rights Plan on Sexual Orientation and Gender Identity**

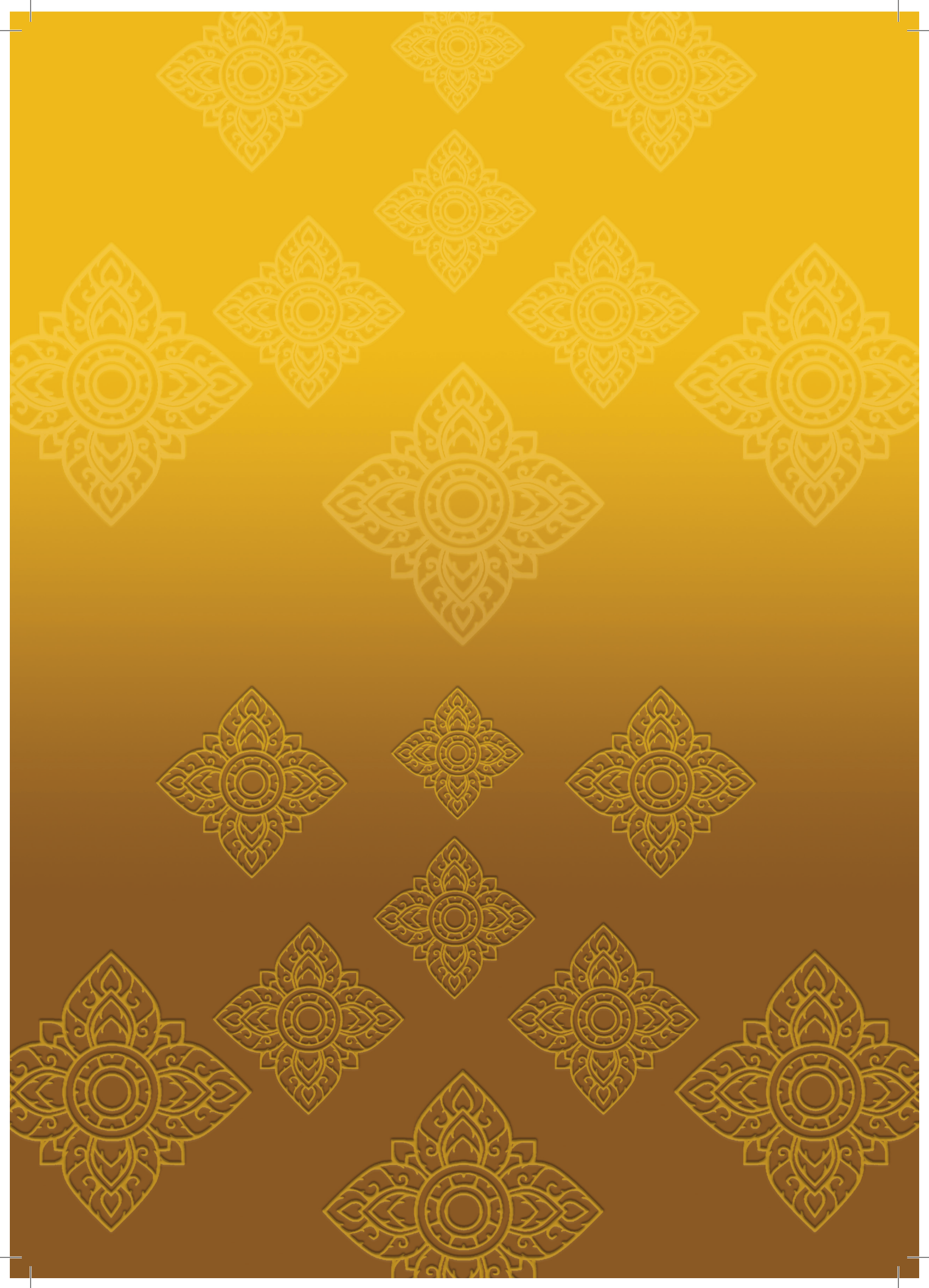
The operational measures developed for this plan are

- Encourage a change of social perception involving members of the public and officials in the justice procedure towards a greater understanding and the acceptance of the existence of gender identities;
- Promote the enactment of laws acknowledging all rights of individuals across all forms of partnerships equally;
- Set up agencies in charge of providing counseling services, receiving complaints, as well as implementing assistance, treatment, rehabilitation, remedy, and damage compensation processes;
- Explore approaches to and the feasibility of determining appropriate titles to be placed in front of names; and
- Explore approaches to and conduct the feasibility of providing support to the provision of essential public utilities suited to the diverse requirements of all gender identities.











## ◆ Part 4 ◆

An Administration System for the Steering of  
the 3<sup>rd</sup> National Human Rights Plan towards  
Implementation, Monitoring and Evaluation.





