

The Strategic Plan of the National Human Rights Commission of Thailand (2002-2007)





The National Human Rights Commission of Thailand

The Strategic Plan

of the National Human Rights Commission
of Thailand (2002-2007)



Contents

The Strategic Plan
of the
National Human Rights Commission
of Thailand
(2002-2007)

ISBN 974-90856-2-0

Illustrated by
Denchai Thamthitipong

Printed by
Office of the
National Human Rights Commission
422 Phaya Thai Road,
Pathum Wan District,
Bangkok 10330, Thailand.
Tel: (66) 2219-2981
Fax: (66) 2219-2940
www.nhrc.or.th



Part 1: Introduction **5-8**

Part 2: Human Rights Situations and
Challenges **9-16**

Part 3: Vision, Mission and Strategic
Framework **17-22**

Part 4: Strategic Operation **23-28**

Part 5: Translation into Actions **29-30**

Part 6: Relation between the Strategic Plan and the
National Human Rights Policy and Master
Plan of Action **31-40**



Introduction

As a result of social movements for political reform and democracy, a new National Constitution was promulgated in 1997 which guarantees human dignity, all basic rights and fundamental freedoms of people. Under the Constitution, the so-called “independent bodies” such as the Constitutional Court, the Administrative Court, and the National Human Rights Commission (NHRC) were established as mechanisms to ensure the compliance of the Constitutional provisions.



The NHRC was established under Section 199 and 200 of the Constitution with a broad mandate to promote and protect human rights guaranteed by the Constitution, domestic legislation, and other international human rights treaties to which Thailand is a party.

Nevertheless, many issues related to human rights are still regarded sensitive and complicated within the Thai society. When the NHRC was first appointed in July 2001, the Strategic Plan was urgently required to give the framework and directions for its effective functions. The NHRC then appointed a Sub-Commission to develop the Strategic Plan. A series of consultations with experts on human rights and strategic planning were organised, including a two-day brainstorming workshop attended by over 100 participants of human rights related organisations.



Their contribution and comments were collated and synthesised in the drafting process, and the NHRC adopted its six-year Strategic Plan (2002-2007) in August 2002.

The Strategic Plan is divided into 6 parts as follows:

Part 1: Introduction provides backgrounds and drafting process of the Strategic Plan;

Part 2: Human rights situations and challenges provides the overview and assessment of international and domestic human rights situations as well as challenges;

Part 3: Vision, mission and strategic framework explains the vision, mission, goals, strategic framework and focus areas of the NHRC during the period of the Plan;

Part 4: Strategic operation details operations under the major 8 strategies;

Part 5: Translation into actions identifies specific mechanisms to translate the Strategic Plan into actions;

Part 6: Relation between the Strategic Plan and the National Human Rights Policy and Master Plan of Action gives the backgrounds and substances of the National Human Rights Policy and Master Plan of Action (the Master Plan) which was adopted by the government in October 2000. This part also provides how the NHRC perceives the linkage between its Strategic Plan and the Master Plan, including the Ninth National Economic and Social Development Plan.

Within the period of the implementation, the Strategic Plan can be periodically reviewed by the NHRC as it deems necessary. In addition, the NHRC appointed a Sub-Commission of independent experts to identify a set of key performance indicators to monitor and evaluate the implementation of the Strategic Plan, and to periodically report the findings to the NHRC. Such mechanism will update the NHRC on its progress and ensure the efficiency and effectiveness of its performances.



Human Rights Situations and Challenges

1. An overview of the international human rights situation

At present, human rights and democracy are the subject of global concern. Apart from the State, more actors such as individuals, civil society groups, social and political movements have a greater role to promote and protect human rights in various aspects world-wide.

Since the inception of the United Nations, there has been much progress in international arena. The Commission on Human Rights was then established, followed by the adoption of the 1948 Universal Declaration of Human Rights and a number of international human rights treaties. The appointment of the High Commissioner for Human Rights, and a wide range of international meetings to address the issues concerning human rights have emphasised how the international community attaches more importance to the promotion and protection of human rights.

