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MORE SHADOWS THAN LIGHTS

**Thailand's political parties and their
human rights commitments**

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1. EXECUTIVE SUMMARY

After almost five years of military rule, Thailand heads to the polls on 24 March 2019 to elect 500 members of the House of Representatives, one of the two houses of Parliament. While the return to civilian rule and a democratically elected government would normally be a step in the right direction, serious challenges with regard to democracy and human rights in Thailand could remain long after the election results are announced and a new Parliament convenes.

Such a bleak outlook is based essentially on two elements: 1) the lasting adverse impact that the problematic legal framework put in place by the military junta is likely to have on democracy and human rights in Thailand; and 2) the lack of strong commitment to upholding human rights by many political parties that are contesting the 24 March election.

With regard to the first element, the bulk of the repressive legal framework created by the junta after the May 2014 coup remains in place. In addition, by virtue of various provisions of the 2017 constitution, the military will continue to have significant clout over Thai politics, even after the election. In addition, the country's 20-year strategy, designed by the junta and approved by its rubber-stamp Parliament, effectively allows the military to dictate the policies of future governments.

With regard to the second element, the political parties' responses to a survey that FIDH conducted to gauge their commitments to human rights showed more negative than positive aspects.

The survey's findings showed some encouraging signs in the commitments that political parties made regarding human rights defenders, detention conditions, and refugees and asylum seekers. However, on a less positive note, the survey evinced little support from political parties for measures aimed at improving the enjoyment of the right to freedom of opinion and expression. This included the parties' reluctance to support the repeal of criminal defamation laws and amendments to Article 112 of the Criminal Code (*lèse-majesté*). Parties also expressed tepid support for measures that would promote women's rights and gender equality.

The most disappointing finding was arguably the strong support for the death penalty by the majority of the political parties. In addition, as Thailand remains mired in a culture of deeply entrenched impunity, it was equally discouraging to observe the political parties' unenthusiastic support for impartial investigations into allegations of serious human rights violations, including in Thailand's 'Deep South.'

Lastly, another area in which political parties seemed reluctant to intervene was in the role of the military in Thailand's political affairs.

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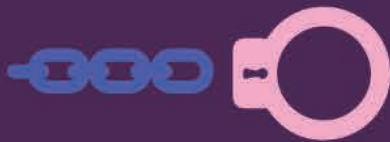
Freedom of expression

16%

Abolish criminal defamation laws.

88%

Do not support removal of jail terms for violators of Article 112 (lèse-majesté).



Death penalty



63%

Maintain the death penalty.



16%

Abolish the death penalty for drug-related offenses.



25%

Retain the death penalty only for murder.

Role of the military

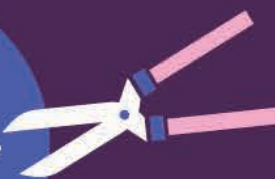
6%

Undertake security sector (including military) reform.



41%

Significantly reduce military budget.



19%

Abolish mandatory military draft.

Refugees and asylum seekers



56%

Promote legislation that incorporates the principle of non-refoulement.

Human Rights Defenders

41%

Hold regular meetings with human rights defenders.

Detention conditions



50%

Incorporate provisions of the "Mandela rules" and the "Bangkok rules" into domestic legislation.

41%

Allow the inspection of places of detention through visits by independent bodies and organizations.



2. BACKGROUND: JUNTA AT THE HELM AMID TIGHTLY CONTROLLED ELECTION ENVIRONMENT

In the lead-up to Thailand's general election, scheduled for 24 March 2019, the ruling military junta, the National Council for Peace and Order (NCPO), has retained almost all the tools that have allowed it to wield absolute and unchecked powers through provisions included in the 2017 constitution. In contradiction with the constitution itself, which guarantees fundamental rights and liberties, Articles 265 and 279 allow the NCPO to repress human rights through the continued use of Article 44 of Thailand's interim constitution (enacted on 22 July 2014).¹ In addition, most of the draconian NCPO orders and announcements remain in place.

The NCPO has also heavily interfered with the electoral process. A junta-appointed body, the Constitution Drafting Committee (CDC), was entrusted with the drafting of the four key election laws. In addition, the junta selected the all-male Election Commission (EC), the body charged with the administration of the election process. Both processes were sanctioned by the junta-appointed National Legislative Assembly (NLA).

Even after the election, and until a new government is in place, the NCPO will be able to exercise absolute power through Article 44 and will continue to exert its influence over politics through the appointment of all 250 senators, who will remain in office until 2024. In addition, the junta's 20-year strategy, designed by the NCPO and approved by the NLA, effectively allows the NCPO the power to dictate the framework for the policies of future governments.



An army soldier casts a vote at a polling station in Thailand's general election on 2 February 2014 in Bangkok.
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1. Article 44 of the interim constitution gives the head of the NCPO absolute power to issue any orders and announcements deemed necessary for "the benefit of reform in any field and to strengthen public unity and harmony, or for the prevention, disruption or suppression of any act which undermines public peace and order or national security, the monarchy, national economics or administration of state affairs." Article 265 of the 2017 constitution authorizes the head of the NCPO to continue to use Article 44 of the interim constitution until a new government is appointed after the election. According to Article 279 of the 2017 constitution, all announcements, orders, and acts of the NCPO and the head of the NCPO already in force are considered constitutional and lawful.

2.1 Junta still wielding unchecked, absolute power

Thailand's 2017 constitution, which was promulgated on 6 April 2017,² grants the NCPO sweeping and unchecked powers and immunity from prosecution.

Article 265 of the 2017 constitution authorizes the head of the NCPO to continue the exercise of absolute power under Article 44 of the 2014 interim constitution until a new government takes office following the general election. Despite the government's claim that the NCPO has used Article 44 "only when there is absolute necessity,"³ NCPO head General Prayuth Chan-ocha has continued to invoke Article 44 to issue orders related to a broad range of matters. The Thai government has insisted that anyone is able to file a claim to the Constitutional Court if he or she believes that any law or regulation enacted under Article 44 is inconsistent with the charter's provisions.⁴ However, to date, no legal challenge to orders issued under Article 44 before the Constitutional Court has been successful.

Under Article 279 of the 2017 constitution, all announcements, orders, and acts of the NCPO and the head of the NCPO already in force are considered constitutional and lawful. As a result, NCPO decrees can only be repealed or replaced through the passing of permanent laws.

2.2 Junta's repressive legal framework remains in place

Despite the lifting of several decrees in order to allow political parties to resume their operations, the bulk of the repressive legal framework created by the NCPO after the May 2014 coup remained in place in the lead-up to the election.

On 14 September 2018, the NCPO issued Order 13/2018, which partially lifted the ban on political parties and allowed them to carry out some political activities ahead of the election, while maintaining the ban on all forms of "political campaigning."⁵

On 11 December 2018, the NCPO issued Order 22/2018, which repealed provisions of several decrees, including Article 12 of NCPO Order 3/2015.⁶ Article 12 of Order 3/2015 banned political gatherings of more than four people. In addition, NCPO Order 22/2018 completely or partially repealed eight other NCPO orders and announcements. The repeal of the orders and announcements lifted restrictions on political parties' ability to campaign, organize meetings, set up branches, and receive contributions.⁷

2. National Legislative Assembly, *Constitution of the Kingdom of Thailand B.E.2560*, 6 April 2017 [in Thai], <http://click.senate.go.th/wp-content/uploads/2017/06/รัฐธรรมนูญ-2560.pdf>. Prior to its promulgation, the latest version of the draft constitution – despite having been approved in a 2016 referendum – was sent to a 10-member special committee led by Constitution Drafting Committee Chairman Meechai Ruchupan for further amendments at King Maha Vajiralongkorn's request. The amendments concern the authority and roles of the monarch.

3. Thai government, *Measures Taken to Implement the Selected Recommendations of the Human Rights Committee in the Concluding Observations on the Second Periodic Report of Thailand*, July 2018

4. Thai government, *Measures Taken to Implement the Selected Recommendations of the Human Rights Committee in the Concluding Observations on the Second Periodic Report of Thailand*, July 2018

5. Government Gazette, *NCPO Order No. 13/2018 Regarding the proceeding according to the Organic Act on Political Parties (Supplemental)*, 14 September 2018 [in Thai], available at: <http://www.ratchakitcha.soc.go.th/DATA/PDF/2561/E/225/T24.PDF>

6. Government Gazette, *NCPO Order No. 3/2015 On Maintaining Public Order and National Security*, 1 April 2015 [in Thai], available at: http://library2.parliament.go.th/giventake/content_ncpo/ncpo-head-order3-2558.pdf

7. Government Gazette, *NCPO Order No. 22/2018 Regarding the engagement of the people and the political parties in political activities*, 11 December 2018 [in Thai], available at: http://library2.parliament.go.th/giventake/content_ncpo/ncpo-head-order22-2561.pdf

The nine orders and announcements completely or partially lifted were:

1. Article 1(2) of NCPO Order 10/2014 (24 May 2014), which banned financial transactions involving people's assets deemed necessary for the sake of national security and the public's life and asset security.
2. NCPO Announcement 26/2014 (27 May 2014), which banned financial transactions involving people's assets deemed necessary for the sake of national security and the public's life and asset security.
3. NCPO Announcement 39/2014 (25 May 2014), which imposed conditions of release, such as a ban on travelling abroad and support of any political activities, on certain individuals who report themselves to the NCPO.
4. NCPO Announcement 40/2014 (25 May 2014), which imposed conditions of release, such as a ban on travelling abroad and support of any political activities, on certain individuals detained by virtue of Article 15-bis of the Martial Law.
5. Article 2 of NCPO Announcement 57/2014 (7 June 2014), which banned all political parties from "holding meetings or undertaking any political activity."
6. NCPO Order 80/2014 (28 June 2014), which prohibited 18 politicians – mainly from the Pheu Thai and Democrat parties – from leaving the country without permission, or engaging in any political activity.
7. Article 12 of NCPO Order 3/2015 (1 April 2015), which banned political gatherings of more than four people.
8. Articles 4, 5, and 7 of NCPO Order 53/2017 (22 December 2017), which banned political parties from convening their general meetings.