# “Empowering Collaboration to Implement the National Human Rights Plan”





## Part 4



### An Administration System for the Steering of the 3<sup>rd</sup> National Human Rights Plan towards Implementation, Monitoring and Evaluation.

Implementation measures for the steering of the 3<sup>rd</sup> National Human Rights Plan (2014-2018) is a key consideration whereby this national plan may be translated into action so as to achieve goals set forth therein. In this process, all sectors are engaged to mainstream the 3<sup>rd</sup> National Human Rights Plan into their work, anchored on a set of human rights policies or target groups lying within the mandate of each agency. This is to attain the targets stipulated in the 3<sup>rd</sup> National Human Rights Plan (2014 - 2018) with a view to transform Thailand into “a society that promotes rights, liberty, and equality, taking into consideration human dignity, with a view to attaining a peaceful and contented society”. This constitutes a process whereby all agencies within the network shall collectively participate in the human rights plan implementation.

#### 1. A Conceptual Framework for the Translation of the Human Rights Plan into Implementation

The preparation of the 3<sup>rd</sup> National Human Rights Plan (2014-2018) is carried with the purpose of its serving as a tool supporting the functioning of all agencies. These agencies are encouraged to appreciate and implement the notion of human rights by translating policies related to human rights or specific target groups lying within the scope of their mandate into their public affairs administration plans and organizational development plans, and developing projects/activities to support operations in compliance with the National Human Rights Plan with their own allocated funding.

#### 2. Network Organizations Representing All Sectors in the Implementation of the National Human Rights Plan

Network organizations representing all sectors are (1) the central public sectors (ministries/departments or equivalent policy-making agencies), the regional public sectors (provincial administration agencies) and the local agencies (local administrative organizations), (2) the private sector, (3) the people's sector, (4) educational and academic institutions, and (5) judicial organizations, other organizations, and independent organizations.



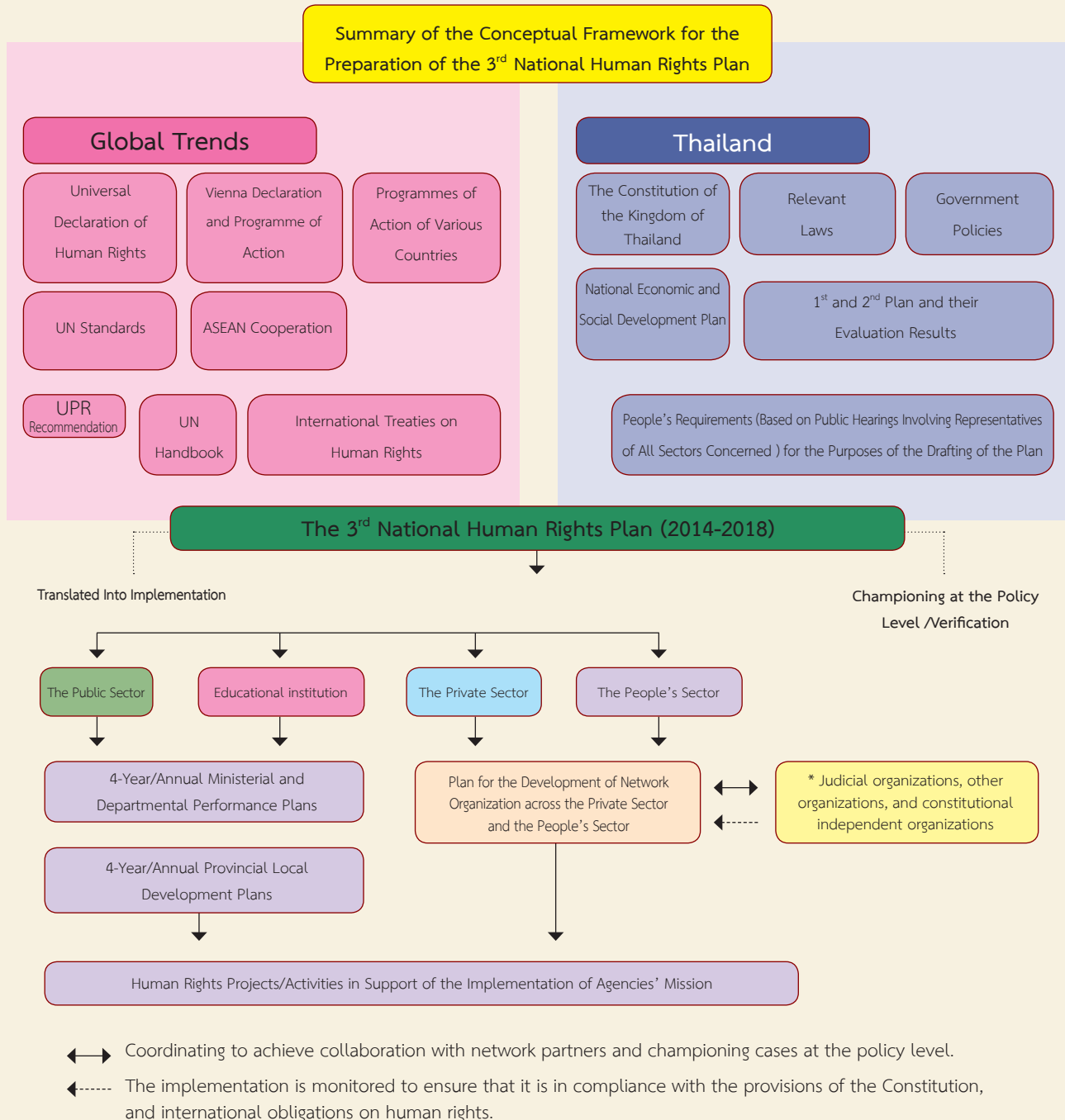
### 3. Connecting Global Trends and Thailand's Context to the Steering of the 3<sup>rd</sup> National Human Rights Plan and the Translation into Implementation