In the Asia-Pacific region, the United Nations has supported the human rights co-operation by organising the annual meetings. Meanwhile, a number of national human rights institutions were established, and the Asia Pacific Forum of National Human Rights Institutions (APF) was formed in 1996 with a purpose to develop co-operation among the national human rights institutions of the region. The initial Members of the Forum are the national institutions of Australia, Fiji, India, Indonesia, Nepal, New Zealand, the Philippines, and Sri Lanka. The national institution of Mongolia was accepted to be its new member, while the newly established Commissions of Malaysia, Republic of Korea, and Thailand are in the process of application to the Forum members.

In addition, the important role of the NGOs in the field of human rights is recognised by the United Nations as *human rights defenders*. However, their life and safety have still been under threats, and some were persecuted due to the works they carried out.

Notwithstanding many positive signs, there are widespread human rights violations as witnessed in many parts of the world. Some of violations include the suppression of people's uprisings, the ethnic conflicts and the incitement of racial hatred, the abuses of vulnerable groups such as children and women who increasingly fall victim to human trafficking. After the "September 11" tragedy, most governments have issued tougher measures to combat against terrorism. The worrying trend is that these measures were likely to violate civil liberties and basic rights in the name of national security and public safety.



The uneven development of economy and technology between developed and developing countries is also widening. It results in the inequitable access to information, knowledge and opportunities to development for poorer people. Moreover, multinational companies have exploited natural resources in developing countries by means of economic liberalisation advocated by developed world and international financial institutions. As a result, the realisation of the right to development is increasingly contentious.

2. The domestic human rights situation and challenges

2.1 Thailand's obligations under international human rights instruments and challenges

Thailand was, for the first time, elected a member of the United Nations Commission on Human Rights, and will serve a three-year term between 2001 and 2003. Apart from such special tasks to promote and protect human rights internationally, Thailand has to comply with the obligations under the following international human rights treaties to which it is a party:

- 1) Convention on the Elimination of All Forms of Discrimination against Women (acceding on 9 August 1985 and entry into force on 8 September 1985) and its Optional Protocol (ratifying on 14 June 2000 and entry into force on 22 December 2000);
- 2) Convention on the Rights of the Child (acceding on 27 March 1992, entry into force on 26 April 1992);
- 3) International Covenant on Civil and Political Rights (acceding on 29 October 1996 and entry into force on 29 January 1997);

4) International Covenant on Economic, Social and Cultural Rights (acceding on 6 September 1999 and entry into force on 5 December 1999).

The government has, therefore, to ensure that the domestic laws and practices will be in compliance with these international human rights obligations. Another obligation is to submit the initial or periodical reports to each treaty-monitoring Committee on the national implementation and the progress made to advance these rights.

Moreover, Thailand should consider withdrawing some of the reservations made at the time of accession to these instruments, and should consider possibility to become party to more major international human rights instruments. Among these are the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

2.2. Challenges to human rights promotion and protection within the country

A number of organic laws have yet to be legislated to guarantee the rights as stipulated by the Constitution. Furthermore, several policies and existing laws are still inconsistent with the objectives of the Constitution which require amendments. Meanwhile, the rights of people and the community rights are threatened and deprived in various forms by non-state actors such as transnational organised crime rings, or multinational companies. Assessing the overall situation, the areas of particular concerns are as follows:



1) Children, youth and family

Overall situations regarding children, youth and their families appear to be improving, particularly in the areas of health care, education, and social awareness. In addition, in our Thai culture and ways of life, the family unit and the sense of community are still relatively strong. However, the economic and social development has recently showed the undesirable impacts that have weakened the family institution, lessened family member's potential in all aspects, including the immunisation for children from social illness. Lately, we have witnessed more reports on various forms of child abuse and exploitation, and the situation gets worse in terms of numbers and seriousness. Among some serious phenomena are also drugs-addicted children and youth, sexually abused and exploited girls and boys, abandoned street children, child labours, refugee children, abused or maltreated children in detention places.