However, other repressive NCPO Orders and the remaining provisions of NCPO Order 3/2015 continue to be in force.

Repressive NCPO orders and announcements still in place

NCPO Announcement 97/2014, issued on 18 July 2014, bans “criticism of the work of the NCPO” and the dissemination of information that could harm national security, cause confusion, or incite or provoke “conflict or divisions” within the country by media outlets.

NCPO Announcement 103/2014, issued on 21 July 2014, amended Announcement 97/2014 to change the clause banning “criticism of the work of the NCPO” to criticism with false information with dishonest intent to destroy the credibility of the NCPO.

NCPO Order 3/2015, issued on 1 April 2015. Article 5 of Order 3/2015 authorizes the military to issue orders that prohibit “the propagation of news or [...] any other media that contains [...] information that is intentionally distorted to cause public misunderstanding that affects national security or public order.” NCPO Order 3/2015 also grants broad, unchecked powers to military officers to investigate, arrest, and detain persons without charge or judicial review for up to seven days.

NCPO Order 41/2016, issued on 14 July 2016, grants the National Broadcasting and Telecommunications Commission (NBTC) broad, unchecked powers to shut down radio or TV stations that broadcast information considered a threat to national security.

2.3 Junta interferes in the election process

In the lead-up to the election, the junta heavily interfered in the election process. Since taking power in the May 2014 coup, the NCPO has repeatedly promised a general election to return the country to civilian rule, in accordance with its so-called roadmap. However, the NCPO has dictated the election timeline, and the junta postponed the plan to hold a general election numerous times [See below, *Chronology of election date delays*].

The election timeline has been subjected to further delays through the drafting and adoption of the four election laws necessary to hold an election by the various junta-appointed bodies,⁸ including the NLA and the CDC. On 25 January 2018, the NLA unanimously passed the law on the election of MPs and inexplicably voted to delay its enactment until 90 days after its publication in the Gazette,⁹ effectively postponing the earliest date for the election until February 2019.¹⁰

9. Article 6 of NCPO Order 13/2018 (14 September 2018), which banned political campaigning online.

8. Under the 2017 constitution an election must be held 150 days after the promulgation of the four organic laws concerning the election – of the Senate, MPs, political parties, and the Election Commission.

9. Bangkok Post, *NLA backs 90 days delay in poll law*, 26 January 2018

10. Bangkok Post, *Politicians cry foul over poll delay*, 26 January 2018

The enactment of the laws on the election of senators and MPs was also delayed by the NLA's decision to forward them to the Constitutional Court to seek a ruling over the constitutionality of minor provisions of both laws. In late May 2018, the Constitutional Court eventually ruled that both laws were constitutional.¹¹ On 12 September 2018, the two laws were published in the Gazette.¹²

While political parties were banned from presenting and promoting their policies until 11 December 2018 [See above, 2.2 *Junta's repressive legal framework remains in place*], General Prayuth – who was eventually nominated as the prime ministerial candidate of the Palang Pracharath Party¹³ – travelled to numerous provinces to “improve voters’ understanding” of the election prior to the lifting of restrictions.¹⁴ Meanwhile, authorities pursued opposition party members for alleged breach of the 2007 Computer Crimes Act. On 17 September 2018, police charged Future Forward Party founder Thanathorn Juangroongruangkit and senior party members Klaikong Waithayakorn and Charuwan Sarungate under the 2007 Computer Crimes Act for allegedly giving false information in a speech on 29 June 2018 that was posted on Facebook.¹⁵ In the speech, they had alleged that the military government was recruiting members of major political parties to join new parties set up in support of it. If found guilty, they could be sentenced to a five-year prison term and/or a fine of up to 100,000 baht (approximately US\$3,185).

The NCPO also used its broad and unchecked powers to redraw the electoral boundaries. On 16 November 2018, General Prayuth invoked Article 44 to issue NCPO Order 16/2018, which empowered the EC to “decide on or redraw the constituencies.”¹⁶ Various politicians criticized the move, which they saw as blatant gerrymandering by the junta in an attempt to weaken certain political parties.¹⁷ On 29 November 2018, the EC announced the revised electoral boundaries in the Gazette.¹⁸

11. Bangkok Post, *Senate selection bill ruled constitutional by court*, 23 May 2018; Nation, *Constitutional Court removes another hurdle to next election*, 31 May 2018

12. Bangkok Post, *Senate, MP organic laws published, paving way for poll*, 12 September 2018; Government Gazette, *Organic Law on the Election of Members of House of Representatives 2018*, 12 September 2018 [In Thai], available at: <http://www.ratchakitcha.soc.go.th/DATA/PDF/2561/A/068/40.PDF>
Government Gazette, *Organic Law on the Election of the Senators 2018*, 12 September 2018 [In Thai], available at: <http://www.ratchakitcha.soc.go.th/DATA/PDF/2561/A/068/1.PDF>

13. Bangkok Post, *Prayut on PM candidate list for Palang Pracharath*, 30 January 2019

14. Bangkok Post, *Provinces here I come, says PM*, 24 July 2018

15. Reuters, *Thai police charge founder of new party over Facebook speech*, 17 September 2018; AP, *Future Forward's Thanathorn charged with computer crime*, 24 August 2018

16. Bangkok Post, *New order gives EC final say on constituency map*, 17 November 2018

17. Nikkei Asian Review, *Thai junta opponents criticize new electoral map*, 30 November 2018; Nation, *Parties accuse EC of bias in constituency mapping*, 30 November 2018

18. Government Gazette, *Election Commission Announcement on Constituency Candidate Election 2018*, 29 November 2018 [In Thai], available at: https://www.ect.go.th/ect_th/ewt_dl_link.php?nid=4638

Chronology of election date delays

Since taking power in the 22 May 2014 coup, the NCPO repeatedly promised to hold a general election to return the country to civilian rule, in accordance with its so-called roadmap. However, the NCPO continually delayed its initial pledge to hold the polls.

27 June 2014: NCPO head General Prayuth Chan-ocha said the next election would likely be held in **October 2015**.¹⁹

27 May 2015: The junta confirmed the election would not be held until **September 2016**.²⁰

26 January 2016: General Prayuth said the election would go ahead in **mid-2017**.²¹

29 January 2016: CDC Chairman Meechai Ruchupan said the NCPO's plan to hold elections in mid-2017 would be delayed by a "minimum of two to three months."²²

21 September 2016: General Prayuth told the UN General Assembly that elections would be held in **late 2017**.²³

5 January 2017: General Prayuth said polls would not be held until **early 2018**.²⁴

8 October 2017: General Prayuth said the election would be held in **November 2018**.²⁵

25 January 2018: The junta-appointed National Legislative Assembly (NLA) passed the law on election of MPs and inexplicably voted to delay its enactment until 90 days after its publication in the Gazette,²⁶ effectively postponing the election date until **February 2019**.²⁷

27 February 2018: General Prayuth promised to hold the election by **February 2019**.²⁸

25 June 2018: Deputy Prime Minister Wissanu Krea-ngam said the election would be held between **24 February** and **5 May 2019**, at the latest.²⁹

11 December 2018: The Election Commission said the election would be held on **24 February 2019**.³⁰

3 January 2019: Deputy Prime Minister Wissanu Krea-ngam said the election date would likely be delayed from 24 February to avoid post-election activities from overlapping with the coronation ceremonies for King Maha Vajiralongkorn, scheduled to be held from 4 to 6 May 2019.³¹

10 January 2019: Deputy Prime Minister Wissanu Krea-ngam hinted at a further election delay, due to concerns that the election process would overlap with the coronation ceremonies for King Maha Vajiralongkorn.³²

15 January 2019: A senior Election Commission official said that the election could not take place on 24 February because the body did not have "enough time to organize it." The official indicated the new possible dates for the polls were either **10 or 24 March 2019**.³³

