**39th session of the Universal Periodic Review
Review of Thailand**

10 November 2021

**Statement by Austria**

Thank you,

Austria warmly welcomes the delegation of Thailand to the UPR and thanks them for the submission and presentation of their national report.

[We welcome recent progress in finalizing work on the Draft Act on Prevention and Suppression of Torture and Enforced Disappearance with a view to its early adoption.

Austria is concerned that despite the re-establishment of a pluralist parliament and the formation of a coalition government based on general elections in 2019, the right to freedom of expression and assembly remains seriously curbed. Civilians engaging in peaceful protests are increasingly targeted by arrests and indictments under major criminal charges that entail if prosecution succeeds disproportionately lengthy prison terms of many years. This situation appears to be in contravention to the commitments Thailand has undertaken under the ICCPR. it is especially worrisome when children and minors are targeted in this way.

Another area of concern is the minimum age of criminal responsibility, which still remains - regardless the raise from 7 years to 10 years since the first UPR - below internationally acceptable standards.]

Austria offers the following recommendations:

- Guarantee the rights to freedom of expression and assembly and stop targeting civilians engaging in peaceful protests under criminal charges entailing punishment with exorbitant prison terms.

- End arrests and prosecution of children under article 112 and other articles related to security and public order of the Criminal Code, and ensure the respect of Thailand’s obligations under Articles 13, 15 and 37 of the Convention on the Rights of the Child (CRC).

- Ratify the Rome Statute of the ICC; the Convention on the Prevention and Punishment of the Crime of Genocide; the Additional Protocols to the Geneva Conventions of 1949; the CED, and the Optional Protocols to the ICCPR.

- Protect the human rights defenders, including under a gender perspective, and investigate any reported cases of intimidation, harassment and attacks against them.

Our full statement will be uploaded to the UPR extranet.

I thank you.