Apart from the protection of children's rights, it is essential that all sectors in the society must be responsible to children and youth in their respective roles. In this light, formal and informal education must be strengthened as it will be a solid and foremost foundation to cultivate a human rights culture within the Thai society.

2) Legal and justice system

Although the Constitution requires a range of improvement in legal and justice system, there is a felt need to create a human rights culture in the relevant organisations. The areas of concern are the protection of the rights of people who are charged with a penal offence, the administration of juvenile justice, the protection of victims and witnesses of a criminal case, the undue delay in certain quarters of the judicial process, and the treatment of prisoners.



Moreover, a number of legislation, rules and regulations have yet to be amended or adopted to comply with the Constitutional provisions, particularly to guarantee the community rights and the right of the people to participate in the development process, including the management of natural resources and environmental protection. In addition, some organic laws to establish some other “independent organisations” as stipulated by the Constitution, concerning the right of consumers and the environment are yet to be legislated.

3) Social policy

The Constitution prohibits the acts of discrimination on any grounds. It also provides measures to protect the rights of vulnerable groups such as older persons, children, people with disabilities, to promote gender equality and to prevent domestic violence. Moreover, the Constitution lays down the principles of public policy concerning land reforms, the protection of workers, the freedom of assembly, which result in certain improvement in each respective area.

Unfortunately, human rights violations are still rampant in several ways such as human trafficking. Thailand is a country of origin, transit and destination of transnational trafficking in persons, especially women and children who are then suffered from abuses and exploitation for sexual trade and cheap labour.



In addition, the development with emphasis on industrial production in the market economy results in many negative impacts. Cheap labour is used to induce foreign investment. Income disparity and the inequitable distribution become worse. Under such circumstances, the basic rights of workers, such as the right to form a union, safe working conditions with minimum labour protection guarantee, are also deprived.

Moreover, the vulnerable groups including women are still unable to have an equal opportunity to develop their potential and access to education, including the public welfare. Ethnic groups, particularly the non-citizen ones, have faced discrimination and unfair practices since their rights and dignity are not duly respected.

4) The natural resource base and the community rights

The Constitution guarantees the community rights with regard to the protection of their traditional knowledge, as well as the right to participate in the management of their natural resources and environment, as well as to benefit in a sustainable way. This is to raise awareness and empower the local communities to protect their natural resources, traditional knowledge and the land. However, Thailand is still facing challenges in this aspect.



As a result of the adverse impacts of development and globalisation, the shortage of the world's natural resources has added commercial and industrial values of biological diversities and natural resources in the tropical forest region such as Thailand. The threats of multinational companies, business groups to seize and exploit natural resources from local communities and the nation as a whole are worriedly increasing.

Just recently, Thailand has realised the importance of the people-centred approach to development. The right to development is explicitly guaranteed by the Constitution. However, the present development approach is still segregated, failing to accept the poverty as a mistake of the ongoing direction and strategy for development. The government and its agencies do not understand and respect villagers' ways of life, and centralise the policy formation and implementation. The authorities still do not realise the need to have a legislation to guarantee the community rights, failing to respect people's participation in development process at the national, regional, local, and sectional levels. Many projects approved by the government, therefore, affected local communities and caused increasing conflicts among the communities, private investors, and the government.



Vision, Mission and Strategic Framework

A brainstorming workshop for the NHRC Strategic Plan was organised on 12-13 January 2001. Over one hundred participants were representatives from the human rights NGOs, academic institutions, the Parliament, local communities, mass media, the National Human Rights Commissioners and its Office staff. The Strategic Plan incorporated comments and suggestions from the workshop and was adopted by the NHRC, which contains major elements as follows:

1. Our vision

Our vision is “The NHRC is an institution with a commitment to create a culture of human rights as a way of life in the Thai society, which upholds human dignity, rights and liberties, as well as the social justice”.





2. Our mission

The NHRC will strengthen a culture of human rights as way of life in the Thai society where people care for others and participate in the process of human rights development nationally and internationally.

