

Thailand – Towards Reform and Sustainable Democracy*“The Need for Public Order and Social Harmony”*

1. Thailand is in a crucial period of transition, in which the Government’s efforts are focused on seeing through the Roadmap for Reconciliation, Reform and Elections in partnership with all sectors of society.
2. A draft Constitution will be submitted to the public in a referendum set for 7 August 2016. General elections are scheduled to take place in 2017. At the same time, preparations for comprehensive reforms of Thai politics, society and the economy are being laid.
3. Public order and social harmony are key for the Government to be able to see through the Roadmap. The Government has, therefore, promulgated a number of laws to ensure that public order and social harmony prevail.
4. These laws do not impinge on general freedom of expression – which we believe to be a fundamental element of a democratic society – as long as such expression does not undermine public order and social harmony. In fact, the Government has been receptive to all views regarding the current process of reconciliation and reform.
5. However, in recent days, a certain individual has acted in violation of those laws – and repeatedly so despite warnings from the authorities. His actions are politically motivated and are designed to incite discord and division, domestically and internationally. This is a grave obstruction to the process of reconciliation and reform in Thailand which, up till now, has been proceeding apace.
6. The Government has, therefore, been obliged to take action in accordance with the law. As in all other countries in which the rule of law is upheld, the law in Thailand is held to be sacrosanct.

Ministry of Foreign Affairs of Thailand
20 April 2016

Thailand – Towards Reform and Sustainable Democracy

Before 22 May 2014

- To understand Thailand today – how we have gotten to where we are and why – we must first understand the situation the country was in leading up to 22 May 2014. On that day, the military decided to take control of national administration.
- In the six to seven months **before 22 May 2014**, there was **protracted political conflict**. There were also drawn-out **street protests** calling for the government to step down.
- A **Government shutdown** followed. Indeed, given the situation, we had what amounted to a **dysfunctional government**. There were also **violent incidents** and the **looming threat of further bloodshed** or even **civil war**.
- Thailand's peace, stability and security were at stake; and so were our role in the region and, possibly, regional stability.
- The intervention that took place on 22 May 2014 was for the immediate purpose of stopping the violence; restoring order; and ensuring stability. Not a single bullet was fired in this act. The public welcomed this intervention as a chance for the country to move on.

After 22 May 2014

- The **Roadmap for Reconciliation, Reform and Elections** was quickly announced in the days following 22 May 2014. The Roadmap **continues to guide Thailand's efforts today**.
- In particular, the Government is now forging ahead in realising the **two core objectives of the Roadmap: (1) returning Thailand to democracy via elections** scheduled for 2017; and **(2) comprehensive reform** that truly takes root, resulting in a **strengthened and sustainable democracy**, with a government that upholds the **rule of law, good governance, transparency** as well as **respects and protects human rights and freedoms**.

- Following 22 May, the Government also immediately went to work **addressing the people's problems and concerns**. Special emphasis was put on long-running problems which had been overlooked – **some of which, such as social injustice and inequality, helped to feed political divisions in the country**.
- The **approach taken** by the administration was, therefore, a **people-centred** one, whereby **the task was to act quickly and transparently** in response to the needs of the people.
- The Government used **legislation as a means of driving reform and seeing to the needs of the people** while helping the country comply with our international obligations and with international standards in such areas as human trafficking and illegal fishing. Outdated laws were amended. Laws left pending by previous governments were pushed through, and new laws were issued. In fact, 151 laws have been promulgated since the Government came to office.
- These laws cover issues ranging from social disparity and inequality to human rights, transnational crime, anti-corruption, the justice system to the environment. For example, to reduce social inequality and promote fairness, the Government was able to push through the **Gender Equality Act**; the **Justice Fund Act**; and the **Inheritance Tax**, requiring the wealthy to contribute back to society.
- These are **laws truly for the benefit of the people** and will help to enhance their well-being in line with the Government's goal of making Thailand secure, prosperous and sustainable.
- Following 22 May, the Government also had to ensure that there was an atmosphere conducive to reconciliation in the country. All of the freedoms remained, but with certain limits in the early days. Nevertheless, there was no tension in the air and critiques of the administration could often be seen in the press.