23 January 2019: The Election Commission announced that the election would be held on **24 March 2019**.³⁴

19. Nation, *Thailand to hold elections in Oct 2015, says junta chief*, 28 June 2014

20. AFP, *Thai elections pushed back to Sept 2016: Junta*, 27 May 2015

21. Reuters, *Thai election in 2017 even if constitution is rejected: PM*, 26 January 2016

22. Reuters, *Thailand's draft constitution unveiled, elections pushed back*, 29 January 2016

23. Bangkok Post, *At UN, Prayut pledges 2017 election*, 23 September 2016

24. Nation, *Election to be held early next year, PM tells Canadian envoy*, 6 January 2017

25. CNBC, *Thailand to hold election in November 2018: Prime Minister*, 10 October 2017

26. Bangkok Post, *NLA backs 90 days delay in poll law*, 26 January 2018

27. Bangkok Post, *Politicians cry foul over poll delay*, 26 January 2018

28. Nation, *PM promises national election by February 2019*, 27 February 2018

29. Reuters, *Thailand signals election could be delayed until May*, 25 June 2018

30. Reuters, *Thailand to hold much-delayed election on Feb. 24: military government*, 11 December 2018

31. Bangkok Post, *Government admits election delay*, 4 January 2019

32. Xinhua, *Thailand's election might be delayed for one month: deputy PM*, 17 January 2019; Nation, *Thai deputy PM Wissanu assures election will be held no later than March*, 11 January 2019

33. Straits Times, *Thailand to delay election yet again to March, say officials*, 16 January 2019

34. Reuters, *Thailand to hold first general election since coup on March 24*, 23 January 2019

2.4 Military looms over Thailand's post-election period

By virtue of the 2017 constitution, the military will continue to have significant clout over Thai politics, even after the election.

The junta will still be able to exercise absolute power through the use Article 44. Article 265 of the 2017 constitution authorizes General Prayuth to continue to use Article 44 of the 2014 interim constitution until a new government takes office following the general election.³⁵

In addition, the Senate, which is fully appointed by the junta, will ensure the military's ability to block key proposals, such as constitutional reform, as the constitution effectively grants senators veto power over amendments to the charter.³⁶ Under Article 269, a transition period from 2019 to 2024, allows for a 250-member Senate. Fifty members are selected by the NCPO from a list of individuals submitted by the EC, 194 from a list of individuals submitted by an NCPO-appointed committee, and six seats reserved for top-ranking officials in the military, police, and the Ministry of Defense.³⁷ After the transition period, the Senate will be comprised of 200 members, none of whom will be elected.³⁸

Lastly, the military has publicly declared on various occasions that it would be prepared to launch another coup, if necessary. On 10 February 2015, General Prayuth said, "Thailand is different from other countries. If something cannot be solved [by the government], the military will solve it."³⁹ On 19 January 2017, NCPO deputy head General Prawit Wongsuwon confirmed that coups would still be necessary in cases "when the country is mired in conflict and lack of understanding."⁴⁰ On 17 October 2018, Thai Army Commander-in-Chief General Apirat Kongsompong – whose father, General Sunthorn Kongsompong, led the coup that ousted the democratically elected government of Chatchai Choonhavan in 1991 – did not rule out another military intervention in case of political conflict after the election. "If politics does not create conflict like in the past, there is no need for us to intervene," said General Apirat.⁴¹

2.5 Junta's 20-year strategy ties the hands of future governments

Among the negative impacts of the 2017 constitution is a provision that effectively gives the NCPO authority to determine the policies to which future governments will have to adhere. Article 65 of the constitution stipulates that the state should develop "a national strategy as the goal for sustainable development of the country" and that the determination of the goal and the period of time required to achieve it should be "in accordance with the rules and procedure prescribed by law."

On 21 June 2018, the NLA approved the junta-drafted National Strategy Bill by a 217-0 vote, with three abstentions. The law created a National Strategy Committee (NSC), chaired by the Prime Minister, which is tasked with conceiving the country's national strategy for the next 20 years. The strategy, which is to be reviewed by the NSC every five years, is legally binding for government agencies and officials. Failure by government agencies to implement the strategy or achieve its goals may result in officials being investigated by the National Anti-Corruption Commission (NACC).⁴²

35. Article 44 gives the head of the ruling military junta, the National Council for Peace and Order (NCPO), General Prayuth Chan-ocha, absolute power to issue any orders and announcements deemed necessary for "the benefit of reform in any field and to strengthen public unity and harmony, or for the prevention, disruption or suppression of any act which undermines public peace and order or national security, the monarchy, national economics or administration of state affairs."

36. Under Article 256, senators have effective veto power over constitutional amendments. On their first reading, constitutional amendments require the approval of at least 50% of the total number of Members of Parliament (MPs) and senators. However, the vote on the amendment will fail if it is not supported by a minimum of one-third of the Senate. On the third and final reading, the procedure is basically the same in that an amendment will fail if not supported by at least one-third of the Senate.

37. According to Article 269(c) of the 2017 constitution, the six are: the Permanent Secretary of the Defense; the Supreme Commander in Chief; the Army Commander-in-Chief; the Navy Commander-in-Chief; the Air Force Commander-in-Chief; and the Police Commissioner General.

38. Article 107 of the 2017 constitution

39. Nikkei Asian Review, *Thai leader pledges to weed out corruption before election*, 10 February 2015

40. Bangkok Post, *Prawit spurns calls for military to sign unity pact*, 19 January 2017

41. Reuters, *Thai army chief says no need to intervene if politics stable*, 17 October 2018

42. Nation, *NLA passes 20-year national strategy and reform bills*, 22 June 2018

3. SURVEY FINDINGS: MORE SHADOWS THAN LIGHTS

Methodology

The survey provides an overview of the position of Thailand's political parties on important human rights issues. It was designed to create awareness of significant human rights issues and encourage political parties to opt for specific, actionable, and measurable commitments to resolve them.

The findings are based on the responses provided by 32 political parties that participated in the survey between 12 December 2018 and 23 February 2019. These parties are representative of Thailand's political spectrum and geographic representation.

The survey is based on a questionnaire that contained 15 questions on a broad range of human rights issues [See Appendix I: *Survey's results in detail*]. For each question, the questionnaire gave a brief explanation for most of the options provided as possible responses. A space was also left for political parties to include additional comments. The questionnaire allowed political parties to select up to two answers for most questions.

All of the political parties contacted were informed of the purpose of the survey and the ways in which the information would be used.

3.1 Lights: Human rights defenders, refugees, detention conditions

Positive aspects of the survey's results were observed with regard to certain commitments regarding human rights defenders, detention conditions, and refugees and asylum seekers.

With regard to human rights defenders, the survey highlighted the political parties' support for regular engagement between political parties and human rights defenders. This is a welcome commitment, amid the Thai government's prolonged failure to deliver on its promises to protect human rights defenders, including women human rights defenders.⁴³

With regard to refugees and asylum seekers, it is encouraging that the majority of political parties supported legislation that incorporates the principle of *non-refoulement*, as a growing number of refugees and asylum seekers have been deported since the May 2014 coup d'état. Adopting such legislation and effectively implementing it would finally bring Thailand into compliance with its obligations under international law and rehabilitate its reputation as a safe haven for refugees and asylum seekers.

Amid the worsening crisis of Thailand's penitentiary system, which is witnessing a record number of inmates and extreme overcrowding, it is also welcome that a significant number of political parties were in favor of the adoption of concrete measures that would address the issue of overcrowding. Many political parties also supported the implementation of measures that would bring detention conditions into line with international minimum standards.

3.2 Shadows: Freedom of expression, role of the military, women's rights, the death penalty, and impunity for human rights violations

On a less positive note, the survey showed little support from political parties for measures aimed at improving the enjoyment of the right to freedom of opinion and expression (which includes the right to seek and receive information). The overwhelming majority of the parties did not support the repeal of criminal defamation laws and opposed amendments to Article 112 of the Criminal Code (*lèse-majesté*). In addition, almost all of the parties were in favor of maintaining jail terms for violators of Article 112.

43. FIDH, *In harm's way: Women human rights defenders in Thailand*, 3 July 2017, available at: <https://www.fidh.org/en/region/asia/thailand/women-human-rights-defenders-at-heightened-risk-of-attacks-and>

The amendment or repeal of NCPO Announcements 97/2014 and 103/2014 and Order 41/2016, all of which impose undue restrictions on freedom of expression and have been repeatedly used by the authorities to restrict media freedom, also garnered little support from political parties.

Another area in which political parties seemed reluctant to intervene was the role of the military in Thailand's affairs. Almost no party considered the reform of the security sector (including the military) as one of the main priorities for the next government. In addition, parties expressed little support for a significant reduction of the defense budget and even lower backing for the abolition of the mandatory military draft. Political parties also showed a general lack of interest in promoting accountability for serious human rights violations allegedly committed by security forces, including in the country's 'Deep South.'

With regard to women's rights, almost no party picked the promotion of gender equality and the protection of women's rights as a priority issue for the next government. In addition, few parties saw the need to establish quotas for female candidates in elections to the national Parliament and to executive bodies at the local level. Even fewer parties backed the decriminalization of abortion.

