

THAILAND 2017 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Thailand is a constitutional monarchy, with a king serving as head of state. King Maha Vajiralongkorn Bodindradebayavarangkun ascended to the throne in December 2016, following the death of his father King Bhumibol Adulyadej. In a 2014 bloodless coup, military and police leaders, taking the name National Council for Peace and Order (NCPO) and led by then army chief general Prayut Chan-ocha, overthrew the civilian government administered by the Puea Thai political party, which had governed since 2011 following National Assembly lower house elections that were generally considered free and fair. The 2017 constitution sets a framework for a return to elected government, but as of year's end, no elections had been formally scheduled, and the NCPO and Prime Minister Prayut Chan-ocha continued to govern the country.

The military-led NCPO maintained control over the security forces and all government institutions.

An interim constitution, promulgated by the NCPO in 2014, was in place until April, when the king promulgated a new constitution, previously adopted by a popular referendum in August 2016. The 2017 constitution stipulates the NCPO remain in office and hold all powers granted by the interim constitution until establishment of a new council of ministers and its assumption of office following the first general election under the new charter. The 2017 constitution also stipulates that all NCPO orders are “constitutional and lawful” and are to remain in effect until revoked by the NCPO, an order from the military-appointed legislative body, the prime minister, or cabinet resolution. The interim constitution granted immunity to coup leaders and their subordinates for any coup or post-coup actions ordered by the ruling council, regardless of the legality of the action. The immunity remains in effect under the 2017 constitution. Numerous NCPO decrees limiting civil liberties, including restrictions on freedoms of speech, assembly, and the press, remained in effect during the year. NCPO Order No. 3/2015, which replaced martial law in March 2015, grants the military government sweeping power to curb “acts deemed harmful to national peace and stability.”

In addition to limitations on civil liberties imposed by the NCPO, the other most significant human rights issues included: excessive use of force by government security forces, including harassing or abusing criminal suspects, detainees, and prisoners; arbitrary arrests and detention by government authorities; abuses by

government security forces confronting the continuing ethnic Malay-Muslim insurgency in the southernmost provinces of Yala, Narathiwat, Pattani, and parts of Songkhla; corruption; sexual exploitation of children; and trafficking in persons.

Authorities took some steps to investigate and punish officials who committed human rights abuses. Official impunity, however, continued to be a problem, especially in the southernmost provinces, where the Emergency Decree on Public Administration in the State of Emergency (2005), hereinafter referred to as “the emergency decree,” and the 2008 Internal Security Act remained in effect.

Insurgents in the southernmost provinces committed human rights abuses and attacks on government security forces and civilian targets.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life or Other Unlawful or Politically Motivated Killings

Reports continued that security forces at times used excessive and lethal force against criminal suspects and committed or were involved in extrajudicial, arbitrary, and unlawful killings. According to the Ministry of Interior’s Investigation and Legal Affairs Bureau, from October 2016 to September, security forces—including police, military, and other agencies--killed 16 suspects during the arrest process, double the number killed in the previous year.

On March 17, soldiers operating a military checkpoint in Mueng Na Subdistrict of Chiang Mai Province shot and killed Chaiyaphum Pasae, a prominent ethnic Lahu student activist, claiming he possessed drugs and had attempted to attack the soldiers with a hand grenade. Community members and local human rights activists questioned the military’s account of the killing and called for a full, transparent investigation into the incident.

There were reports of killings by both government and insurgent forces in connection with the conflict in the southernmost provinces (see section 1.g.).

b. Disappearance

There were few reports of disappearances by or on behalf of government authorities. Prominent disappearance cases from prior years remained unsolved. In January the Department of Special Investigation rejected a special application

from the Office of the UN High Commissioner for Human Rights (OHCHR) to investigate the alleged enforced disappearance of Pholachi “Billy” Rakchongcharoen, a prominent Karen human rights defender missing since 2014.

In August activists associated with the United Front of Democracy against Dictatorship (UDD) claimed on social media that Thai security forces abducted prominent UDD member Withipong “Koh Tee” Kodthammakul from Laos, where he had reportedly fled following the 2014 coup. Senior government officials called the report an unsubstantiated rumor. According to UDD activists, Koh Tee’s whereabouts remained unknown.

At year’s end the government had not taken action on the 2011 request for a country visit by the UN working group on enforced or involuntary disappearances.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The interim constitution enacted following the 2014 coup protects “all human dignity, rights, [and] liberties,” but it does not specifically prohibit torture. The 2017 constitution states, “Torture, acts of brutality, or punishment by cruel or inhumane means shall not be permitted.” Nonetheless, the emergency decree and the interim constitution effectively provide immunity from prosecution to security officers for actions committed during the performance of their duties. As of September the cabinet had renewed the emergency decree in the southernmost provinces for consecutive three-month periods 49 times since 2005.