The Roadmap Today

- Efforts under the Roadmap today continue to seek to return Thailand to full, strengthened and sustainable democracy.

- However, **democracy means more than** just the holding of **elections** or upholding **rights and freedoms**. These we consider to be merely the forms of democracy. **More important is the substance, or content, of democracy – which takes time to develop.** Democratic institutions need to be strengthened, as do the people’s understanding of their rights and obligations as democratic citizens.
- During much of the past ten years in Thailand, our democracy often fell prey to unscrupulous politicians. Corruption, for example, was rife.
- In 2006, the military stepped in; and when they left a year later, the political merry-go-rounding started again.
- Thailand is determined not to go back down that path. The **Government** is, therefore, **laying down the foundations for reform and strategizing for the long-term** in order to make Thailand secure and stable, prosperous and sustainable. All of this is being done **in partnership with all sectors of society under the “4 Ps Policy”**, where **Public-Private-People Partnerships** are encouraged.

Transition to Democracy: Elections 2017

- A public **referendum on the draft Constitution** has been set for **7 August 2016**.
- The draft Constitution was the product of an extensive and **inclusive process** of hearings, public seminars and debates.
- On 7 April 2016, the **Constitution Referendum Bill** passed the third reading by the National Legislative Assembly (NLA) and is expected to be submitted for Royal endorsement in due course.
- The aim of the Constitution Referendum Bill is to ensure a fair and orderly consideration of the draft Constitution in the crucial period leading up to the referendum. It will be applied in a just and non-discriminatory manner.

- The Bill includes a specific section guaranteeing all individuals' freedom to express opinions on the draft Constitution in good faith and in accordance with the law. What it aims to discourage are opinions that incite discord and division. This is purely **in the interests of continued public order and social harmony**, which will facilitate Thailand's return to a strengthened and sustainable democracy.

Transition to Democracy: The Need for Public Order

- **Public order and social harmony** are key for the Government to be able to see through the **Roadmap**. The Government has, therefore, promulgated a number of laws to ensure that public order and social harmony prevail.
- These laws do not impinge on general freedom of expression – which we believe to be a fundamental element of a democratic society – as long as such expression does not undermine public order and social harmony. In fact, the Government has been receptive to all views regarding the current process of reconciliation and reform.
- However, in recent days, a certain individual has acted in violation of those laws – and repeatedly so despite warnings from the authorities. His actions are politically motivated and are designed to incite discord and division, domestically and internationally. This is a grave obstruction to the process of reconciliation and reform in Thailand which, up till now, has been proceeding apace.
- The Government has, therefore, been obliged to take action in accordance with the law. As in all other countries in which the rule of law is upheld, the law in Thailand is also held to be sacrosanct.

Transition to Democracy: Civil Liberties and Human Rights

- **Thailand's commitment to the promotion and protection of civil liberties and human rights** remains **unchanged**. We also continue to honour our international obligations in this regard.

- However, like many countries around the world, Thailand is seeking to strike the right balance between upholding freedoms and ensuring security, especially in this time of transition when social division and discord can undermine our current reconciliation and reform efforts.

In Sum

- Thailand is genuine in our desire to move on and to learn the lessons of the past so that we do not end up repeating our mistakes.
- We urge our friends and partners in the international community to recognize the progress Thailand has made – and will continue to make – on our journey to a strengthened and sustainable democracy that truly meets the needs and aspirations of the Thai people.
- A stable, prosperous and sustainable Thailand – who is a good friend and partner to the international community – is our ultimate objective.
- We, therefore, continue to ask for time and space to let reconciliation and reforms take their course. Ultimately, sustainable reforms which shall see Thailand through as a stable, prosperous and an altogether stronger country must come from within – by the Thai people and for the Thai people.

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