The 3<sup>rd</sup> National Human Rights Plan is based on a concept that places an emphasis on a participatory process involving all sectors concerned, while remains connected to the conceptual frameworks enshrined across the world community in terms of various elements: philosophical concepts on human rights; Programmes of Action of Various Countries, UN standards; ASEAN members' cooperation; Vienna Declaration and Programme of Action whereby each state is required to develop a human rights plan, the UN Handbook on National Human Rights Plans of Action, the Universal Declaration of Human Rights, recommendations Thailand has adopted under the Universal Periodic Review (UPR) mechanism, 7 key international treaties on human rights to which Thailand is a State Party, and Thailand's own context, the constitution, and relevant laws, the state's policy, the National Economic and Social Development Plans, as well as the 1<sup>st</sup> and 2<sup>nd</sup> National Human Rights Plans and their outcome evaluation. All of these were applied in the formulation of operational direction framework.

In addition, public hearings were conducted involving representatives from all parties concerned with representatives from all provinces collectively drafting human rights plans from the local level across 4 regions and Bangkok. The resulting findings were then processed and incorporated into a public review process involving comments from all parties concerned through numerous channels. Additionally, representatives from each ministry collectively propose recommendations regarding success indicators for each issue. Nationally recognized human rights specialists and experts were then invited to deliberate upon the draft in the final round prior to the preparation of a complete version of the National Human Rights plan to be submitted for cabinet's consideration, and official announcement.

Agencies concerned are required to steer the National Human Rights Plan toward implementation – a process during which agencies translate policies related to human rights or specific target groups lying within the scope of their mandate into their public affairs administration plans and organizational development plans. Subsequently, these agencies shall develop projects/activities to support their operations in compliance with the National Human Rights Plan with their own allocated funding.

## Connecting Global Trends and Thailand's Context to the Steering of the 3<sup>rd</sup> National Human Rights Plan and the Translation into Actual Implementation



\* NB: Judicial organizations, other organizations, and constitutional independent organizations – i.e. the Constitutional Court, Courts of Justice, the Administrative Court, Courts, the Election Commission, the Ombudsmen, the National Anti-Corruption Commission, the State Audit Commission, the Office of Attorney-General, the National Human Rights Commission, and the National Economic and Social Advisory Council.



#### 4. Approaches to the Steering of the National Human Rights Plan towards Implementation

Prior to the steering of the 3<sup>rd</sup> National Human Rights Plan on the part of each agency, necessary arrangements should be made to ensure readiness in the steering exercise (of the National Human Rights Plan) across 11 areas of action and 15 target groups in each dimension as follows;

☐ **1<sup>st</sup> Dimension: The Prevention of Human Rights Violation** ideally requires the following arrangements:

(1) Disseminate knowledge and creating awareness among members of the public comprehensively such that in the main they are thoroughly informed of human rights, liberty, and duties of good citizens. In addition, members of the public should be encouraged to respect others' rights and appreciate ways to live happily with others; and

(2) Coordinate to achieve collaboration with organizations in the network across all sectors, especially members of the press in public relations efforts relating to human rights violation situations, and continuously encouraging public participation so as to prevent human rights violation.