3. Our functions

The NHRC will:

- investigate and report human rights violations, and give recommendations to rectify;
- review any policies and laws which are not in compliance with the Constitution and human rights principles;
- propose policies and laws to promote and protect human rights;
- establish human rights norms and standards in the Thai society;
- campaign for human rights education;
- promote the value of human rights and human dignity;
- strengthen studies and research activities through the social learning process;
- develop human rights indicators with the participation of all partners concerned.

In performing the duties, the NHRC will uphold the principles of public participation, openness, accessibility, transparency, accountability, equality, non-discrimination, freedom from any dominant power and vested interest. The NHRC will focus on pro-active and dynamic activities to keep up with all the changes.

4. Our goals

To accomplish the mission and fulfil its functions, 7 target goals are set as follows:

4.1 The NHRC is an institution which earns respect and trust nationally and internationally. The NHRC will:

- achieve such status within 5 years;
- make its work and responsibility known to the public, and enjoy people's support and co-operation in carrying out its functions.

4.2 The NHRC has a pivotal role in creating a culture of human rights as a way of life in the Thai society. The NHRC will:

- set a fine example of an organisation with a culture which respects human rights and human dignity;
- establish a social learning process as a means to raise awareness and conscience of human dignity;
- significantly contributes to a human rights culture in the society where people care for all groups of people.

4.3 The NHRC has a pivotal role in the development of policies, laws and practices which respect human rights. The NHRC will:

- support and promote policies, laws and practices which respect human rights;
- develop a process to monitor policies, laws and practices which may affect human rights;
- support the study of the impacts of the Constitution on human rights development;
- give a priority to advocate for the legislation concerning public hearings and the independent body on environment as required by the Constitution.



4.4 The NHRC has a pivotal role in strengthening people to protect their rights. The NHRC will:

- support people to organise their own groups for self-development, mutual support and assistance;
- promote and strengthen local civil society groups, the development of their networks to mutually support and to protect their rights as well as the community rights.

4.5 The NHRC has enhanced Thailand's role in the promotion and protection of human rights in the Southeast Asian region. The NHRC will:

- produce the credible annual report on human rights situation and disseminate to the international community;
- play an active role in fostering the co-operation with other regional human rights institutions.

4.6 The NHRC will play a pivotal role in urging responsible authorities to provide a better access to the basic social services and official information for the public. The NHRC will:

- call for the existing health insurance scheme to cover all people equitably;
- call for the provision of free compulsory education for 12 years as stipulated by the Constitution;
- call for the opportunity for the poor and the marginalised nationwide to get access to basic social services;
- call for more official information centres where people in communities can have a better access.

4.7 The NHRC will promote human rights education in the organisations and governmental agencies concerned with the purpose to prevent and lessen human rights violations.



5. The strategic framework

To achieve the goals set forth, the NHRC has adopted the strategic framework as follows:

Strategy 1: To strengthen the organisation with emphasis on efficiency, effectiveness and accountability;

Strategy 2: To develop an information system network, relevant knowledge based on action-oriented researches to support the NHRC's functions as well as the public and social mobilisation;

Strategy 3: To push for policy development and law amendments to ensure the respect for human rights;

Strategy 4: To strengthen networks of national and international partners;

Strategy 5: To establish an effective human rights protection mechanism;

Strategy 6: To empower people to exercise and protect their rights as guaranteed by the Constitution;

Strategy 7: To emphasise pro-active and preventive activities;

Strategy 8: To support the social learning process with the purpose to raise public understanding, awareness, and recognition of human rights and human dignity.



6. Five focus areas

The NHRC has specified 5 focus areas for their work as follows:

- Children, youth and family
- Law and justice system
- Social policy
- Natural resource base and the community rights
- Human rights education



Strategic Operation

The NHRC has detailed operations under each strategy as follows:

Strategy 1: To strengthen the organisation with emphasis on efficiency, effectiveness and accountability

- To develop management and administration system including the appropriate workplace to support the NHRC efficiently;
- To develop a working mechanism for an efficient decision making;
- To create a culture which respects human rights and human dignity within the organisation;
- To build up the NHRC's identity that people can correctly identify with its role and responsibility;
- To develop a system with a plan for human resource development, a life-long learning scheme, and a fair performance assessment system to develop the staff's capacity, skills, and positive perception for the work;



- To develop a system and indicators to monitor and evaluate the overall achievement and performances of each section of the organisation.