The most disappointing finding was arguably the strong support for the death penalty by the majority of the political parties. Only a small minority of the political parties backed the abolition of capital punishment for all crimes.

As Thailand remains mired in a culture of deeply entrenched impunity, it was equally discouraging to observe the political parties' tepid support for impartial investigations into allegations of torture, enforced disappearances, and extrajudicial killings by the police and military, as well as into the numerous allegations of deaths of military cadets. The support for such accountability sank even lower with regard to investigations and prosecutions of individuals responsible for human rights violations in Thailand's 'Deep South.'

Below is an analysis of noticeable patterns that emerged from the political parties' responses to the survey. The information has been organized by selected human rights issues. Percentages refer to the responses given by political parties to the questions listed in Appendix I [See below, *APPENDIX I: SURVEY RESULTS IN DETAIL*], unless otherwise specified.

3.2.1 Women's rights (Question #1)

In order to strengthen the protection and promotion of women's rights, the amendment of the 2015 Gender Equality Act was the most popular option, chosen by 53% of the political parties.⁴⁴

By contrast, the two measures that obtained the least support among the parties were the introduction or vote in favor of legislation that decriminalizes abortion (16%) and the backing of legislation that establishes a quota for female candidates in elections to the national Parliament and to executive bodies at the local level (31%). The political parties' lack of commitment to encouraging more women's participation in the political sphere was reflected by the fact that women made up only 622 (or 22%) of the 2,810 'party list' candidates fielded in the 24 March 2019 election.⁴⁵ In addition, only seven (or 10%) of the 68 prime ministerial candidates submitted by the political parties were women.⁴⁶ This trend goes against the spirit of Article 90 of the 2017 constitution and Article 51 of the Organic Law on Political Parties, which stipulate that regard to gender equality should be given by political parties in the process of preparing the list of candidates.

In its July 2017 Concluding Observations on Thailand, the UN Committee on the Elimination of Discrimination against Women (CEDAW) expressed its concern that no temporary special measures had been adopted to increase the representation of women in political and public life. The CEDAW was also concerned about the low representation of women in legislative bodies,

44. Shortcomings of the 2015 Gender Equality Act include: a provision that allows gender discrimination based on religious and national security grounds; the ineffectiveness of the complaint mechanism overseen by the Gender Discrimination Complaint Commission; and the lack of recognition of gender and gender identity.

45. 'Party list' candidates account for 150 of the 500 elected members of the House of Representatives. Candidates from party lists are elected in accordance with the procedures detailed by Article 91 of the constitution.

46. Article 88 of the constitution allows each political party to submit up to three names of individuals as candidates for Prime Minister.

ministerial posts and local government, as well as in the judiciary, the police, the diplomatic service and academic institutions, particularly at decision-making levels.⁴⁷

3.2.2 Labor rights (Question #2)

More than half (56%) of the political parties supported the amendment of the 1975 Labor Relations Act and half of them favored the ratification of the ILO Conventions on Freedom of Association and Protection of the Right to Organize (No. 87) and on the Right to Organize and Collective Bargaining (No. 98) as key measures aimed at improving the situation of labor rights.

The ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was favored by 28% of the parties.

The ratification of ILO Convention on Work in Fishing (No. 188) was the least favored measure (19%) among the parties. However, it must be noted that the Thai government ratified this convention on 30 January 2019.⁴⁸

3.2.3 Business and human rights (Question #3)

With regard to the measures that could limit the negative impact that investment and infrastructure projects may have on local communities, responses by political parties provided a mixed picture.

On the positive side, 63% of the parties were in favor of the amendment of existing relevant legislation with regard to evictions, the rights to food and adequate housing, and the protection of indigenous peoples' rights. More than half (56%) backed ensuring prior and meaningful consultation of local communities to obtain their consent regarding decisions affecting them.

However, only 25% of the parties supported the adoption and effective implementation of the draft National Action Plan on Business and Human Rights and only 9% backed the adoption of an international binding treaty on business and human rights.

Thirty-eight percent said they would repeal several NCPO Orders (64/2014, 17/2015, and 74/2016) that negatively impact the enjoyment of economic, social, and cultural rights for local communities.⁴⁹

3.2.4 Human rights defenders (Question #4)

In order to increase the protection of human rights defenders, 41% of the political parties committed to holding regular meetings with them and to conducting fact-finding missions in areas where they operate. However, only 25% of the parties saw the need for the creation of a parliamentary supervisory committee on the situation of human rights defenders.

In addition, 38% of the political parties said they would amend the 2015 Public Assembly Act. This law has been frequently used to deter defenders from exercising their legitimate right to peaceful assembly and/or take legal action against them. At least 218 people, including many human rights defenders, were charged under the Public Assembly Act between its enactment on 13 August 2015 and 20 November 2018.⁵⁰

47. Committee on the Elimination of Discrimination against Women, *Concluding observations on the combined sixth and seventh periodic reports of Thailand*, 24 July 2017, UN Doc. CEDAW/C/THA/CO/6-7, Para. 28

48. Only two parties that responded to the questionnaire after 30 January 2019 selected this option (ratification of the ILO Convention on Work in Fishing).

49. NCPO Order 64/2014 on the suppression and prevention of forest and natural resource encroachment has had a detrimental impact on local and indigenous communities, and has resulted in the arrest, detention, and criminal prosecutions of small-scale farmers and community members in rural areas. NCPO Orders 17/2015 and 74/2016 relate to the acquisition of land for the creation of Special Economic Zones (SEZs), while at the same time allowing for the bypassing of the usual checks and balances required for such projects. NCPO Order 74/2016 specifically designates public and private land in Nakhon Phanom and Kanchanaburi Provinces for the establishment of SEZs. Communities in these areas have been subjected to forced eviction without adequate compensation.

50. EnLaw, TLHR, iLaw, HRLA, Chulalongkorn University Social Research Institute, *Report for Panel Discussion on Public Assembly Act interpretation and enforcement - The limitation of freedom*, 21 November 2019 [in Thai]; TLHR, *Restrictions and harassment remain: Public assemblies in January and before the elections*, 6 February 2019



Human rights lawyer Sirikan Charoensiri leaves Chanasongkram Police Station in Bangkok after being fingerprinted on 9 February 2016.
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3.2.5 Refugees and asylum seekers (Question #5)

More than half (56%) of the political parties favored the promotion of domestic legislation that incorporates the principle of *non-refoulement* as a measure to protect refugees and asylum seekers.

Since the May 2014 coup, many refugees and asylum seekers (including Uighurs, Montagnards, Chinese, and Cambodians) have been deported back to their home countries, where they have subsequently faced imprisonment and other acts of persecution. Doubts remain over whether the Bill on the Prevention and Suppression of Torture and Enforced Disappearance would incorporate the prohibition of non-refoulement, in line with Thailand's obligations under customary international law and Article 3 of the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT).

Only 22% of the parties said they would support the ratification of the Convention Relating to the Status of Refugees (the '1951 Refugee Convention'), and less than one third (28%) were in favor of prohibiting the detention of refugees and asylum seekers.

3.2.6 Constitutional amendments (Question #6)

The provisions related to the requirements for constitutional amendment and the composition of the Senate were the top two clauses of the 2017 charter that most political parties (56% and 53% respectively) supported amending.

According to the 2017 constitution, during the five-year transition period (2019-2024), the Senate will be made up of 250 appointed senators. Article 107 outlines the selection process for senators after the five-year transition period. After the transition period, the Senate will be comprised of 200 members, none of whom will be elected. Under Article 113 no senator can belong to a political party. Article 256 of the constitution effectively grants senators veto power over amendments to the charter.⁵¹

Only a small minority of political parties (19%) prioritized the amendment of Articles 82, 160, and 170 of the constitution. These provisions set low thresholds and vague criteria for the removal of the Prime Minister and cabinet ministers.⁵²

51. On their first reading, constitutional amendments require the approval of at least 50% of the total number of Members of Parliament (MPs) and senators. However, the vote on the amendment will fail if it is not supported by a minimum of one-third of the Senate. On the third and final reading, the procedure is basically the same in that an amendment will fail if not supported by at least one-third of the Senate.

52. A petition signed by 10% of the total number of MPs in the House of Representatives or by 10% of the total number of

3.2.7 NCPO Orders/Announcements (Question #7)

Order 13/2016, was the NCPO decree that half of the parties would amend or repeal. NCPO Order 13/2016 provides military officials with broad law enforcement powers and authorizes the deprivation of liberty of persons for up to seven days in unrecognized places of detention, and without judicial oversight.

Twenty-eight percent of the parties said they would amend or repeal NCPO Order 3/2015. On 11 December 2018, the NCPO repealed Article 12 of NCPO Order 3/2015, lifting the ban on political gatherings of more than four people. [See above, 2.2 *Junta's repressive legal framework remains in place*]

The amendment or repeal of NCPO Announcements 97/2014 and 103/2014 and Order 41/2016 was the least popular option among the parties (25%). NCPO Announcements 97/2014 and 103/2014 broadly bans criticism of the NCPO, while NCPO Order 41/2016 grants the National Broadcasting and Telecommunications Commission (NBTC) the power to shut down radio or TV stations that broadcast information considered to be a threat to national security.⁵³

It must be noted that in the additional comments attached to their responses to the survey, more than one third of the parties said they would amend or repeal all NCPO Orders.