☐ **2<sup>nd</sup> Dimension: Protective Arrangements Regarding Human Rights Violation** ideally requires the following arrangements:

(1) Open up communication channels of all organizations within the network involving all sectors in the consistent surveillance of human rights violation;

(2) Organize a referral coordination system in connection with agencies concerned so as to efficiently provide assistance to members of the public whose human rights are violated, as well as rehabilitative and remedial interventions in favour of individuals affected through human rights violation in accordance with international standards;

(3) Create a set of values among organizations' personnel that respect and protect human rights in issues related to human rights (such as indiscriminate); and

(4) Study and collecting data on complaints and grievances resulting from the performance of agencies connected to human rights issues so as to apply them in the planning and improvement of the operational procedure.

☐ **3<sup>rd</sup> Dimension: The Development of Legal Provisions, Legal Mechanisms, as well as Law Enforcement so as to Promote and Protect Human Rights** ideally requires the following arrangements:

Revise and study laws pertaining to the mission of each agency which are not in line with the principles of rights and liberty, and human rights, as well as international treaties on human rights which are related to preparatory arrangements for legal amendments, in particular with special reference to discriminatory laws culminating in inequitable and unequal consequences.

☐ **4<sup>th</sup> Dimension: the Development of organizations in the network across all sectors such that they achieve greater potential in the promotion and protection of human rights** ideally requires the following arrangements:

(1) Promote human rights studies by encouraging agencies to create a corpus of knowledge, understanding, and awareness about human rights and the National Human Rights Plan in their personnel development courses at all levels consistently. Such contents should be integrated into relevant curricula. In this

process, the Rights and Liberties Protection Department should provide resource persons and contents, or develop extension resource person so as to support of agencies' efforts in the form of knowledge promotion and the extension of outcomes, including an exchange of knowledge and experience on human rights. Also relevant are operations concerning human rights and the promotion of research on human rights as well as lessons learned on operations in various fields of human rights, and the practical application of such research results and lessons learned to address problems faced in operations in the field of human rights;

(2) Increase efforts in creating a thorough understanding of the role, duties and relations in operations concerning human rights among public agencies, especially educational institutions so as to create awareness about human rights, and develop focal educational agencies in this regard for the country; and

(3) Develop service delivery networks in the field of human rights in a standardized manner – a strategy that requires mutual cooperation, exchanges of knowledge and learning on good practices regarding human rights, promoting and creating cooperation networks, as well as coordinating among organizations in the network across all sectors in operations concerning human rights in the public sector, the private sector, and the people's sector.

## 5. Operational Methods

Operational formats and methods for the implementation of the human rights plan of each organization within the network across all sectors may be determined as deemed appropriate in accordance with the context of each entity or locality. In this regard, relevant human rights issues identified as related to the functioning of each agency will be deliberated upon for implementation. The deliberation of such issues may either be based on, among others, a set of mission/roles directly related to each agency's mandate, or pressing and violent human rights violation necessitating immediate action, or challenges requiring concrete action related to human rights which proves beneficial to the functioning of any such organization (without having to undertake operations across all the areas of action or target groups identified).

The overall functioning of certain organizations within the network across all sectors provides an exemplary case in this regard. Such organizations are selected from among those concretely steering the implementation of the 2<sup>nd</sup> National Human Rights Plan, e.g. the Ministry of Public Health, the Ministry of Communication, the Ministry of National Resources and Environment, the Ministry of Justice, the Legal Execution Department, the Department of Juvenile Observation and Protection, the Rights and Liberties Protection Department, Chainat and Krabi Provinces. The findings of this examination have subsequently been summarized and presented in the following diagram:



## >> Visiting the Permanent Secretary of Interior



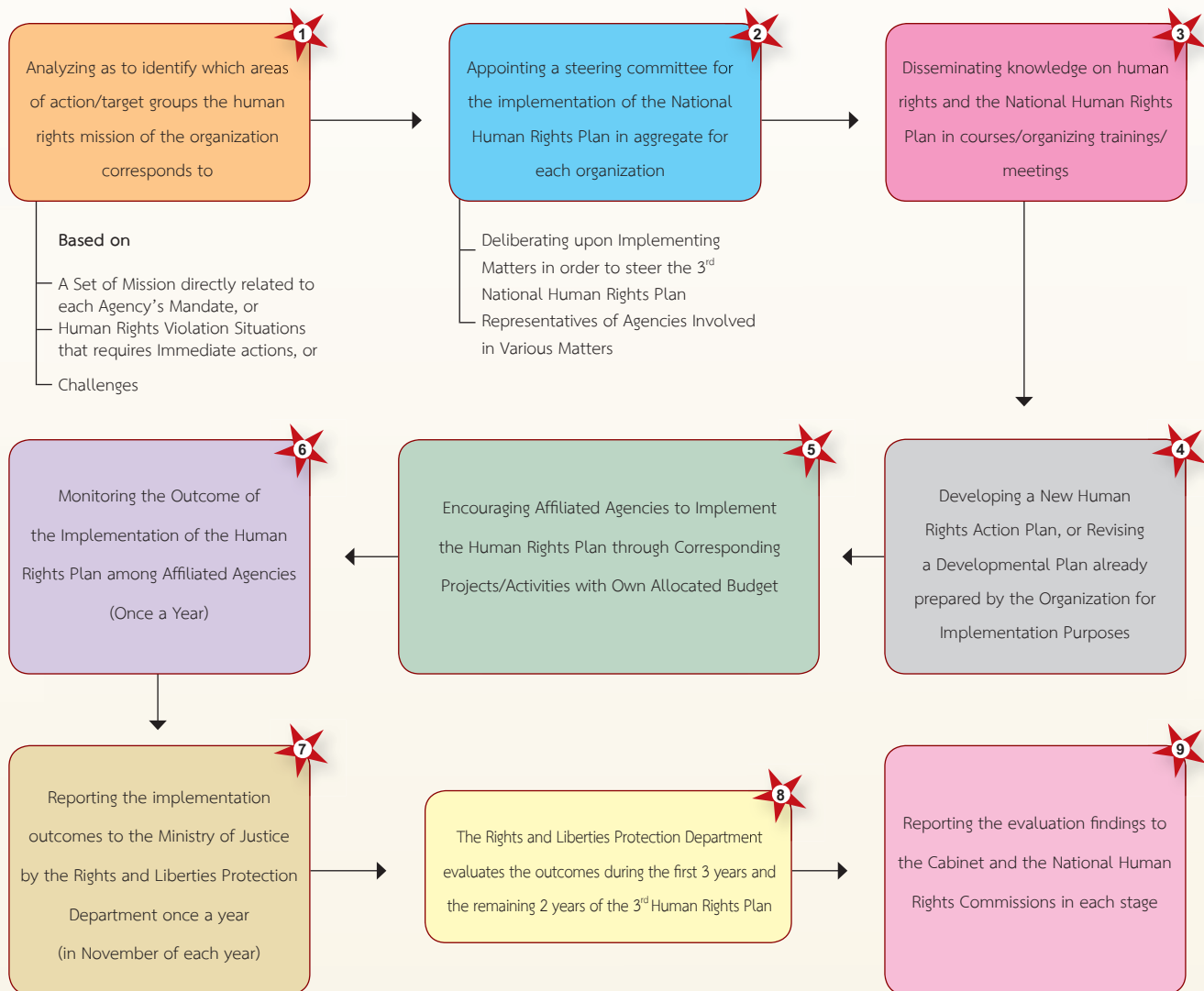
## >> Policy-level Training for 20 Ministries



## >> Training Agencies in 77 Provinces



Operational formats and methods for the implementation of the human rights plan in aggregate of each organization within the network across all sectors



\* NB : In stage 2, the appointment of committees may involve arrangements at the aggregate level of the organization in question, such as ministerial-/departmental-/provincial level committees.



## 6. The Role of Network Organizations in All Sectors and Members of the Public

The success of the 3<sup>rd</sup> National Human Rights Plan (2014-2018) consists in the responsibility of all individuals in society who are supposed to perform their duties in the best possible manner, as well as collective action in partnership with organizations within the network across the board in order to defend and protect human rights. The implementation of mission under the National Human Rights Plan cannot be accomplished only using state mechanisms. Numerous other agencies or organizations in the private sector and the people's sector at the national, regional, or local levels, as well as international organizations all have to be engaged in mission/operations related to human rights. These entities collaborate with one another for operational purposes in various forms including coordination or requests for budgetary support in their operations i.e.:

□ **National-level** mechanisms performing the duties of determining operational policy a framework direction, supervising, overseeing, and monitoring operations such that the implementation pursuant to the 3<sup>rd</sup> National Human Rights Plan in order to achieve the goals set forth. Major national mechanisms are independent organizations and public-sector organizations that serve as focal organizations championing, monitoring, and steering the National Human Rights Plan and judicial organizations, other organizations, and constitutional independent organizations that serve to steer the National Human Rights Plan into implementation at policy level. These mechanisms are listed below:

(1) "The National Human Rights Commission" has the authority of utmost importance in inspecting, supervising, monitoring the functioning of agencies, reporting on human rights violation pursuant to the obligations stipulated in the international human rights treaties to which Thailand is a high state party, as well as issuing appropriate solutions to individuals or agencies who act, or ignore any such deed, or fail to comply therewith. In this regard, the Commission reports such incidents to the Parliament.

(2) "Court Organizations, Other Organizations, and Constitutional Independent Organizations" (with the exception of the National Human Rights Commission) are agencies that champion causes at the policy level lying within the scope of their mandate, or support operations in relation to human rights across the country, or implement the National Human Rights Plan along the line of their mission and operations connected to human rights dimensions as appropriate.

