



“Development of the National Human Rights
Plans of Thailand”



Department of Rights and Liberties Protection
Ministry of Justice



National Human Rights Plan

Description of Meanings of the Emblem

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

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

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

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

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

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

...Picture of smiles...

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

...Blue Colour...

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

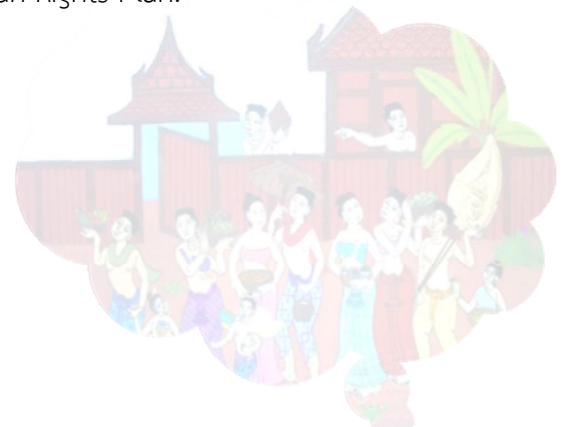
...Grey Colour...

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

...Silver and Gold Colours...

are colours of prosperity, progress, wealth, warmth and friendliness.

These two colours can glow by themselves, compared to the effective and successful implementation of the National Human Rights Plan.



(11) **Coordinated cooperation in building on knowledge about human rights and the 2nd National Human Rights Plan** to open channels for knowledge exchange and learning together. The primary target agencies for this task are those related with capacity building of personnel in the government sector, namely (1) Personnel Development Institutions at ministerial level (2) Main agencies attached to the Ministry of Education (3) Agencies attached to the military and the police forces (4) Institute for the Development and Promotion of Local Administration, and (5) National Security Agencies. Altogether 37 agencies have been involved. It is expected that subsequent knowledge dissemination will reach out to a total of 185,000 recipients/learners.

(12) **Publicised the National Human Rights Plan of Thailand to the international community** – to encourage cooperation and information exchange and learning with and among the international community about the implementation of the National Human Rights Plan.

2.3 Building mechanisms, formulate strategies, laws and tools for the implementation – which bear the following major results:

(1) **Established the emblem of the National Human Rights Plan**, officially launched by the Prime Minister on 19 July 2010, and presented to the Permanent Secretaries of 20 ministries. This symbolizes the combined cooperative forces in driving the Plan into action.

(2) **Conducted a feasibility study in proposing the drafting of laws to support the implementation on human rights**, with Thammasat University as Adviser. The study recommends that there should be a law issued as “**Regulations of the Office of the Prime Minister on the Promotion and Coordination of Human Rights Implementation in the Public Sector B.E.**”, which can be undertaken in the fiscal year 2011, to further enforce the Plan.

(3) **Sought support in the form of additional civil servants personnel strength** in support of the foreseen mission under the National Human Rights Plan in the future, totaling 20 positions, which the Cabinet has already approved in principle since 16 November 2010.

(4) **Set direction and guidelines for driving the 2nd National Human Rights Plan to implementation** to push for the building of mechanisms in the form of Committees/Task Forces to drive the National Human Rights Plan into action at every level and in every sector, either the public sector, the private sector and the civil society sector. It is expected that there will be not less than 50% of all agencies of such Committees/Task Forces set up within three years (2011-2013).

(5) **Prepared a Strategy Map** as a tool to direct the implementation of the promotion and protection of human rights as a big picture nationwide through the major instrument, the 2nd National Human Rights Plan.