3.2.8 Freedom of opinion and expression (Question #8)

Only 16% of the parties supported the abolition of criminal defamation laws. Defamation and libel (Articles 326 and 328 of the Criminal Code respectively) have been frequently used to target political opponents, activists, and human rights defenders. According to international human rights standards, criminal defamation should only be allowed in the most serious cases and imprisonment is not an appropriate punishment for defamation.

In addition, just 16% of the parties were in favor of amending Article 112 of the Criminal Code. Numerous United Nations (UN) human rights mechanisms have repeatedly criticized Thailand's abuse of Article 112, declared it inconsistent with international law, and called for its amendment.⁵⁴

To temper this bleak picture, the 2007 Computer Crimes Act and the Cyber Security Bill ranked top (66%) among the laws that political parties would amend in order to improve freedom of opinion and expression in Thailand.

The 2007 Computer Crimes Act, amended in December 2016, has been widely used by Thai authorities to stifle the legitimate exercise of the right to freedom of opinion and expression online.

The Cyber Security Bill, which was passed by the junta-appointed National Legislative Assembly on 28 February 2019, is purportedly aimed at protecting Thailand's internet infrastructure and cracking down on cybercrime. However, the legislation has raised concern over the potential abuse of power and data privacy breaches by the government. The legislation contains an overly broad and unclear definition of what amounts to a "cyber security threat."⁵⁵ In addition, in cases of unspecified "necessary, urgent, and crisis-level cyber security threats," the Bill allows a new government body, the National Cyber Security Committee (NCSC), which is headed by the Prime Minister, to take immediate action without the need to obtain a court order.⁵⁶

senators is sufficient to lodge a complaint to begin an impeachment process to remove a cabinet minister, including the Prime Minister, from office if he/she does not possess "ethical standards" or "apparent honesty."

53. NCPO Announcement 97/2014 bans "criticism of the work of the NCPO" and the dissemination of information that could harm national security, cause confusion, or incite or provoke "conflict or divisions" within the country by media outlets. NCPO Announcement 103/2014 (an amendment to Announcement 97/2014) bans criticism with false information with dishonest intent to destroy the credibility of the NCPO.

54. FIDH, *UN expert calls for end to lèse-majesté prosecutions amid more arbitrary detentions*, 10 October 2017; FIDH, *Thailand: Lèse-majesté detentions have reached alarming levels, new report says*, 26 February 2016

55. Article 3 of the Cyber Security Bill defines a cyber security threat as "an action or any operation that uses a computer or computer system or program with ill intent towards another computer system, computer information, or other related information, which creates the risk of damage to a computer, computer system, or other related information."

56. Article 67 of the Cyber Security Bill.

3.2.9 Lèse-majesté (Article 112 of the Criminal Code) (Question #9)

With regard to measures that political parties would support for the amendment of Article 112 of the Criminal Code (lèse-majesté), 22% of the parties backed reserving the power to file complaints under Article 112 to individuals or institutions tied to members of the royal family. However, 88% of the parties did not support removing jail terms for violators.

Since the May 2014 coup, authorities have arrested at least 127 individuals on lèse-majesté. Fifty-seven of them were sentenced to prison terms of up to 35 years. While FIDH is not aware of new arrests for lèse-majesté since mid-2017, many remain in prison on charges under Article 112.



Bangkok's Thammasat University students take part in a protest against the restrictions on the use of its campus grounds for political campaigns over amendments to Article 112 of the Criminal Code. © THITI WANNAMONTHA / BANGKOK POST

3.2.10 Death penalty (Question #10)

Sixty-three percent of the political parties were in favor of maintaining the death penalty and 47% of the parties supported retaining such punishment for all current capital crimes. Thailand currently prescribes the death penalty for 63 offenses.

Only 16% of the political parties supported the abolition of capital punishment for drug-related offenses. The fact that Thai legislation continues to prescribe the death penalty for drug-related offenses places Thailand in breach of its human rights obligations as a state party to the International Covenant on Civil and Political Rights (ICCPR). This is because UN jurisprudence has repeatedly declared that drug-related offenses do not meet the threshold of the 'most serious crimes,' which Article 6 of the ICCPR stipulates are the only offenses for which retentionist countries may impose the death penalty.

As of January 2019, there were 559 prisoners (470 men and 89 women) under death sentence, many of whom (52% of the men and 92% of the women) had been found guilty of drug-related offenses.⁵⁷

57. Department of Corrections, *Statistical report on the death penalty prisoners of the Department of Corrections*, 12 February 2019 [in Thai], <http://www.correct.go.th/executed/index.php>

3.2.11 Detention conditions (Question #11)

Half of the political parties supported the inclusion of provisions of international standards related to detention conditions, such as the 'Mandela Rules' and 'Bangkok Rules,' into domestic legislation.⁵⁸

However, only 13% of the parties said they would be in favor of stopping the shackling and prolonged solitary confinement of inmates – two practices that are inconsistent with international standards related to detention conditions.⁵⁹ Shackling and prolonged solitary confinement have been regularly used by Thai prison authorities and have been codified in the amended 2017 Penitentiary Act despite having been repeatedly criticized by international human rights mechanisms.

Forty-four percent of the parties would work to adopt alternative measures to detention while 34% said they would de-criminalize certain drug-related offenses. If effectively implemented, these two policies would ensure significant progress towards addressing the chronic overcrowding of Thai prisons. In February 2019, Thailand's prison population reached an all-time high of 378,673 inmates, (328,998 men and 49,675 women).⁶⁰ The vast majority of prisoners (291,444 inmates or 77%) remains jailed for drug-related crimes.⁶¹ Seventeen percent of the prison population is awaiting trial.⁶²

Lastly, 41% were in favor of allowing the inspection of places of detention through visits by independent bodies and organizations.



A prison officer stands guard with a baton in the sleeping quarters of Bangkok's Klong Prem Prison on 9 August 2002.
© STEPHEN SHAVER / AFP

58. The United Nations (UN) Standard Minimum Rules for the Treatment of Prisoners (the 'Mandela Rules') are universally acknowledged as the minimum standard for the treatment of prisoners and provide guidelines for what are generally accepted as being good principles and practices in the treatment of prisoners and the management of institutions. The UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the 'Bangkok Rules') are an additional set of rules that supplement the Mandela Rules and focus on the specific needs of women prisoners.

59. Rule 47(1) of the Mandela Rules prohibits the use of chains, irons or other instruments of restraint which are inherently degrading or painful. Rule 47(2) specifies that instruments of restraint can only be used as a precaution against escape during transfer, or in order to prevent a prisoner from injuring him/herself or from damaging property. Rules 43(1) and 44 of the Mandela Rules prohibits the practice of prolonged solitary confinement (i.e. for a period in excess of 15 consecutive days).

60. Department of Corrections, *Statistics of incarcerated persons nationwide*, 1 February 2019 [in Thai], available at: http://www.correct.go.th/rt103pdf/report_result.php?date=2019-02-01&report=

61. Department of Corrections, *Statistics of incarcerated persons for drug-related cases nationwide*, 1 February 2019 [in Thai], http://www.correct.go.th/rt103pdf/report_result.php?date=2019-02-01&report=drug

62. Department of Corrections, *Statistics of incarcerated persons nationwide*, 1 February 2019 [in Thai], http://www.correct.go.th/rt103pdf/report_result.php?date=2019-02-01&report=

3.2.12 Torture, enforced disappearances, and extrajudicial killings (Question #12)

Responses showed that there was no clear preference for one particular measure that political parties would take to combat the practice of torture, enforced disappearance, and extrajudicial killings.

Forty-four percent of the parties favored providing access to justice, adequate compensation and redress to victims and/or their families. Thirty-eight percent backed the adoption of the Bill on the Prevention and Suppression of Torture and Enforced Disappearance. Thirty-four percent supported measures aimed at promoting accountability for torture, enforced disappearances, and extrajudicial killings and training on human rights for law enforcement officials, military personnel, and medical professionals.

3.2.13 Situation in the Southern Border Provinces (SBPs) / 'Deep South' (Question #13)

Fifty-nine percent of the political parties supported the review of the enforcement of Martial Law, the Emergency Decree, and the Internal Security Act and the replacement of this security legislation with provisions of the Criminal Code and the Criminal Procedure Code as a key step towards the improvement of the situation in Thailand's 'Deep South.'

Measures aimed at addressing impunity and promoting justice and accountability for human rights violations, including those committed by members of the security forces, in the 'Deep South' enjoyed the support of only 25% of the political parties.

3.2.14 Role of the military (Question #14)

Not many parties expressed their readiness to reduce the role of the military in the country's affairs. Forty-one percent of the parties indicated they would significantly reduce budget allocation to military expenditure and only 19% said they would abolish the mandatory military draft.