Strategy 2: To develop an information system network, relevant knowledge based on action-oriented researches to support the NHRC's functions, as well as the public and social mobilisation

- To establish an information system network with an easy access of the public by developing the organisation's own database, software, hardware including human-ware, and linkages with other sources of information and knowledge domestically and internationally;

- To support studies and researches on the institutional development and human rights which can be applicable to the NHRC's works and local communities.

Strategy 3: To push for policy development and law amendments to ensure the respect for human rights

- To review laws and regulations and give recommendations for amendments where necessary to the Parliament and the Cabinet to ensure that they comply with human rights standards;

- To examine the international human rights treaties to which Thailand should be a party and give recommendations to the government;



- To support more studies on national policies and laws concerning human rights, including international human rights treaties through the collaboration with educational institutions, government agencies and human rights NGOs;

- To support the exchange of views and experiences concerning the adoption of human rights policies, laws and practices with national and international organisations;

- To offer legal opinions related to human rights to governmental agencies, NGOs and other organisations concerned;

- To develop experts on the analysis of public policy and law, including international human rights standards.

Strategy 4: To strengthen networks of national and international partners

- To strengthen network with governmental agencies and civil society groups within the country by identifying strategic partners based on issues and geographical areas, sharing information and co-ordinating activities. The strategic operation will include collating the information concerning potential partners, designing and developing plan of activities together, capacity-building of key personnel and organisations, establishing efficient communication system, and developing an evaluation mechanism;

- To strengthen network of human rights co-operation at the international level, particularly in the areas of common concern in the Southeast Asian region. Some strategic partners are the Asia-Pacific Forum of National Human Rights Institutions, the Regional Representative of the High Commissioner for Human Rights in Asia-Pacific and other UN agencies, national human rights institutions within the region, including diplomatic representatives based in Thailand. The co-operation will include the exchange of views and experience on human rights promotion and protection, sharing information and expertise, and seeking support in common areas of concern.



Strategy 5: To establish an effective human rights protection mechanism with public participation

- To develop an effective human rights protection mechanism in the aspects of enquiry, fact-finding, investigating and redressing, by establishing competent Sub-Commissions and Working Groups;
- To develop preventive measures by involving social sectors, particularly in providing reliable and updated information;
- To develop an effective communication system, reducing unnecessary steps in petition and redressing process, establishing hotline, giving better access of people in the remote areas by regular visits;
- To establish the human rights protection network with parties concerned;
- To protect the so-called human rights defenders through co-ordination with domestic and international organisations concerned;
- To co-ordinate with other independent bodies under the Constitution;
- To increase capacity building of the staff in the field of human rights protection.



Strategy 6: To empower people to exercise and protect their rights as guaranteed by the Constitution

- To develop measures to empower the vulnerable groups and those who are victims of human rights violations or unfair treatments. The measures include the establishment of funding for medical care and rehabilitation of victims in need, the empowerment scheme for the vulnerable groups, the amendments of unjust policies and laws, and the capacity building of local network;

- To increase an opportunity that people can express their views on their rights by regularly organising the “public forum” in different parts of the country, working closely with mass media, establishing an efficient public relations mechanism, and encouraging people to express their views on public issues.

Strategy 7: To emphasise pro-active and preventive activities

- To collect the information on human rights violations to be addressed in accordance with their priorities;

- To involve knowledgeable and experienced people, as well as relevant network organisations in the pro-active activities;

- To organise an information and communication system to support networking organisations’ and people’s activities;

- To establish an early warning system to prevent any violation which may occur;



- To study any predictable situation where human rights violation against a community is likely to take place, and to adopt preventive measures;

- To take a clear position concerning the situation where a serious human rights violation occurs;

- To regard the protection of human rights defenders as important to the pro-active activity;

- To organise public hearings on public issues regularly.