Representatives of nongovernmental organizations (NGOs) and legal entities reported police and military officers sometimes tortured and beat suspects to obtain confessions, and newspapers reported numerous cases of citizens accusing police and other security officers of brutality. In July the Nakhon Ratchasima Provincial Court concluded that drug-trafficking suspect Anan Koedkhaeo’s 2015 death at Choho police station following his arrest by officers from Muang Nakhon Ratchasima police station was the result of physical injuries inflicted by police officers incident to his arrest, not due to his jumping off a bridge in an attempt to escape arrest as police had claimed. The court subsequently forwarded the case to the public prosecutor for further investigation.

There were numerous reports of hazing and physical abuse by members of military units. In August an autopsy revealed that 22-year-old military conscript Yuttakinun Boonniam, found dead in his room in the 45th Military Circle in Surat

Thani Province, died of internal bleeding caused by blunt force trauma and not of natural causes. His family claimed he had been physically assaulted for violating military regulations and filed a complaint at the provincial police station requesting investigation of his death.

Prison and Detention Center Conditions

Conditions in prisons and various detention centers--including drug rehabilitation facilities and immigration detention centers (IDCs) where authorities detained undocumented migrants, refugees, and asylum seekers--remained poor, and most were overcrowded. The Ministry of Justice's Department of Corrections is responsible for monitoring prison conditions, while the Ministry of Interior's Immigration Department monitors conditions in IDCs.

The military government held some civilian suspects at military detention facilities.

Physical Conditions: As of August 1, authorities held approximately 307,500 persons in prisons and detention facilities with a maximum design capacity of 210,000 to 220,000 persons.

In some prisons and detention centers, sleeping accommodations were insufficient, there were persistent reports of overcrowding and poor facility ventilation, and the lack of medical care was a serious problem. Authorities at times transferred seriously ill prisoners and detainees to provincial or state hospitals. In May a 34-year-old Pakistani asylum seeker, who witnesses reported had complained of chest pains and requested immigration officials take him to a hospital, died at Suan Plu Immigration Detention Center.

Pretrial detainees comprised approximately 21 percent of the prison population. Prison officers did not segregate these detainees from the general prison population. The government often held pretrial detainees under the emergency decree in the southernmost provinces in military camps or police stations rather than in prisons.

NGOs reported that authorities occasionally held men, women, and children together in police station cells, particularly in small or remote police stations, pending indictment. In IDCs authorities placed juveniles older than 14 with adults.

Authorities can hold detainees and their children in IDCs for years unless they pay a fine and the cost of their transportation home, because by law "...the alien will have to pay the expense of deportation...[and] [t]he expense of detention shall be charged to the alien's account." NGOs urged the government to enact legislation and policies to end detention of children who are out of visa status and adopt alternatives, such as supervised release and noncustodial, community-based housing while resolving their immigration status. Other NGOs reported complaints, especially by Muslim detainees in IDCs, of inadequate and culturally inappropriate food.

Prison authorities sometimes used solitary confinement of not more than one month, as permitted by law, to punish male prisoners who consistently violated prison regulations or were a danger to others. Authorities also used heavy leg irons on prisoners deemed escape risks or potentially dangerous to other prisoners.

According to the Ministry of Interior's Investigation and Legal Affairs Bureau, 521 persons died in official custody from October 2016 to September, including 35 deaths while in police custody and 486 in the custody of the Department of Corrections, a significant decrease from the previous year. Authorities attributed most of the deaths to natural causes. Human rights groups reported deficiencies in official investigations into deaths in custody.

Administration: Authorities permitted prisoners and detainees or their representatives to submit complaints without censorship to ombudspersons but not directly to judicial authorities. Ombudspersons in turn can consider and investigate complaints and petitions received from prisoners and provide recommendations to the Department of Corrections, but they are not empowered to act on a prisoner's behalf, nor may they involve themselves in a case unless a person files an official complaint. According to NGOs, authorities rarely investigated complaints and did not make public the results of such investigations.

IDCs, administered by the Immigration Police Bureau, which reports to the Royal Thai Police, are not subject to many of the regulations that govern the regular prison system.

Independent Monitoring: The government facilitated monitoring of prisons by the National Human Rights Commission of Thailand (NHRCT), including meetings with prisoners without third parties present and repeated visits. According to human rights groups, no external or international inspection of the prison system occurred, including of military facilities such as Bangkok's 11th Military Circle.