Under the NCPO and its rubber stamp NLA, the defense budget has steadily grown. Military expenditure increased by 16%, from US\$5.23 billion in 2014 to US\$6.07 billion in 2017.⁶³ In June 2018, the military proposed a US\$7 billion defense budget.⁶⁴ In addition, an aggressive campaign of military spending has resulted in government orders for tanks, helicopters, aircraft, one submarine, and other hardware from foreign countries.⁶⁵

With regard to allegations of abuses and ill-treatment within the military (including allegations of deaths of military cadets), 47% of the political parties said they would establish a parliamentary commission tasked with independently investigating such allegations in order to hold those responsible accountable.

3.2.15 Priority issues for the next government (Question #15)

In the last question, political parties were asked to identify the main issues that the next government should consider as priority areas.

Most political parties (72%) identified tackling social and economic inequality as the number one priority, followed by fighting corruption (50%), and raising the standard of education nationwide (44%).

Promoting gender equality and the protection of women's rights, and undertaking security sector (police and military) reform were by far the least preferred options, backed by only 9% and 6% of the political parties respectively.

63. SIPRI, *Military expenditure by country, in constant (2016) US\$ million, 1949-2017*, 26 February 2019

64. Jane's Defence, *Thailand sets USD7 billion defence budget for 2019*, 8 June 2018

65. SIPRI, *Thailand: Transfers of major weapons: Deals with deliveries or orders made for 2014 to 2017*, 26 February 2019

4. RECOMMENDATIONS TO ELECTED MEMBERS OF PARLIAMENT

Legislative reform

1. Repeal all NCPO Orders and Announcements that are not in line with Thailand's international human rights obligations, including, but not limited to Orders 3/2015 and 13/2016.
2. Amend the 2015 Public Assembly Act.

Freedom of opinion and expression

3. Amend the 2007 Computer Crimes Act to ensure it cannot be used to criminalize the legitimate exercise of the right to freedom of opinion and expression.
4. Repeal Articles 326 (defamation) and 328 (libel) of the Criminal Code.
5. Amend Article 112 of the Criminal Code (*lèse-majesté*) to bring it in line with Thailand's obligations under international law.
6. Repeal NCPO Order 41/2016 and Announcements 97/2014 and 103/2014.

Women's rights

7. Decriminalize abortion.
8. Amend the 2007 Domestic Violence Victim Protection Act to ensure that victims of domestic violence have adequate access to legal remedies, including protection orders.
9. Support legislation that establishes a quota for female candidates in elections to the national Parliament and to executive bodies at the local level.

Human rights defenders

10. Create a parliamentary supervisory committee on the situation of human rights defenders.
11. Hold regular meetings with human rights defenders and conduct fact-finding missions in areas where they operate.

Refugees and asylum seekers

12. Adopt legislation that incorporates the principle of *non-refoulement*.
13. Adopt legislation aimed at Thailand's accession to the Convention Relating to the Status of Refugees (the '1951 Refugee Convention').
14. Adopt legislation that prohibits the detention of refugees and asylum seekers in accordance with its obligations under human rights treaties to which Thailand is a state party.

Impunity for human rights violations

15. Adopt the Bill on the Prevention and Suppression of Torture and Enforced Disappearance.
16. Adopt legislation aimed at Thailand's accession to the International Convention for the Protection of All Persons from Enforced Disappearance.
17. Establish a parliamentary commission tasked with independently investigating allegations of deaths of military cadets with the view to hold those responsible accountable.

Death penalty

18. Adopt legislation aimed at significantly reducing the number of crimes that prescribe the death penalty, particularly those that do not meet the threshold of the 'most serious crimes' in accordance with international standards.
19. Adopt legislation aimed at abolishing the death penalty for all crimes.
20. Adopt legislation aimed at Thailand's accession to the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.

Detention conditions

21. Adopt legislation aimed at de-criminalizing certain drug-related offenses and implementing alternative measures to detention.
22. Amend legislation to ensure that where prison sentences are required, the penalties are proportionate to the crime committed, such as for drug-related offenses.
23. Conduct regular visits to places of detention, interview inmates, and assess conditions without undue hindrance.
24. Incorporate the provisions of the 'Mandela Rules' and 'Bangkok Rules' into domestic legislation.

Investment, development, and infrastructure projects

25. Amend existing relevant legislation to ensure that it is consistent with international human rights standards with regard to evictions, the rights to food and adequate housing, and the protection of indigenous peoples' rights.
26. Repeal NCPO Orders 64/2014, 17/2015, and 74/2016.

Labor rights

27. Adopt legislation aimed at Thailand's accession to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
28. Amend the 1975 Labor Relations Act and ratify the ILO Conventions on Freedom of Association and Protection of the Right to Organize (No. 87) and on the Right to Organize and Collective Bargaining (No. 98).
29. Adopt legislation aimed at Thailand's accession to the ILO Convention on Domestic Workers (No. 189).
30. Review and adopt the Bill on the Prevention and Elimination of Forced Labor to be in compliance with ILO Forced Labor Convention (No. 29).

APPENDIX I: SURVEY RESULTS IN DETAIL

1. **What would your political party do to strengthen the protection and promotion of women's rights?**

- 15.6% (A) Introduce or vote in favor of legislation that decriminalizes abortion.
- 46.9% (B) Amend the 2007 Domestic Violence Victim Protection Act.
- 53.1% (C) Amend the 2015 Gender Equality Act.
- 43.8% (D) Adopt measures to eliminate stereotypes that are discriminatory or permissive of violence against women.
- 31.3% (E) Support legislation that establishes a quota for female candidates in elections to the national Parliament and to executive bodies at the local level.

2. **What measures would your political party support to improve the situation of labor rights?**

- 28.1% (A) Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.
- 18.8% (B) Ratify the ILO Work in Fishing Convention (No. 188).
- 56.3% (C) Amend the 1975 Labor Relations Act and ratify the ILO Conventions on Freedom of Association and Protection of the Right to Organize (No. 87) and on the Right to Organize and Collective Bargaining (No. 98).
- 28.1% (D) Ratify the ILO Convention on Domestic Workers (No. 189).
- 50.0% (E) Review and adopt the draft bill on Prevention and Elimination of Forced Labor to be in compliance with ILO Forced Labor Convention (No. 29).

3. **What measures would your political party support to limit the negative impact that investment and infrastructure projects may have on local communities?**

- 25.0% (A) Adopting and effectively implementing the draft National Action Plan on Business and Human Rights.
- 62.5% (B) Amending existing relevant legislation to ensure that it is consistent with international human rights standards with regard to evictions, the rights to food and adequate housing, and the protection of indigenous people's rights.
- 56.3% (C) Ensuring prior and meaningful consultation of local communities to obtain their consent regarding decisions affecting them.
- 9.4% (D) Adopting an international binding treaty on business and human rights.
- 37.5% (E) Repealing NCPO Orders 64/2014, 17/2015, and 74/2016.

4. **What would your political party do to increase the protection of human rights defenders?**

- 37.5% (A) Amend the 2015 Public Assembly Act.
- 25.0% (B) Create a parliamentary supervisory committee on the situation of human rights defenders.
- 40.6% (C) Hold regular meetings with human rights defenders and conduct fact-finding missions in areas where they operate.
- 3.1% (D) *No answer*

5. **What measures would your political party support to protect refugees and asylum seekers?**

- 56.3% (A) Promote legislation that incorporates the principle of *non-refoulement*.
- 21.9% (B) Ratify the Convention Relating to the Status of Refugees (the '1951 Refugee Convention').
- 28.1% (C) Prohibit the detention of refugees and asylum seekers.

