



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination 105th session

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Item 4 of the provisional agenda

**Consideration of reports, comments and information submitted
by States parties under article 9 of the Convention**

List of themes in relation to the combined fourth to eighth periodic reports of Thailand

Note by the Country Rapporteur*

1. The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. The present document contains a list of such themes. It is not an exhaustive list; other issues may also be raised in the course of the dialogue. No written replies are required.

The Convention in domestic law and the institutional and policy framework for its implementation (arts. 1, 2, 4, 6 and 7)

2. Data on the ethnic composition of the population, including minority groups, non-citizens and indigenous peoples, based on the criterion of self-identification (CERD/C/THA/CO/1-3, para. 15; CERD/C/THA/4-8, paras. 31–32).

3. Information on progress made in further incorporating the provisions of the Convention in the domestic legal order (CERD/C/THA/CO/1-3, para. 7; CERD/C/THA/4-8, paras. 8–13).

4. Information on the adoption of legal provisions defining and prohibiting multiple and intersectional discrimination in the State party (CERD/C/THA/CO/1-3, para. 9; CERD/C/THA/4-8, paras. 15–16).

5. Information on measures taken to incorporate into the Criminal Code the offences prescribed in article 4 of the Convention, and on their application, after the withdrawal of the reservation to article 4 (CERD/C/THA/CO/1-3, para. 11; CERD/C/THA/4-8, para. 20).

6. Examples of cases in which the provisions of the Convention have been applied by domestic courts; detailed information on measures taken to raise public awareness of the Convention and, in particular, on how ethnic minority groups and indigenous peoples can access legal remedies (CERD/C/THA/CO/1-3, para. 12; CERD/C/THA/4-8, paras. 21–23).

* Agreement was reached to publish the present document after the standard publication date owing to circumstances beyond the submitter's control.



Situation of ethnic minorities and indigenous peoples (art. 5)

7. Measures taken to accord equal civil and political rights to all citizens irrespective of the mode of acquisition of citizenship, in particular the right to stand for elections (CERD/C/THA/CO/1-3, para. 13; CERD/C/THA/4-8, para. 24). Progress made in reviewing national laws, including laws on land tenure, forests, and natural resource management, to ensure respect for the right to free, prior and informed consent in decisions affecting ethnic groups and indigenous peoples; information on measures taken to implement such laws and related policies (CERD/C/THA/CO/1-3, para. 16; CERD/C/THA/4-8, paras. 33–36).

8. Information on measures taken to address civil, political, economic, social and cultural rights violations against ethnic minority groups and indigenous peoples as a result of or with the involvement of transnational business entities and their business operations; information on accountability and remediation measures taken to that end.

9. Information on special measures implemented for ethnic minority groups and indigenous peoples, and on their outcomes; disaggregated data on the enjoyment of economic, social and cultural rights by ethnic groups and indigenous peoples (CERD/C/THA/CO/1-3, para. 17; CERD/C/THA/4-8, paras. 37–41).

10. Information on measures taken to protect ethnic and indigenous languages, including efforts made and resources allocated for the teaching of ethnic and indigenous languages in schools (CERD/C/THA/CO/1-3, para. 18; CERD/C/THA/4-8, paras. 42–43).

11. Information on measures taken to eliminate negative stereotypes about ethnic groups and raise awareness among media professionals (CERD/C/THA/CO/1-3, para. 19; CERD/C/THA/4-8, paras. 44–45).

12. Information on measures taken to address acts of violence, threats, intimidation and reprisals against human rights defenders.

13. Information on measures to investigate allegations on the collection of DNA samples and the use of facial recognition technologies by police and military officers to racially profile Muslim Malay citizens in the southern border provinces. Information on allegations of a new discriminatory policy applied only to Thai citizens in the southern border provinces, where citizens are primarily of Muslim Malay ethnic origin, that forces users to register their cell phones' SIM cards using facial recognition technology to confirm their identities.

14. Updated information on legislative and other measures taken to address hate crimes, torture and ill-treatment, enforced disappearances and other forms of discrimination against Malays, paying particular attention to Malay women (CERD/C/THA/CO/1-3, para. 20; CERD/C/THA/4-8, paras. 46–58).

Situation of non-citizens, migrants, asylum seekers, refugees and stateless persons (art. 5)

15. Information on the impact of measures taken to improve human rights protection for migrant workers (CERD/C/THA/CO/1-3, para. 22; CERD/C/THA/4-8, paras. 64–71).

16. Updated information on measures taken to prevent human trafficking, and on their impact, including concrete data (CERD/C/THA/CO/1-3, para. 24; CERD/C/THA/4-8, paras. 73–90).

17. Updated information on measures taken to adopt legislation and procedures for the protection of refugees and asylum seekers and to prevent any further expulsion of Rohingyas seeking asylum (CERD/C/THA/CO/1-3, para. 25; CERD/C/THA/4-8, paras. 91–95).

18. Updated information on progress made in reducing and preventing statelessness, including measures taken to facilitate the birth registration of stateless children and the naturalization procedure for stateless persons.

19. Information on the impact of the coronavirus disease (COVID-19) pandemic on the persons most vulnerable to discrimination and the different groups protected by the Convention, including ethnic minority groups, indigenous peoples and non-citizens. Include measures taken: (a) to protect them against the effects of the COVID-19 pandemic; (b) to protect them against discriminatory acts, and to counter hate speech and stigmatization in connection with the COVID-19 pandemic; and (c) to mitigate the socioeconomic impact of the COVID-19 pandemic on such persons and groups.