International organizations reported cooperating with military and police agencies regarding international policing standards and the exercise of police powers.

Representatives of international organizations generally had access to some detainees in IDCs across the country for service delivery and resettlement processing.

d. Arbitrary Arrest or Detention

NCPO Order 2/2015 grants the military authority to detain persons without charge or trial for up to seven days. Military officials frequently invoked this authority. According to the OHCHR, the military government summoned, arrested, and detained approximately 2,000 persons since the 2014 coup. Prior to releasing detainees, military authorities often required them to sign documents affirming they were treated well, would refrain from political activity, and would seek authorization prior to travel outside the local area. According to human rights groups, authorities often denied access to detainees by family members and attorneys.

The emergency decree, which gives the government authority to detain persons without charge for a maximum of 30 days in unofficial places of detention, remained in effect in the southernmost provinces (see section 1.g.).

Emergency decree provisions make it very difficult to challenge a detention before a court. Under the decree detainees have access to legal counsel, but there was no assurance of prompt access to counsel or family members, nor were there transparent safeguards against the mistreatment of detainees. Moreover, the decree effectively provides broadly based immunity from criminal, civil, and disciplinary liability for officials acting under its provisions.

Role of the Police and Security Apparatus

The law gives military forces authority over civilian institutions, including police, regarding the maintenance of public order. NCPO Order 13/2016, issued in March 2016, grants military officers with the rank of lieutenant and higher power to summon, arrest, and detain suspects; conduct searches; seize assets; suspend financial transactions; and ban suspects from traveling abroad in cases related to 27 criminal offenses, including extortion, human trafficking, robbery, forgery, fraud, defamation, gambling, prostitution, and firearms violation. The order also grants

criminal, administrative, civil, and disciplinary immunity to military officials executing police authority in “good faith.”

The Border Patrol Police have special authority and responsibility in border areas to combat insurgent movements.

There were reports police abused prisoners and detainees, generally with impunity. Complaints of police abuse may be filed directly with the superior of the accused police officer, the Office of the Inspector General, or the police commissioner general. The NHRCT, the Lawyers’ Council of Thailand, the Office of the National Anticorruption Commission (NACC), the Supreme Court of Justice, the Ministry of Justice, and the Office of the Prime Minister also accepted complaints of police abuse and corruption, as did the Office of the Ombudsman. Few complaints alleging police abuse resulted in punishment of alleged offenders, and there were numerous examples of investigations lasting years without resolution of alleged security force abuses. Human rights groups criticized the “superficial nature” of police and judicial investigations into incidents of alleged torture and other mistreatment by security forces.

In August the Bangkok Criminal Court ruled that Thawatchai Anukul, a former provincial land official who died in a Department of Special Investigation detention center in August 2016, did not commit suicide as officials initially claimed, but died as the result of internal bleeding and suffocation. Police officials continued to investigate the matter.

The Ministry of Defense requires service members to receive human rights training. Routine training occurred at various levels, including for officers, noncommissioned officers, enlisted personnel, and recruits. Furthermore, military service members deploying in support of counterinsurgency operations in the southernmost provinces received specific human rights training, including training for detailed, situation-specific contingencies. The Royal Thai Police requires all cadets at its national academy to complete a course in human rights law.

Arrest Procedures and Treatment of Detainees

With few exceptions the law requires police and military officers exercising law enforcement authority to obtain a warrant from a judge prior to making an arrest, although NCPO Order 2/2015 allows the detention of any individual for up to seven days without an arrest warrant. Issuance of arrest warrants was subject to a judicial tendency to approve automatically all requests for warrants. By law

authorities must inform persons of likely charges against them immediately after arrest and allow them to inform someone of their arrest.

The law provides for access to counsel for criminal detainees in both civilian and military courts, but lawyers and human rights groups claimed police often conducted interrogations without providing access to an attorney.

Both the Court of Justice and the Justice Fund of the Ministry of Justice assign lawyers for indigent defendants. According to the most recent figures from fiscal year 2016, the Court of Justice assigned attorneys to 25,095 adult and 11,550 juvenile defendants. From October 2016 to September, the Ministry of Justice provided lawyers for 545 defendants.

The law provides defendants the right to request bail, and the government generally respected this right except in cases considered to involve national security, which included violations of the country's lese majeste (royal insult) law.