6. **What provisions of the 2017 Constitution would your political party amend?**
 - 53.1%** (A) Articles 107 and 113 [Senate].
 - 56.3%** (B) Article 256 [Requirements for constitutional amendments]
 - 18.8%** (C) Articles 82, 160, and 170 [Removal of Prime Minister or Cabinet Ministers].
 - 28.1%** (D) Articles 213, 224, and 235 [Role of 'independent' institutions].
 - 31.3%** (E) Article 247 [National Human Rights Commission].
7. **What NCPO Orders/Announcements would your political party amend or repeal?**
 - 25.0%** (A) Announcements 97/2014 and 103/2014 and Order 41/2016.
 - 28.1%** (B) Order 3/2015.
 - 50.0%** (C) Order 13/2016.
 - 6.3%** *No answer*
8. **What steps will your political party take to improve freedom of opinion and expression in Thailand?**
 - 15.6%** (A) Abolish criminal defamation laws.
 - 65.6%** (B) Amend the 2007 Computer Crimes Act.
 - 15.6%** (C) Amend Article 112 of the Criminal Code (*lèse-majesté*).
 - 65.6%** (D) Amend the Cyber Security Bill.
9. **What measures would your political party support for the amendment of Article 112 of the Criminal Code?**
 - 12.5%** (A) Removing jail terms for violators.
 - 21.9%** (B) Reserving the power to file complaints under Article 112 to individuals or institutions tied to members of the royal family.
 - 65.6%** (C) None of the above.
10. **What would your political party propose with regard to the death penalty?**
 - 46.9%** (A) Retain the death penalty for all current capital crimes.
 - 15.6%** (B) Abolish the death penalty for drug-related offenses.
 - 25.0%** (C) Retain the death penalty only for murder.
 - 21.9%** (D) Abolish the death penalty for all crimes.
11. **What would your party do to improve detention conditions?**
 - 34.4%** (A) De-criminalize certain drug-related offenses.
 - 43.8%** (B) Adopt alternative measures to detention.
 - 40.6%** (C) Allow the inspection of places of detention through visits by independent bodies and organizations.
 - 12.5%** (D) Stop the practice of shackling and prolonged solitary confinement.
 - 50.0%** (E) Incorporate provisions of the 'Mandela Rules' and 'Bangkok Rules' into domestic legislation.
12. **What does your party think is the most effective measure to combat the practice of torture, enforced disappearances, and extrajudicial killings?**
 - 43.8%** (A) Providing access to justice, adequate compensation and redress to victims and/or their families.
 - 37.5%** (B) Adopting the Bill on the Prevention and Suppression of Torture and Enforced Disappearance.
 - 34.4%** (C) Conducting impartial investigations into allegations of torture, enforced disappearances, and extrajudicial killings by the police and members of the armed forces with a view to holding all perpetrators accountable.
 - 37.5%** (D) Ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.
 - 34.4%** (E) Providing training for law enforcement officials, military personnel, and medical professionals on human rights.
13. **What measures would your political party support in order to improve the situation in Thailand's 'Deep South'?**
 - 25.0%** (A) Investigations and prosecutions of individuals (including members of the security forces) responsible for human rights violations.
 - 25.0%** (B) The provision of full and adequate reparations for victims of human rights violations and their families.

59.4% (C) Reviewing the enforcement of the Martial Law, the Emergency Decree, and the Internal Security Act and replacing this security legislation with the enforcement of the provisions of the Criminal Code and the Criminal Procedure Code.

14. What would your political party do in relation to the military's role in the country's affairs and allegations of abuses and ill-treatment within the military?

40.6% (A) Significantly reduce budget allocation to military expenditure.

18.8% (B) Abolish the mandatory military draft.

46.9% (C) Establish a parliamentary commission tasked with independently investigating allegations of deaths of military cadets with the view to hold those responsible accountable.

15. Which of the following issues does your political party think the next government should address as a matter of priority?

50.0% (A) Fighting corruption.

71.9% (B) Tackling social and economic inequality.

6.3% (C) Undertaking security sector (police and military) reform.

9.4% (D) Promoting gender equality and protection of women's rights.

43.8% (E) Raising the standard of education nationwide.

3.1% *No answer*

APPENDIX II: SURVEY RESPONSES BY POLITICAL PARTIES

	Party Name	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12	Q13	Q14	Q15
1	Action Coalition for Thailand	D,E	D	C	B	C	E	B	D	C	A	B,D	A,D	B	C	A,B
2	Chart Thai Pattana Party	C	A	B	N/A	A	A	A	B	C	B	B	E	A	C	B,E
3	Commoner Party of Thailand	C	C	B,E	A	B	B	N/A	B,D	B	B	B,E	B,D	C	B	B,D
4	Commoners Party	A,C	C,D	C,E	A	A	B,E	C	B,C	A	D	B,E	B,D	C	A	B,C
5	Democrat Party	B,C	D,E	C,E	C	A	A,B	A	B,D	C	A	A,B	B,E	C	B	B,E
6	For Heaven and Earth Party	B,C	B,C	B,C	C	A	C,D	B	A,B	C	A,C	A,B	A,E	A	C	A,E
7	Future Forward Party	C,D	C	C,E	A	B	A,B	B	A,B	C	D	A,E	C,D	C	A	B
8	Glang Party	D,E	D,E	C,E	A	C	A,B	A	B,C	B	D	C,E	C,E	C	C	B
9	Green Party	B,C	B,E	B,E	C	C	D,E	C	C,D	A	A,C	A,E	A,B	C	A	A,E
10	Kasikorn Thai Party	B,D	A,E	B,C	C	A	E	C	D	C	D	B,E	C,E	A	C	B,E
11	Land of Dharma Party	B,D	A	B,C	A	A	A,B	C	A	C	A	B,C	C,D	B	A	B,E
12	Mahachon Party	C,D	C,D	A,C	B	C	B,E	A	B,D	A	B	A,E	C,D	C	B	B,D
13	New Alternative Party	B	E	B	C	B	D,E	B,C	D	C	C	A	C	A,C	A	A,B
14	New Aspiration Party	C,E	C,E	A,B	C	B	E	C	B,D	C	C	B,E	A,E	C	A	A,E
15	New Democrat Party	D,E	A,E	C,E	A	C	AB,C, D,E	B	B	C	D	C,D	B,E	B	B	A,E
16	People Progressive Party	B,C,D,E	A,B,C, D,E	A,B,C,D	B	B	A,D	C	D	C	D	A	A,E	B	C	D
17	People Reform Party	A,C	C	C	C	C	D,E	C	D	B	D	A,C	D,E	B	C	A,B
18	Phalang Paendinthong	B,C	C,E	B,C	A	A	A,B	C	B,D	C	C,D	C,E	A,C	B	B	A,B
19	Phalang Thai Rak Thai Party	C,E	C,E	A,B	A	A	A,B	N/A	C,D	C	A	A,B	A,D	C	C	A,B
20	Phuea Chart Party	A,E	A,C	B,E	B	B	A,B	C	A,B	N/A	A	B,E	D	C	A	A,B
21	Phuea Paendin Party	D	A,B	A,B	C	A	B,D	C	B,D	C	C	B,C	A,C	C	A	A,B
22	Phuea Khon Thai Party	B,C	A,C	D,E	C	C	A	B	B	C	A	E	B	B	A	B,C
23	Prachachart Party	B,D	C,D	B,E	A	C	A,B	A	B,D	B	B,D	A,C	B,C	C	C	A,E

	Party Name	Q1	Q2	Q3	Q4	Q5	Q6	Q7	Q8	Q9	Q10	Q11	Q12	Q13	Q14	Q15
24	Ruam Jai Thai Party	B,C	C,D	A,C	B	A	B,C	C	A,C	B	A	C,D	A,C	A	C	A,B
25	Siam Development Party	A,B	D,E	B,C	B,C	A,C	A,B	B,C	B	C	A	B,C	A,B	A,C	B,C	N/A
26	Sport Party of Thailand	B,D	A,C	A,D	B	A	C,D	A	B,D	C	A	C,E	B,D	C	C	E
27	Thai Citizens' Party	E	A,B	C	A	A	A,B	A	B,D	C	A	E	A,E	B	A	B,E
28	Thai Dee Power Party	A,E	C,E	A,B	B	A	A,C	B	D	C	A	A,C	A,E	C	A	B,E
29	Thai Network Party	B,D	C,E	B,C	C	A	A	C	D	C	C	C	A,C	A	C	B,E
30	Thai Power Labor Party	B,C	C,E	B,C	A,C	A,B	C,E	A,C	B,D	A	A,C	C,E	B,D	A,C	A,C	A,E
31	Thai Raksachart	C,D	E	B,E	C	A	B,D	C	B,D	B	A	D,E	A,B	C	A	A,B
32	Thai Social Democratic Party	D,E	C,E	B,E	A	A	A,B	B	B,D	B	B	B,E	B,D	C	C	A,B

APPENDIX III: POLITICAL PARTIES CONTESTING THE 24 MARCH ELECTION*

*as of 28 February 2019

#	Party name (English/Thai)	Year	Leader	Candidates (Male/ Female)	Answered Questionnaire?
1	Action Coalition for Thailand พรรครวมพลังประชาชาติไทย	2018	Chatumongkol Sonakul (M)	68/72	Yes
2	Bhumjaithai Party พรรคภูมิใจไทย	2008	Anuthin Charnvirakul (M)	113/31	No
3	Bhum Phalang Kasettrakon Thai พรรคภูมิใจพลังเกษตรกรไทย	2018	Kumnung Puthom (F)	4/1	No
4	Chart Pattana Party พรรคชาติพัฒนา	2007	Wannarat Charnnukul (M)	48/8	No
5	Chart Thai Pattana Party พรรคชาติไทยพัฒนา	2008	Theera Wongsamut (M)	56/10	Yes
6	Commoner Party of Thailand พรรคคนธรรมดาแห่งประเทศไทย	2014	Thanaporn Sriyakul (M)	2/0	Yes
7	Commoners Party พรรคสามัญชน	2018	Lertsak Kumkongsak (M)	5/1	Yes
8	Cooperative Power Party พรรคพลังสหกรณ์	2012	Chakri Sucharitham (M)	4/0	No
9	Democrat Party พรรคประชาธิปไตย	1982	Abhisit Vejjajiva (M)	127/43	Yes
10	Democratic for People Party พรรคประชาธิปไตยเพื่อประชาชน	2014	Pramuan Pimsen (M)	3/0	No
11	Democratic Force Party พรรคพลังประชาธิปไตย	2013	Poonpipat Nilrangsee (M)	9/3	No
12	Farmer Network of Thailand Party พรรคเครือข่ายชาวนาแห่งประเทศไทย	2006	Chote Boonjing (M)	6/3	No
13	Foundational Party พรรคฐานรากไทย	2018	Yanawut Phromdechakul (M)	11/3	No
14	Future Forward Party พรรคอนาคตใหม่	2018	Thanathorn Juangroongruangkit (M)	108/13	Yes
15	Glang Party พรรคกลาง	2018	Chumpol Krutkaew (M)	4/2	Yes
16	Green Party พรรคกรีน	2018	Pongsa Chunam (M)	10/2	Yes
17	Kasikorn Thai Party กสิกรไทย	1999	Chamlong Dumsim (M)	1/0	Yes
18	Klong Thai Party พรรคคลองไทย	2018	Sayan Intarapak (M)	23/4	No
19	Land of Dharma Party พรรคแผ่นดินธรรม	2018	Korn Medee (M)	20/4	Yes