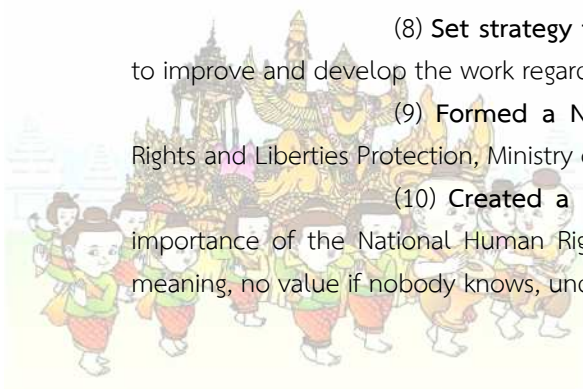
(6) **Constructed and developed** database system for the National Human Rights Plan on the website of the Department of Rights and Liberties Protection.

(7) **Laid down systems and mechanisms to drive the National Human Rights Plan into action**, including government mechanisms at national, regional and local levels.

(8) **Set strategy to listen to opinions** from all sectors, gathered as information to improve and develop the work regarding the National Human Rights Plan.

(9) **Formed a National Human Rights Plan Unit** under the Department of Rights and Liberties Protection, Ministry of Justice in 2008.

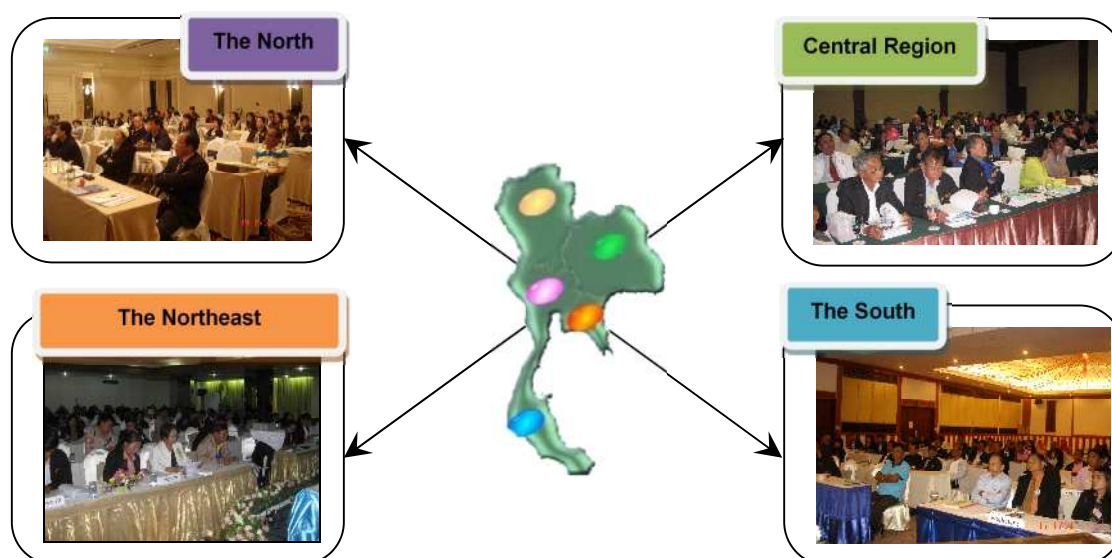
(10) **Created a caption** to stimulate every sector to be aware and see the importance of the National Human Rights Plan, which is “The National Human Rights Plan has no meaning, no value if nobody knows, understands, or practises it.”



(9.5) Samut Songkhram province – has driven the National Human Rights Plan to practice at the local level, namely through the Provincial Administrative Organisation, the Municipality offices and the Tambon Administrative Organisations in the province, in order to translate the Human Rights Plan to the Development Plans of those local administrative organizations.



(10) Explained to establish understanding about the direction to drive the 2nd National Human Rights Plan among the networks and volunteers for the protection of rights and liberties, which belong to the civil society sector, acting to promote and protect the people’s rights and liberties and human rights, together with Rights and Liberties Protection Officers of the Department of Rights and Liberties Protection, who are stationed in each province covering all 75 provinces in the four regions, to disseminate information and enhance knowledge and understanding about the 2nd National Human Rights Plan, the translation of it into practice and the monitoring and evaluation of its implementation.