(3) "The Rights and Liberties Protection Department, the Ministry of Justice" is a public-sector organization responsible for human rights matters in the executive branch (the government). The department serves as the focal agency for the implementation of the National Human Rights Plan as well as its preparation and development, the promotion of implementation, the creation of mechanisms, measures, and tools to sustain the operation, and monitoring and evaluation thereof.

(4) "International organizations" are entities that serve as a stimulating force at the policy-level such that the Government appreciates the exigency of "human rights", as well as promote, and encourage the country's accession as a State Party to international treaties on human rights, which prove beneficial to its population. International organizations can also promote, encourage and champion cases such that the country actually implement operations in compliance with the international treaties on human rights to which it is a State Party.

□ **Ministerial mechanisms or equivalent organizational mechanisms** are policy-level organizations in the public sector that have duties to implement the National Human Rights Plan. These mechanisms operate matters pursuant to their ministerial mission in a way connected with human rights dimensions relating

to specific ministries in question, and promote, encourage, supervise, and monitor agencies at the departmental or equivalent level attached therewith, as well as state enterprises and public organizations such that these entities actually implement the National Human Rights Plan.

❑ **Regional and local mechanisms** as mechanisms in localities at the provincial level across all the 76 provinces and Bangkok that serve as the center in mobilizing opinions as well as promoting public entities in each province to implement the National Human Rights Plan. These entities range from public agencies in their respective provinces, educational institutions, including local administrative organizations (provincial administrative organizations, municipalities, sub-district administrative organizations in each province, as well as Pattaya City).

❑ **Educational and academic institutions** are key organizations of utmost importance in the effective laying of foundation works in the field of human rights in terms of studies, research, training/curriculum development as well as the development of human rights works and the National Human Rights Plan as a strategy to disseminate knowledge to personnel or members of the public comprehensively at all levels. In addition, these institutions may incorporate knowledge on human rights in curricula at all levels as well as add set forth recommendations in order to improve and revise human rights promotion and protection mechanisms currently existing.

❑ **Private sectors or business sectors** are required to attach importance to human rights issues in the form of business standards such as ISO 26000 or CSR developments. This element aims to integrate business administration and respect for human rights, human dignity, together with the promotion of business ethics. In particular, this line of thinking encourages the dissemination of knowledge and understanding regarding the promotion and protection of human rights for personnel in their own organizations, as well as advances in transparent business transactions that are accountable vis-à-vis the general public, or the provision of budgetary support to various organizations for their operations in the field of human rights.

❑ **People's sector or NGOs** shall have to disseminate correct data and knowledge in the promotion and protection of human rights; create networks in conjunction with members of the public at various levels in order to monitor the inequitable use of state power or discrimination; as well as reflect upon laws still in violation of human rights that need to be redressed, or submitted to the Government for deliberation, or budget allocation for agencies to undertake operations in relations to the issue of human rights.

❑ **Members of the press** carry out their roles in a neutral manner, reflecting opinions and benefits of the majority of members of the public, especially in relation to human rights problems, as well as promoting the dissemination of information and data through various channels. All these arrangements are carried out in order to raise awareness among members of the public regarding the promotion and protection of human rights in an appropriate manner.

❑ **Members of the general public** should promote human rights in family settings, communities, and local administrative organizations, as well as follow and study a relevant corpus of knowledge. They should also acquire an understanding regarding human rights promotion and protection for practical application in their daily life. Members of the general public may also create collaborative networks and organizations at the provincial and local levels so as to monitor the exercising of power on the part of the state, and to function in conjunction with the public sector, the private sector, or the people's sector in the promotion and protection of human rights,



as well as providing support to practitioners in the field of human rights promotion and protection in Thai society.

## 7. Monitoring and Evaluation

Monitoring and evaluation constitutes a key process in being aware of data on the compliance of the 3<sup>rd</sup> National Human Rights Plan, as well as problems, obstacles and recommendations received, which serve as a tool for monitoring as well as reporting on the compliance of the 3<sup>rd</sup> Plan on the part of organizations within the network across all sectors as to whether or not the National Human Rights Plan has been implemented in an effective and concrete manner. In addition, this is in support of the steering of the 3<sup>rd</sup> Plan such that organizations within the network across all sectors accord importance to the translation of the Plan into implementation, as well as the application of monitoring data to the development of the next National Human Rights Plan, and, as supplementary data, to the promotion and protection of human rights in the country.