#	Party name (English/Thai)	Year	Leader	Candidates (Male/ Female)	Answered Questionnaire?
20	Mahachon Party พรรคมหาชน	1998	Apirat Sirinawin (M)	7/1	Yes
21	New Alternative Party พรรคทางเลือกใหม่	2018	Rachen Tagunviang (M)	10/3	Yes
22	New Aspiration Party พรรคความหวังใหม่	2002	Chingchai Mongkoltham (M)	11/2	Yes
23	New Democrat Party พรรคประชาธิปไตยใหม่	2011	Suratin Pijarn (M)	31/10	Yes
24	New Economics Party พรรคเศรษฐกิจใหม่	2018	Supadich Akardlerk (M)	55/17	No
25	New Palangdharma Party พรรคพลังธรรมใหม่	2018	Rawee Matchamadol (M)	20/3	No
26	Paradonraphab Party พรรคภารตภาพ	2013	Damrongdit Dissakul (M)	14/0	No
27	People Progressive Party พรรคประชาธิปไตยก้าวหน้า	2018	Somkiat Sonlam (M)	68/56	Yes
28	People Reform Party พรรคประชาชนปฏิรูป	2018	Phaibul Nititawan (M)	28/10	Yes
29	People Vote Party พรรคมติประชา	2018	Anuchit Ngampattanapongchai (M)	1/0	No
30	Phalang Paendinthong พรรคพลังแผ่นดินทอง	2018	Anuwat Wichaingern (M)	5/1	Yes
31	Phalang Pracharath Party พลังประชารัฐ	2018	Uttama Savanayana (M)	107/13	No
32	Phalang Thai Rak Chart Party พรรคพลังไทยรักชาติ	2013	Suthep Kemkangpreechanon (M)	10/2	No
33	Phalang Thai Rak Thai Party พรรคพลังไทยรักไทย	2018	Katatep Techadejruangkul (M)	23/5	Yes
34	Phuea Chart Party พรรคเพื่อชาติ	2013	Thalerngyot Phutukum (M)	112/31	Yes
35	Phuea Cheevitmai Party พรรคเพื่อชีวิตใหม่	2013	Tanom Chongkaewchit (F)	2/1	No
36	Phuea Khon Thai Party พรรคเพื่อคนไทย	2018	Wittaya Inala (M)	17/2	Yes
37	Phuea Paendin Party พรรคเพื่อแผ่นดิน	2007	Kamonporn Kalayanamitr (F)	24/3	Yes
38	Phuea Saha Gon Thai Party พรรคเพื่อสหกรณ์ไทย	2014	Aree Tuanthai (F)	1/1	No
39	Phuea Thai Party พรรคเพื่อไทย	2019	Viroj Pao-in (M)	81/16	No
40	Phuea Thai Pattana Party พรรคเพื่อไทยพัฒนา	2010	Onanong Boonto (F)	7/5	No

#	Party name (English/Thai)	Year	Leader	Candidates (Male/ Female)	Answered Questionnaire?
41	Phuea Tham Party พรรคเพื่อธรรม	2010	Sompong Amornwiwat (M)	20/2	No
42	Phungluang Party พรรคผิงหลวง	2014	Sarawut Singhaklangpol (M)	6/4	No
43	Powerful Love Party พรรคพลังรัก	2018	Paran Kittiwat (M)	6/0	No
44	Power of Faith Party พรรคพลังศรัทธา	2018	Anand Boonrampai (M)	6/2	No
45	Prachachart Party พรรคประชาชาติ	2018	Wan Muhammad Noor Matha (M)	50/6	Yes
46	Prachaniyom Party พรรคประชานิยม	2018	Yongyuth Thepchamnong (M)	72/39	No
47	Prachatham Thai Party พรรคประชารวมไทย	2018	Pichet Satirachawan (M)	46/10	No
48	Ruam Jai Thai Party พรรครวมใจไทย	2018	Noppadol Amornvej (M)	5/4	Yes
49	Siam Development Party พรรคสยามพัฒนา	2018	Boonsong Kerdlam (M)	13/1	Yes
50	Social Power Party พรรคพลังสังคม	2018	Witoon Chalayonnawin (M)	13/1	No
51	Sport Party of Thailand พรรคพลังคนกีฬา	2009	Sampan Lertnuwat		Yes
52	Thaen Khun Phaendin Party พรรคแทนคุณแผ่นดิน	2007	Mongkolkit Suksintaranon	7/1	No
53	Thai Citizen Power Party พรรคพลเมืองไทย	2018	Sathu Anumothami	17/1	No
54	Thai Citizens' Party พรรคประชาชนกรไทย	1982	Polsuparak Sirichandranon	8/7	Yes
55	Thai Civilized Party พรรคไทยศิวิไลซ์	2018	Damrong Pidech	15/11	No
56	Thai Dee Power Party พรรคพลังไทยดี	2019	Sira Pimklang	6/0	Yes
57	Thai Ethnic Party พรรคชาติพันธุ์ไทย	2018	Seripisut Temiyawet	12/3	No
58	Thai Forest Conservation Party พรรครักษามิ่นป่าประเทศไทย	2012	Seksan Homrak	15/1	No
59	Thai Friend Party พรรคเพื่อนไทย	2018	Anothai Duangdara	33/11	No
60	Thai Liberal Party พรรคเสรีรวมไทย	2013	Songklod Thiprat	89/9	No
61	Thai Local Power Party พรรคพลังท้องถิ่นไท	2012	Krisa-ong Suwanwong	56/17	No

#	Party name (English/Thai)	Year	Leader	Candidates (Male/ Female)	Answered Questionnaire?
62	Thai Morality Party	2018	Anothai Duangdara (M)	5/3	No
	พรรคไทยธรรม				
63	Thai Nation Power Party	2018	Songklod Thiprat (M)	57/19	No
	พรรคพลังชาติไทย				
64	Thai Network Party	2019	Krisa-ong Suwanwong (F)	21/3	Yes
	พรรคภาคเครือข่ายไทย				
65	Thai People Power Party	2018	Nikom Boonviset (M)	52/7	No
	พรรคพลังประชาชนไทย				
66	Thai Population Party	2018	Boonyong Chansaeng (M)	8/7	No
	พรรคประชาชนไทย				
67	Thai Power Builds the Nation	2018	Napaktorn Chaisongkram (M)	11/1	No
	พรรคพลังไทยสร้างชาติ				
68	Thai Power Labor Party	2018	Pichet Phuakaew (M)	6/0	Yes
	พรรคพลังแรงงานไทย				
69	Thai Rubber Party	2011	Wipavee Mahattana (F)	4/0	No
	พรรคยางพาราไทย				
70	Thai Rung Rueng Party	2018	Chartchai Naewpaya (M)	6/1	No
	พรรคไทยรุ่งเรือง				
71	Thai Raksachart	2009	Preechaphol Pongpanich (M)	87/21	Yes
	พรรคไทยรักษาชาติ				
72	Thai Social Democratic Party	2009	Somsak Kosaisuuk (M)	2/3	Yes
	พรรคสังคมนิยมประชาธิปไตยไทย				
73	Thai Teacher Power Party	2019	Wittaya Boriboonsap (M)	5/1	No
	พรรคพลังครูไทย				
74	Thai Teachers for People Party	2011	Aree Tritongpetch (M)	65/12	No
	พรรคครูไทยเพื่อประชาชน				
75	Thai Workers Party	N/A	N/A	1/0	No
	พรรคคนงานไทย				
76	Thailand Development Party	2018	Adiroj Boonyai (M)	2/0	No
	พรรคพัฒนาประเทศไทย				
77	Thairaktham Party	2013	Peerawit Rueangluedolpak (M)	97/50	No
	พรรคไทรักธรรม				
78	Thinkakhao Party	2012	Chumchadatarn Hannarong (M)	5/3	No
	พรรคถิ่นกาขาวชาววิไล				

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