(11) Coordinated cooperation in disseminating and building on knowledge and understanding about human rights and the 2nd National Human Rights Plan to open channels for knowledge exchange and learning together. The primary target agencies for this task are those related with capacity building of personnel in the government sector, namely (1) Personnel Development Institutions at ministerial level (2) Main agencies attached to the Ministry of Education (3) Agencies attached to the military and the police forces (4) Institute for the Development and Promotion of Local Administration, and (5) National Security Agencies. Altogether 37 agencies have been involved. It is expected that subsequent knowledge dissemination will reach out to a total of 185,000 recipients/learners.

(12) Publicised the National Human Rights Plan of Thailand to the international community – to encourage cooperation and information exchange and learning with and among the international community about the implementation of the National Human Rights Plans.

2.3 Building Mechanisms, Measures, Laws and Tools in Support of the Implementation

In building mechanisms, measures, laws or tools at policy and operational levels to drive the National Human Rights Plan to practice and in support of its implementation to correspond with the policy and respond to the human rights situation which is dynamic and constantly changing, the following are major results:

(1) **Established the emblem of the National Human Rights Plan**, officially launched by the Prime Minister on 19 July 2010 at the Opening Ceremony of the Workshop on “Driving the National Human Rights Plan: Combining Cooperative Forces from All Sectors” to stimulate every sector to see the importance of the Plan. On that occasion, the Prime Minister presented the Plan’s emblem to Permanent Secretaries of the 20 ministries as a symbol of combined cooperative forces in driving the Plan into action.



(2) **Conducted a feasibility study in proposing the drafting of laws to support the implementation on human rights**, in collaboration with Thammasat University as Adviser. The study recommends that there should be a law issued as “**Regulations of the Office of the Prime Minister on the Promotion and Coordination of Human Rights Implementation in the Public Sector B.E.**”, which could be undertaken in the fiscal year 2011, to further enforce the Plan.

(3) **Sought support in terms of 20 positions of additional civil servants personnel strength in support of the mission of the National Human Rights Plan**, broken down as 4 Justice Officers (Senior Professional Level), 4 Justice Officers (Professional Level), 12 Justice Officers (Practitioner Level), which the Cabinet has already approved in principle since 16 November 2010.

(4) **Set direction and guidelines for driving the 2nd National Human Rights Plan to implementation for government agencies**, involving at the central government level (ministries, departments), the regional level (all 75 provinces) and the local level (Local Administrative Organisations – Provincial Administrative Organisations, Municipalities, Tambon Administrative Organisations, Bangkok and Pattaya City), the private sector and the civil society sector to push for the building of mechanisms in the form of Committees/Task Forces to drive the National Human Rights Plan into action at every level. It is expected that there will be not less than 50% of all agencies of such Committees/Task Forces set up within three years (2011-2013).

(5) Prepared a Strategy Map for agencies in every sector as a tool to direct the implementation in the promotion and protection of human rights nationwide through the major instrument, the 2nd National Human Rights Plan during the years 2009-2013 (5 years).

(6) Constructed and developed an information technology system about the National Human Rights Plan through the website of the Department of Rights and Liberties Protection to create a database system on the issue, undertaken since 2007.

(7) Laid down systems to drive the National Human Rights Plan into action, by linking the Plan with the Constitution and the Human Rights Networks Plans, and setting up a system to address the issue of rights violation, taking the National Human Rights Plan as scope and operational guidelines. The establishment of mechanisms and implementation methods according to the Plan involved building government mechanisms at national, regional and local levels, undertaken in 2010.

(8) Set measures to listen to opinions from all sectors about the work of various agencies in relation to the 2nd National Human Rights Plan, as well as other recommendations which will be useful in driving the Plan into action, and in the promotion and protection of human rights in the country. These data were collected through the Report Form on Monitoring and Evaluation of the Implementation of the 2nd Plan and the Form of Assessment on Knowledge, Understanding and Satisfaction over the carried out activities.

