



The NHRCT welcomes the cabinet’s positive response to the recommendations related to political demonstration while emphasizing the need to review any measures that may affect freedom of expression exercised by people and media.

The National Human Rights Commission of Thailand (NHRCT) welcomes the Council of Ministers’ resolution on 27 July 2021 positively responding to the recommendations made by the previous NHRCT concerning political demonstration of students and people. The four recommendations sent to the government on 24 November 2020 were the following: (1) Freedom of peaceful assembly and without arms must be respected in accordance with the objective of the Constitution of the Kingdom of Thailand B.E. 2560 (2017) “rights protection is principal and restriction is exceptional”. Force shall not be used unless strictly necessary; and if applied, it must be minimized to the most necessary degree and proportional; (2) In case of law enforcement, the law related to public assemblies should be applicable, not other less relevant ones. Any laws which unnecessarily restrict freedom of expression should be reviewed; 3) Protesters’ opinions and proposals to solve their problems should be seriously considered and without delay; (4) Explanation of reasons to restrict people’s rights and freedom of assembly should be accorded, particularly concerning the necessity and proportionality to achieve the objective(s) of such restrictions. The government should also establish a national reconciliation panel to ensure that all parties’ demands will be heard, which will lead to a peaceful settlement of conflicts.

In this regard, the NHRCT welcomes positive response from the government and is ready to cooperate with all parties in promoting and protecting human rights as well as enhancing social cohesion and conflict resolution by peaceful means.

Nevertheless, the NHRCT is still concerned about the attitude and approach to deal with fake news. In the Prime Minister’s social media channel, the message was sent to relevant authorities to combat all fake news by filing lawsuits against offenders. They were also instructed to follow Article 11 of the Announcement No. 27 under Article 9 of the Emergency

Decree on Public Administration B.E. 2548 (2005) regarding the prohibition of disinformation, which the NHRCT has previously proposed to review to ensure that government officials' operation is in accordance with human rights principles.

The NHRCT wishes to emphasize the need to review such measure. The government should carefully enforce the law which restricts the rights to freedom of expression and to information exercised by people and mass media. Those rights are fundamental and recognized by the Constitution of the Kingdom of Thailand B.E. 2560 (2017) and the International Covenant on Civil and Political Rights to which Thailand is a party with obligations to comply with.

Office of the National Human Rights Commission of Thailand
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