

**Economic and Social Council**

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Committee on Economic, Social and Cultural Rights**List of issues in relation to the combined initial and second periodic reports of Thailand*****I. General information**

1. Please provide examples of cases where the Covenant has been invoked before and/or applied by the domestic courts.
2. Please provide information on the mechanisms in place to ensure that the State party's obligations under the Covenant are fully taken into account when negotiating and implementing trade agreements and development projects, including large-scale infrastructure projects, in order to ensure that economic, social and cultural rights, particularly of the most disadvantaged and marginalized groups, are not undermined.
3. Please provide information on the measures taken to strengthen the effectiveness of the National Human Rights Commission of Thailand, including progress in implementing the recommendations made in 2008 by the Sub-Committee on Accreditation of the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)**Article 1 – Right to land and natural resources**

4. Please indicate the ways and means by which the State party recognizes and protects the rights of indigenous peoples to ownership of the lands and territories that they traditionally occupy or use. Please also indicate the extent to which indigenous peoples and local communities are duly consulted, and whether their prior informed consent is sought, in any decision-making processes affecting their rights and interests under the Covenant, and provide examples.

* Adopted by the pre-sessional working group at its fifty-fourth session (1–5 December 2014).



Article 2, paragraph 1 – Maximum available resources

5. Please provide information on effective measures that the State party has taken to combat corruption in the context of maximizing resources available for the promotion and enjoyment of economic, social and cultural rights. Please also provide information on the protection afforded to persons who report cases of corruption.

Article 2, paragraph 2 – Non-discrimination

6. Please indicate whether the State party plans to adopt comprehensive anti-discrimination legislation that includes all the grounds referred to in article 2, paragraph 2, of the Covenant.

7. Please provide updated information concerning the number of migrants, refugees, asylum seekers and stateless persons in the State party, disaggregated by sex and ethnicity. Please also clarify how the State party assesses and monitors progress in the implementation of the provisions of the Covenant for individuals belonging to those groups.

8. Please provide information on the measures taken to prevent statelessness, including through universal birth registration, and on their impact. Please also provide statistical information on the rate of birth registration in the State party, disaggregated by ethnic group.

Article 3 – Equal rights of men and women

9. Please provide updated information on the impact and outcomes of the Women's Development Plan in promoting and protecting the enjoyment of economic, social and cultural rights by women (E/C.12/THA/1-2, para. 14), including any progress achieved in increasing women's representation in decision-making positions in public and private sectors and eliminating traditional stereotypes regarding the roles of women and men in the family and society.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 – The right to work

10. Please provide updated information on the level of unemployment in the State party, disaggregated by ethnicity, sex, age, disability and urban/rural population.

Article 7 – The right to just and favourable conditions of work

11. Please provide information on measures taken to combat the abuse and exploitation of migrant workers, particularly those in an irregular situation. Please also indicate the measures taken to ensure that all migrant workers enjoy de facto freedom of movement, access to social services and education, and access to personal documents.

12. Please clarify the measures taken to eliminate practices amounting to forced labour, particularly in the fishing industry, and provide information on the number of prosecutions and the number and types of sanctions imposed on employers.

Article 8 – Trade union rights

13. Please clarify how the right to form and join a trade union is guaranteed in law and in practice for non-nationals, educational personnel of private and public universities and workers of quasi-government “public institutions”.

Article 9 – The right to social security

14. Please indicate any challenges in ensuring universal social security coverage in practice. Please also clarify what types of social security schemes or programmes are applicable to workers in the informal economy, and provide updated information on measures taken to ensure their access to basic services and social security.

Article 10 – Protection of the family, mothers and children

15. Please provide information on measures taken to enforce legislation protecting children from sexual and economic exploitation and exposure to hazardous or abusive work.

16. Please provide information on the number of cases of trafficking in persons that have been investigated and prosecuted, including the number of convictions and the specific penalties applied, as well as on the number of victims of trafficking in persons who have been provided with protection, compensation and other forms of assistance.

Article 11 – The right to an adequate standard of living

17. Please provide updated information on the national poverty line and the number of individuals living below it, disaggregated by ethnicity, sex, age and urban/rural population. Please also clarify whether the State party is planning to adopt a national plan or strategy to combat poverty in compliance with a human rights-based approach.

18. Please provide information on the number of persons who are homeless or inadequately housed and without access to basic infrastructure and services, as well as the number of persons living in overcrowded or structurally unsafe housing. Please also clarify what measures are being taken to ensure that the implementation of orders issued by the National Council of Peace and Order concerning forest management do not result in forced evictions.

Article 12 – The right to physical and mental health

19. Please provide updated information on the measures taken to improve the availability, accessibility and quality of health-care services, especially in rural and remote areas. Please also indicate any remaining challenges in ensuring universal health-care coverage in practice.

20. Please provide information on how standards on permissible levels of hazardous chemicals in food, water and the environment are enforced effectively. In this regard, please provide information on punitive actions that have been taken for violations of such standards, as well as the remedial actions taken, including the provision of remedies to victims.

21. Please provide updated information on measures taken to improve access to sexual and reproductive health services and programmes, as well as on abortion rates in the State party during the reporting period.

Articles 13 and 14 – The right to education

22. Please provide information on the rate of school enrolment, as well as dropout rates at various levels of education, disaggregated by sex, ethnicity, disability and urban/rural areas. What measures are being taken to increase the rates of enrolment and retention in schools?

23. Please provide updated information on measures taken to guarantee the right to education in the southern border provinces in the light of ongoing attacks against teachers and schools.

Article 15 – Cultural rights

24. Please provide information on the impact of measures taken to combat the risk of disappearance of some ethnic languages in the State party.

25. Please clarify measures taken to ensure that lèse majesté provisions are not misused to restrict the right of everyone to take part in cultural life, to have the necessary freedom for creative activities, and to use the Internet.