In this regard, the Rights and Liberties Protection Department as the central agency in the steering of the National Human Rights Plan has set forth a framework and methods for monitoring and evaluation, covering the functioning of organizations within the network across all sectors at all levels and across all agencies in the central and regional areas of mandate. The objective of this line of action is to enable all entities to implement projects/activities in line with the 3<sup>rd</sup> National Human Rights Plan and in a way connected to the functioning under the mandate of such agencies. In this respect, these agencies are also required to report the outcome of their functioning in accordance with the plan for each fiscal year to the Rights and Liberties Protection Department by November each year. In addition, neutral expert consultants will be commissioned to evaluate the outcomes in two stages – i.e. the first 3 years and the remaining 2 years of the 3<sup>rd</sup> National Human Rights Plan to monitor the progress of the Plan. Subsequently, the evaluated outcomes will be presented to the Cabinet and the National Human Rights Commission for consideration.

## 8. Benefits of the National Human Rights Plan for Thailand and the Members of the Public

### National Level

- 1) The promotion and protection of human rights in Thailand has been developed and is consistent with international standards, as a result of Thailand having generally-acknowledged standard mechanisms that serve as a benchmark in its compliance with international obligations and agreements on human rights; and
- 2) Thailand enjoys a positive image and international recognition in the international community and the ASEAN community as a result of Thailand being a UN member and a member of the ASEAN community.

### Social Level

- 1) Human rights violation situations in society exhibit a downward trend;
- 2) Agencies from all sectors collectively prevent problems related to human rights and protect human rights for members of the public, and play a role in minimizing human rights violations in Thai society. This is because of the fact that the issue of human rights is naturally related all agencies. The human rights dimension is added herein simply to enhance operational efficiency; and
- 3) Thai society is a society that promotes rights, liberty, and equality, taking into consideration human dignity, with a view to attain a peaceful and contented society.

### People's Level

Members of the public enjoy a secure life and live happily as a result of Thailand having developed a protection system in relation to rights and liberty consistent with the universal human rights.