(9) Formed a National Human Rights Plan Unit within the Department of Rights and Liberties Protection, Ministry of Justice in 2008, by the order No.233/2008 dated 28 July 2008. The Unit acts as a central body in the preparation of the National Human Rights Plans, and is responsible for the promotion and support for agencies concerned in every sector to put the Plans into action, building measures, mechanisms, tools and laws to support the Plans' implementation, and monitoring and evaluation.

(10) Created a caption to stimulate every sector to be aware and see the importance of the National Human Rights Plan, which is.

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

2.4 Monitoring and Evaluation

This undertaking has produced the following major results:

(1) **Laid down systems for reporting, including monitoring and evaluation of the 2nd National Human Rights Plan**, including specifying the reporting channels on the Plan's implementation results for the Human Rights Network, data compilation and analysis, design forms for Reporting on the Implementation Results, Monitoring and Evaluation, and explanation on how to fill in data on the forms.

(2) **Conducted monitoring and evaluation of the implementation of the 1st National Human Rights Plan** during 2005-2008. It was found that over 70% of all agencies (ministerial level) put the Plan into practice. This information would be used to further improve and develop the next National Human Rights Plan, and to set direction for the promotion and protection of human rights work on the overall for the country.

(3) **Conducted monitoring and evaluation of the implementation of the 2nd National Human Rights Plan** during 2009-2010, which is currently in the process of collecting information on the implementation results of all the 9,625 pilot agencies. On the next occasion, there will be reporting on the analysis of achievements according to the 27 indicators in the 2nd Plan under the 10 aspects of human rights, which will be developed into a report of implementation for the next year.

(4) **Set fixed timetable for the monitoring and evaluation** the government, by the Department of Rights and Liberties Protection, Ministry of Justice, will undertake to conduct monitoring and evaluation on the implementation of the National Human Rights Plan **annually at the end of each fiscal year, i.e. by the end of November every year**, according to the designed Monitoring and Evaluation Report Form to compile and analyze data for reporting to the Cabinet and the National Human Rights Commission.

PART 3

Scope and Direction for the Implementation of the 2nd National Human Rights Plan (2009-2013)

1. Conceptual Framework in the Preparation of the 2nd National Human Rights Plan

The Ministry of Justice by the Department of Rights and Liberties Protection, in collaboration with the National Human Rights Commission, Academic Service Centre of Chulalongkorn University, scholars and experts on human rights, rights and liberties and on strategic planning from the public sector, educational institutions, the private sector and the civil society sector from all over the country, jointly prepared the 2nd National Human Rights Plan under the conceptual framework, “**Plan which is a result of the process of participation from all sectors**” at every level and in every stage of the Plan’s preparation. **The planning process engaged people to learn about human rights, reflect on problems, brainstorm, make decisions and do the planning from the provincial level, then developed to be the national plan** to respond to the society’s high enthusiasm about **universal human rights**, by adhering to the human rights principles of the Universal Declaration of Human Rights (UDHR), the Vienna Declaration and Programme of Action 1993 and the seven international human rights treaties to which Thailand became a State Party, namely

(1) Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)

(2) Convention on the Rights of the Child (CRC)

(3) International Covenant on Civil and Political Rights (ICCPR)

(4) International Covenant on Economic, Social and Cultural Rights (ICESCR)

(5) International Convention on the Elimination of All Forms of Racial Discrimination (ICERD)

(6) Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)