Strategy 8: To support the social learning process with the purpose to raise public understanding, awareness, and recognition of human rights and human dignity

- To co-ordinate with educational institutions at all levels to design and develop curriculum for human rights education;

- To develop a social learning process through mass media and activities for various target groups;

- To compile case studies and lessons learnt related to the promotion and protection of human rights and the community rights nationally and internationally, then disseminate to the public and target groups through appropriate media regularly and continuously;

- To regularly evaluate the social learning process which was conducted by the NHRC, including methods and forms used for further development.



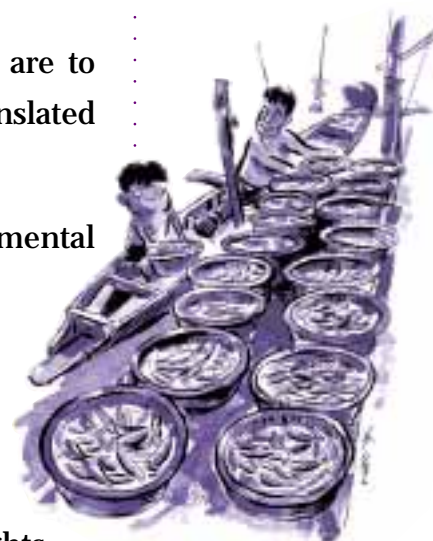
Translation into Actions

A major objective of the six-year Strategic Plan (2002-2007) is to reduce cases of human rights violation and to develop a culture of human rights as a way of life in the Thai society. It is well recognised that the implementation of the Plan has to involve actors ranging from individuals to community groups, both at national and international levels. Moreover, the fast-changing political, economic and social factors also play an important role to the success of the Plan. Therefore, it requires an efficient system and management mechanisms to achieve the vision, mission, objectives and goals set forth.

In this light, the following directions and mechanisms are to be implemented to ensure that the Strategic Plan will be translated into actions effectively:

□ To determine five focus areas which have fundamental impacts on the society and public's interests, which are:

- Children, youth and family
- Law and justice system
- Social policy
- Natural resource base and the community rights
- Human rights education



- ❑ To set goals and indicators to measure the level of achievement in order that the public and all parties concerned can be better informed and understand the situations;

- ❑ To organise the working mechanisms in forms of Sub-Commissions, Working Groups, and network while seeking co-operation from academics, experts, governmental and non-governmental agencies, both local and international;

- ❑ To establish an information technology and management system for the implementation, evaluation, and administration;

- ❑ To develop both internal and external mechanisms to monitor and evaluate performances, including the responses of other organisations concerned such as the Parliament, mass media, civil society organisations, and governmental agencies;

- ❑ To establish a mechanism to support both institutional researches (such as on the systems of management and budgeting), and action-oriented researches which will contribute to the recommendations for the improvement of policies, laws and practices;

- ❑ To establish a mechanism to support networking with strategic partners;

- ❑ To establish a mechanism for organisation and human resource development;

- ❑ To establish a mechanism to co-ordinate the NHRC's Strategic Plan with other major plans, which include the National Human Rights Policy and Master Plan of Action (2001-2005) and the Ninth National Economic and Social Development Plan (2002-2006);

- ❑ To formulate an Annual Operational Plan in line with the Strategic Plan and the budget received from the government;

- ❑ To establish a system to evaluate the progress made under the Strategic Plan, and further develop performances based on the findings.



Relation between the Strategic Plan and the National Human Rights Policy and Master Plan of Action

PART 6

The United Nations encouraged its members to adopt the National Human Rights Action Plan, identifying vision, mission, and actions to promote and protect human rights in the country. In Thailand, the government adopted the five-year National Human Rights Policy and Master Plan of Action for the period between 2001 and 2005.