### Ministry of Natural Resources and Environment



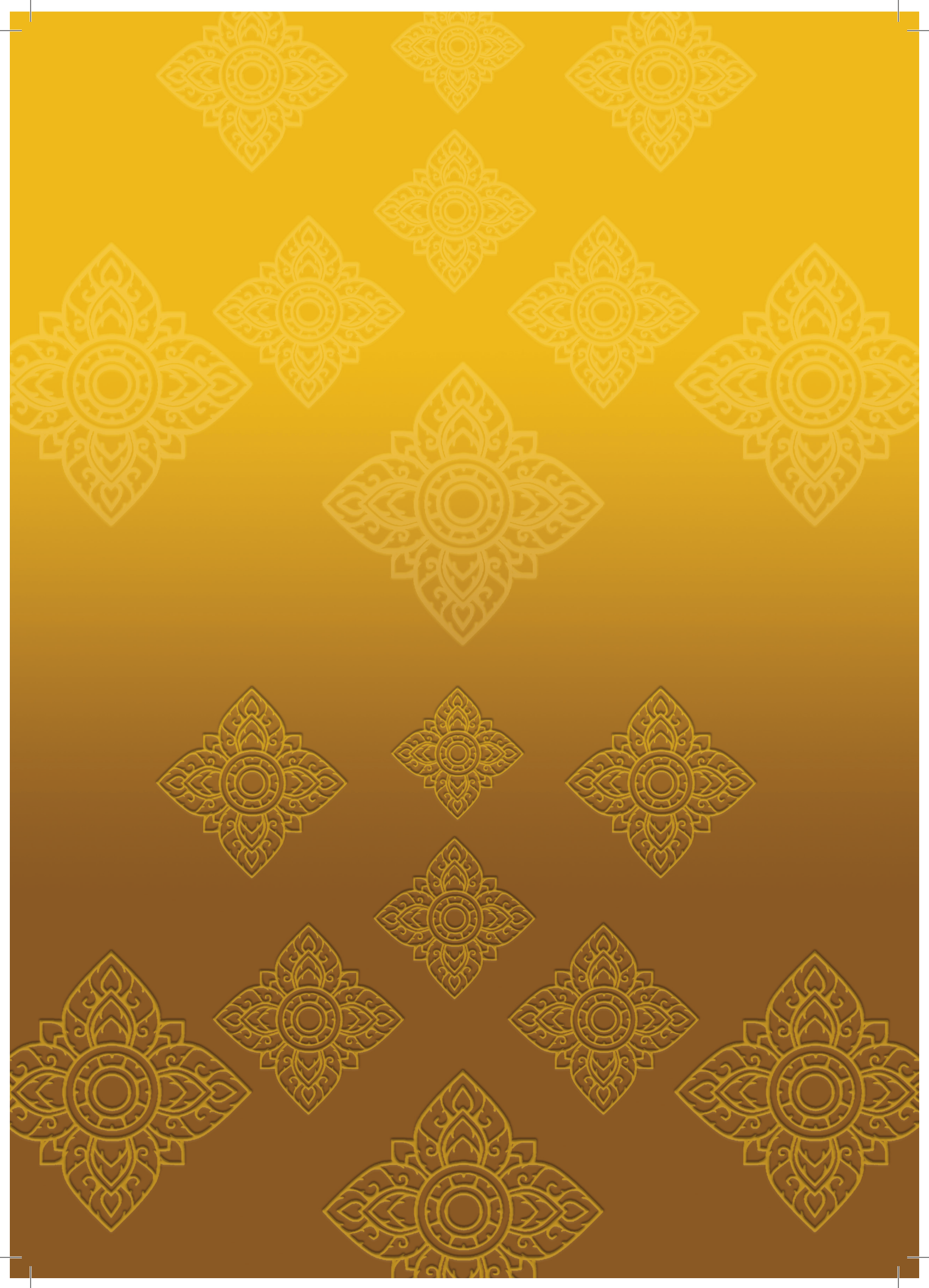
### Ministry of Defense



### Ministry of Public Health











## ◆ Part 5 ◆

### Conclusion, Recommendations, and Challenges





# “3<sup>rd</sup> National Human Rights Plan : Next Step”





# Part 5



## Conclusion, Recommendations, and Challenges

### 1. Conclusions, Recommendations, and Challenges

At present, Thailand has various national plans at all levels, ranging from the Government's public administration plan, the National Economic and Social Development Plan, ministerial operational plans, strategic plans for specific priority areas such as the prevention and resolution of narcotics-related problems, as well as strategic plans for specific groups, covering children, women, older persons and persons with disabilities. Each plan covers issues related to all dimensions of human rights, and all groups concerned. The most important and challenging issues consist in coordinating operational directions and integrating all resources as one unified collective action in order to maximize efficiency for the attainment of the goals set forth. In particular, the 3<sup>rd</sup> National Human Rights Plan is designed as a national plan to direct developments in the field of human rights in aggregate as appropriate, and to ensure that agencies or organizations in charge prepare agency-level sub-plans or coordinate among themselves to achieve consistency along the line of developments regarding human rights or the issues identified in the National Human Rights Plan in subsequent stages.

Therefore, the 3<sup>rd</sup> National Human Rights Plan is an action plan that serves as an implementation guideline for public agencies or other agencies concerned. This involves the "who", "what", and "when" aspects of the implementation process in the next 5 years. With regard to the "where" and "how" aspects, implementing agencies shall need to carry out the Plan pursuant to their fields of expertise. Also, in the steering of the National Human Rights Plan, the Rights and Liberties Protection Department should be the focal point in championing collaboration on the part of agencies, as well as in the priority-setting process for undertakings in each area under the Plan over a five-year period. In order to measure achievements concretely, an electronic system should be set up for the purposes of providing counseling services and operational outcome reporting so as to achieve greater convenience in progress monitoring and an efficient evaluation process as appropriate in subsequent stages.



## 2. Recommendations and Challenges to be Redressed in Relation to Human Rights

### ➤ Policy Level

1) Designate human rights as one of the national agenda such that it may be classified as a priority policy to be implemented in a speedy manner, and is comparable to such policies as economic, social, and security policies; and

2) Develop and upgrade matters related to Thailand's National Human Rights Plan to the frontier of knowledge within the ASEAN community by placing an emphasis on the steering of human rights plans towards implementation.

### ➤ Operational Level

1) Develop courses or training programmes for the development of potential in conjunction with various agencies consistently in depth and in practical terms in the promotion and protection of human rights violation problems in each area of action actively. Additionally, training should be provided for extension resource persons/trainers with special reference to human rights and the steering of the National Human Rights Plan towards implementation; and

2) Create mechanisms for the steering of the National Human Rights Plan at all levels across the ministerial/departmental/provincial/local levels in the form of sub-agencies under ministries, e.g. a public health human rights division/subdivision attached to the Ministry of Public Health, a human rights education unit attached to the Ministry of Education, a labour-based human rights unit attached to the Ministry of Labour. This type of development is designed to serve as a successive referral mechanism very much in the same vein as those available abroad, which could well take place in stages as appropriate. In this regard, the Rights and Liberties Protection Department should commission experts to profoundly conduct research in these matters;

3) Monitoring and evaluation should be consistently conducted so that the findings may be applied in order to improve and develop operations under the National Human Rights Plan, especially with special reference to the commission of neutral expert consultants for the purposes of evaluating the National Human Rights Plan consistently so as to enable parties concerned to be fully aware of the increasing or decreasing capacity levels of agencies after the completion of the steering efforts for each previous human rights plan. In addition, the evaluation findings shall also be referred to in the development of improved contents in the next National Human Rights Plan.

National Human Rights Plan