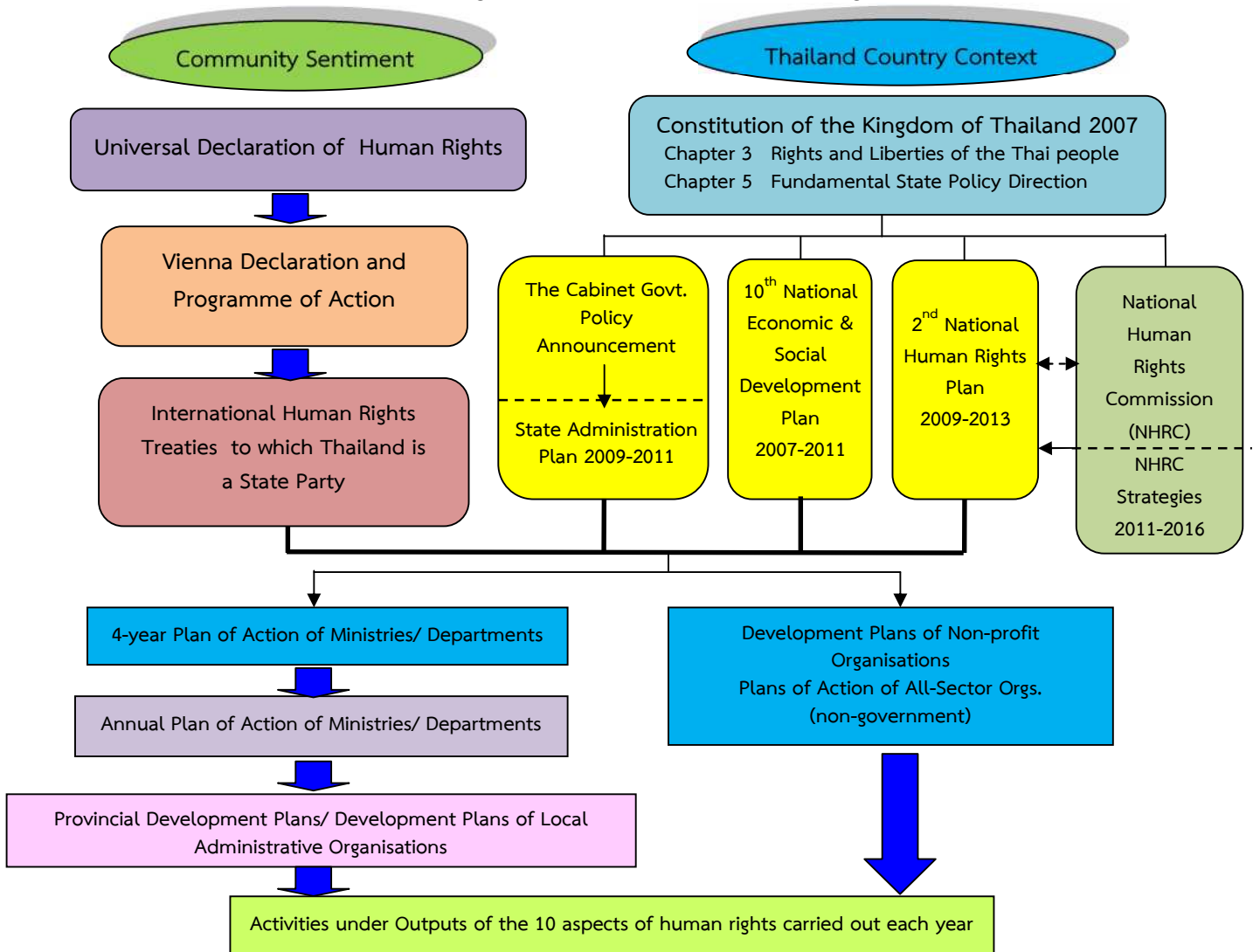
(7) Convention on the Rights of Persons with Disabilities (CRPD)

The planning also followed the United Nations Handbook on National Human Rights Plans of Action as guidelines for the process of preparing the National Plan of Action on Human Rights, which other countries can use as conceptual framework in the implementation.