The NHRC, which was established on 13 July 2001 as an independent body under the Constitution, drafted its own six-year Strategic Plan for the period between 2002 and 2007, corresponding to the six-year term of office.

However, the relation between the Strategic Plan and the National Human Rights Policy and Master Plan of Action can be identified as follows:





1. The formation of the NHRC's Strategic Plan

As a result of two-day brainstorming workshop which involved over one hundred representatives from various human rights organisations, the NHRC's six-year Strategic Plan (2002-2007) was developed, covering the assessment of human rights situation, the vision, the mission, the NHRC's functions, goals, and five focus areas. The Strategic Plan also spelled out 8 strategies and mechanisms of how to translate the Plan into actions.

2. The formation of the National Human Rights Policy and Master Plan of Action (the Master Plan)

To commemorate the fiftieth anniversary of the Universal Declaration of Human Rights of the United Nations in 1998, the government established a National Committee, which agreed that Thailand should have a National Human Rights Plan. Subsequently, another Committee chaired by Mr. Anand Panyarachun, the former Prime Minister, was appointed with the specific task to draft the Plan.

The drafting process involves the compilation of information concerning domestic laws and regulations related to human rights, and the assessment of national human rights conditions. The draft Plan was scrutinised through public hearings in six major provinces covering different parts of the country, and was subsequently amended. The Cabinet approved the draft as the National Plan on 17 October 2000.

The substances of the Master Plan can be summarised as follows:

2.1 Four fundamental concepts

In addition to the national and international human rights situations, there are four fundamental concepts which were taken into account when developing the Plan.

1) *Universality*: The Master Plan upheld the principle that human rights are applied equally to all people without distinction as to race, religion, colour, sex, age, language, political or other opinions, social origin, property, birth or other status.

2) *Comprehensiveness*: The Master Plan aimed to cover both aspects of the promotion and the protection of human rights in all areas and target groups as needed to be addressed in the Thai society.

3) *Balance*: The Master Plan aimed to balance rights and responsibilities including morality, ethics and duties as well as the rights of individuals and the community rights.

4) *Practicality*: The Master Plan regarded human rights promotion and protection as the continuous process, where social conditions, culture, values and traditional knowledge of the Thai people had to be considered and developed in parallel.

2.2 Four Visions

1) The society is a genuinely peace place where people live with care and compassion to each other, respect other people's rights and dignity. In other words, the ultimate goal of the human rights promotion and protection is to create a culture of human rights in the Thai society.



2) The society upholds the Rule of Law, ethical and moral principles. Human rights principles must not be used as conditions for seeking self-interest or harming other people.

3) The society is democratic and provides equal opportunities, equality and justice to all people, particularly the vulnerable groups. All governmental agencies and civil society organisations must also have the good governance.

4) The society has sustainable development in economic, political and social aspects, particularly on its people as they are the most valuable resources of the society.

2.3 Nine policy guidelines

1) To respect the rights as guaranteed by the 1997 Constitution;

2) To streamline human rights in all political, economic and social development;

3) To raise awareness and understanding concerning the importance of human rights along with duties, responsibility, and morality;

4) To promote the concept of universality, indivisibility and interdependence of all human rights;

5) To encourage the fulfilment of obligations under international human rights treaties to which Thailand is a party;



6) To strengthen co-operation at all levels in the promotion and protection of human rights;

7) To develop and improve laws and regulations to comply with human rights principles;

8) To strengthen civil society groups and people organisations in order that they can check on the administrative power and safeguard their own rights;

9) To improve governmental mechanisms especially the law enforcement agencies to perform their duties with moral authority.

3. Timeframe and key actors in translating the Master Plan into action

The Master Plan elaborated the Action Plans to promote and protect human rights in 11 areas and of 20 target groups for the period between 2001 and 2005. The Action Plans were designed to be the framework of activities for the government. At the same time, the document is expected to be widely disseminated in order that the public can benefit from the document in developing their human rights work.