In Thailand's context, there are provisions about rights and liberties in the Constitution of the Kingdom of Thailand B.E. 2540 (1997) and B.E. 2550 (2007), which constitute fundamental reference concept to be translated into government policy and the National Economic and Social Development Plan, leading to the enforcement of the concept that links with the National Human Rights Plan, then translated into the State Administration Plan, Plans of Action of Ministries, Departments, Provincial Development Plans, Development Plans of Local Administrative Organisations, Development Plans of Non-profit Public Service Organisations, and Plans of Action of organizations in every sector (non-government) in order to construct activities to be carried out each year as Outputs under the 10 aspects of human rights. Thailand also has the National Human Rights Commission as an independent state organization with duties to oversee, monitor and report about the situation of human rights violation to the Parliament. The Commission also acts as a body that balances between the work of the government sector and the civil society sector.

Diagram 1

Linkage between the 2nd National Human Rights Plan and the Plans of Member Organisations of the Human Rights Network



Coordinate with networks



Follow up and monitor the implementation to comply with the provisions in the Constitution and the obligations under international treaties

2. Process of the Preparation of the 2nd National Human Rights Plan

2.1 Preparation stage (Year 2006)

(1) Conducted monitoring and evaluation on the implementation under the 1st National Human Rights Plan in the past period, to gather information for use in preparing and developing the 2nd National Human Rights Plan.

(2) Made a study and analysis of the people's rights and liberties within the frames of the Constitution and the international human rights standards.

(3) Laid down policy framework and planning of the National Human Rights Plan.

(4) Conducted a study to synthesise the implementation and progression of Plans of Action on Human Rights of other countries.

(5) Conducted analysis and assessment of the human rights situation in Thailand, covering every province in all four regions of the country, including Bangkok, then prepared an outline of the National Human Rights Plan.

2.2 Stage of recruitment and Training of Trainers (Year 2007)

(1) Conducted search and screening of persons to attend the Training of Trainers, totaling 95 persons from all over the country, covering all four regions and Bangkok. The selected persons were representatives from the public sector, non-governmental organizations, independent organizations, educational institutions, scholars, academics and human rights defenders. Out of this number, 20 persons would become Central Trainers with duties of preparing curricula and Handbook for the Preparation of Human Rights Plans, as well as conducting Training of Field Trainers, to select 75 Field Trainers to carry out the duties of disseminating knowledge about human rights, rights and liberties, principles of preparing strategic plans, the 10 aspects of human rights as contained in the National Human Rights Plan, the translation of the Plan into practice and its monitoring and evaluation, and managing the process of preparing Human Rights Plans at the local level.



(2) Constructed curriculum and prepared a Handbook for Field Trainers for use in training the target groups involved in the preparation of the Human Rights Plans at the local level.

2.3 Stage of preparing Human Rights Plans at local level in 4 regions and Bangkok (Year 2008), starting from learning together about human rights and rights and liberties, situation analysis and analyzing human rights problems which happened in the areas, then participated in the preparation of Human Rights Plans at the local level, covering all four regions and Bangkok.

No.	Aspect of Human Rights	Brief Description
7	Freedom of expression and Freedom of the mass media	Every person must be able to enjoy freedom of expression, by speaking, writing, publishing, advertising or other means of communication under the provisions of the Constitution. The state or its agencies has no right to obstruct or interfere in the work of the mass media in presenting facts and expressing their opinions.
8	Political rights (including Freedom of Assembly)	Every citizen has the right and freedom to take part in politics and administration, as the power belongs to the people under the democratic political system. These political rights include the freedom of assembly, the right to make political decisions, the right to take part in local administration, etc.
9	Right to access to justice	Every person has the right to access and take part in the justice process, to receive legal assistance and protection of his/her rights and liberties from violation without discrimination. The conduct of justice must be handled promptly, fairly and extensively.
10.	Community Rights	All people have the right to preserve or revive their decent traditions, local wisdom, art and culture, and the right to manage, maintain and utilize the natural resources and their environment.

6. Pilot Agencies in All Sectors in Driving the Plan into Practice