The Master Plan also spelled out that the success in safeguarding human rights depends on the participation of every sector in fulfilling its tasks. They are:

3.1 The State i.e. the legislative, the administrative and the judicial sectors should be responsible to adopt their respective Action Plan in line with the Master Plan, and to establish mechanisms to evaluate the effective implementation by involving public participation.



3.2 The private sector should adopt the Code of Conducts for the business. Each organisation should educate its personnel to be sensitive to human rights, and to conduct its business with transparency and accountability to the public.

3.3 Civil society organisations should disseminate knowledge and proper understanding of human rights to people, strengthen networks at all levels to check on the abuse of power by governmental agencies.

3.4 Mass media should play an impartial role in the reflection of the majority of people's opinions, particularly on the controversial issues with human rights aspect.

3.5 Independent bodies established by the Constitution should check on the state authorities under their respective mandates. They can utilise the Master Plan in performing their tasks, especially the NHRC, to promote and protect human rights as mandated by the Constitution.

3.6 Academic institutions should support studies and researches on human rights development nationally and internationally, encourage human rights education at all levels by integrating the issue in their curriculum, and give recommendations to the government concerning the necessary changes to improve human rights protection.



3.7 People should give importance to the respect for human rights in their own family, community, and local administration organisation. They should apply human rights knowledge for their daily life, establish their local network, check on administrative power, participate in activities and support people who work for human rights.

4. Co-ordinating mechanism

It is necessary to have a co-ordinating mechanism, which should be in form of a Co-ordinating Committee, to ensure that the Master Plan will be implemented by all parties concerned in a coherent manner effectively and seriously. The mandates of the Committee should be as follows:

4.1 To introduce a guideline for co-ordination among governmental agencies, the private sector, civil society and people community groups, including organisations dealing with human rights. The guideline should aim for the co-ordination to implement the Master Plan effectively, particularly to work with the NHRC;

4.2 To scrutinise and approve projects and programmes of works under the Master Plan proposed by all governmental agencies, the private sector, civil society and people community groups, and relevant organisations;



4.3 To widely disseminate information on the Master Plan and report the outcomes of its implementation to the public;

4.4 To strengthen governmental agencies to effectively implement the Master Plan;

4.5 To support and establish human rights networks and co-operation with all social sectors;

4.6 To monitor and evaluate the implementation of the Master Plan, and report the outcomes to the Cabinet and the public.

Unfortunately, the Co-ordinating Committee is yet to be appointed which results in the delay of the implementation of the Master Plan.

5. Relation between the NHRC's Strategic Plan and the Master Plan

When the Cabinet approved the draft Master Plan in October 2000, the Secretariat of the Cabinet had a note to the NHRC informing that the Master Plan covered as many as 31 Action Plans, which required a large sum of budget with different timeframe and many responsible agencies for implementation. Therefore, to implement the Master Plan with efficiency and in a co-ordinating and systematic manner, all responsible organisations of each Action Plan were requested to consider details of activities in each respective Action Plan and report to the Cabinet. In this connection, the Secretariat of the Cabinet was appointed a focal point for co-ordination and monitoring.

In developing the NHRC's Strategic Plan, the contents of the Master Plan were taken into account, especially the part of human rights conditions in Thailand which was analysed and synthesised by experts in various fields. In addition, some goals under the Ninth National Economic and Social Development (NESD) Plan were also considered in order that the implementation of the NHRC's Strategic Plan will support the other two major national plans.

In this light, the NHRC considered that the Master Plan was drafted for the implementation by administrative agencies while the Strategic Plan was formulated by the NHRC which is an independent body under the Constitution. Nevertheless, the two Plans mutually support and give complementarity to each other. Therefore, the NHRC should render its co-operation where appropriate, while monitor and push for the translation of the Master Plan into actions by all responsible agencies.

At the same time, the NHRC Strategic Plan must be separately carried out and also requires the co-operation of all sectors to achieve all the goals as set forth.



Chart: Relation of the NHRC Strategic Plan (2002-2007), the Master Plan (2001-2005), and the National Economic and Social Development Plan (NESD Plan) (2002-2006)