Arbitrary Arrest: Under NCPO order 3/2015, the military has authority to detain persons without charge for a maximum of seven days without judicial review. Under the emergency decree, authorities may detain a person for a maximum of 30 days without charge (see section 1.g.). Military officers invoked NCPO Order No. 3/2015 authority to detain numerous politicians, academics, journalists, and other persons without charge, although reportedly fewer than in 2016. The military held most individuals briefly but held some for the maximum seven days.

Pretrial Detention: Under normal conditions the law allows police to detain criminal suspects for 48 hours after arrest for investigation. Lawyers reported police rarely brought cases to court within the 48-hour period. Laws and regulations place offenses for which the maximum penalty for conviction is less than three years under the jurisdiction of district courts, which have different procedures and require police to submit cases to public prosecutors within 72 hours of arrest. According to the Lawyers' Council of Thailand, pretrial detention of criminal suspects for as long as 60 days was common.

Before charging and trial, authorities may detain individuals for a maximum of 84 days (for the most serious offenses), with a judicial review required for each seven-day period. After formal charges and throughout trial, depending on prosecution and defense readiness, court caseload, and the nature of the evidence, detention may last for one to two years before a verdict and up to six years before a Supreme Court appellate review.

Detainee's Ability to Challenge Lawfulness of Detention before a Court: Persons arrested or detained by police are entitled to judicial review of their detention within 48 hours in most cases. Persons detained by military officials acting under authority granted by NCPO Order 3/2015 are entitled to judicial review of their detention within seven days. Detainees found by the court to have been detained unlawfully (more than 48 hours or seven days) are entitled to compensation.

e. Denial of Fair Public Trial

Both the interim constitution and the 2017 constitution provide for an independent judiciary, and the government generally respected judicial independence and impartiality, notwithstanding NCPO orders that prohibited members of the judiciary from making any negative public comments against the NCPO. Moreover, the interim constitution in place through April provided the NCPO power to intervene “regardless of its effects on the legislative, executive, or judiciary” to defend the country against national security threats.

Human rights groups continued to express concern about the NCPO's influence on independent judicial processes, particularly the practice of prosecuting some civilians in military courts.

Trial Procedures

The 2017 constitution provides for the right to a fair and public trial, and an independent judiciary generally enforced this right, except in certain cases involving national security, including lese majeste cases. The interim constitution, in effect until April, also provided this right.

The law provides for the presumption of innocence. A single judge decides trials for misdemeanors; regulations require two or more judges for more serious cases. Most trials are public; however, the court may order a closed trial, particularly in cases involving national security, the royal family, children, or sexual abuse.

In ordinary criminal courts, defendants enjoy a broad range of legal rights, including access to a lawyer of their choosing, prompt and detailed information of the charges against them, free assistance of an interpreter as necessary, the right to be present at trial, and the right to adequate time and facilities to prepare a defense. They also have the rights not to be compelled to testify or to confess guilt, to confront witnesses, to present witnesses, and to appeal. Authorities did not always

automatically provide indigent defendants with counsel at public expense, and there were allegations authorities did not afford defendants all the above rights, especially in small or remote provinces.

In a 2014 order, the NCPO redirected prosecutions for offenses against the monarchy, insurrection, sedition, weapons offenses, and violation of its orders from civilian criminal courts to military courts. In September 2016 the NCPO ordered an end to the practice, directing that offenses committed by civilians after that date would no longer be subject to military court jurisdiction. According to the Judge Advocate General's Office, military courts initiated 1,886 cases involving at least 2,408 civilian defendants since the May 2014 coup, most commonly for violations of Article 112 (lese majeste); failure to comply with an NCPO order; and violations of the law controlling firearms, ammunition, and explosives. As of October approximately 369 civilian cases involving up to 450 individual defendants remained pending before military courts.

Military courts do not provide the same legal protections for civilian defendants as do civilian criminal courts. Military courts do not afford civilian defendants rights outlined by either the interim constitution or the 2017 constitution to a fair and public hearing by a competent, impartial, and independent tribunal. Civilians facing trial for offenses allegedly committed from May 2014 to March 2015--the period of martial law--have no right of appeal.

Political Prisoners and Detainees

The NCPO routinely detained those who expressed political views (see section 1.d.). As of August the Department of Corrections reported there were 135 persons detained or imprisoned in the country under lese majeste laws that outlaw criticism of the monarchy (see section 2.a.). Human rights groups claimed the prosecutions and convictions of several lese majeste offenders were politically motivated. Police arrested student activist Jatupat "Pai Dao Din" Boonpattaraksa in December 2016 for "liking" and sharing on Facebook a link to a Thai-language BBC profile of the new king that allegedly contained defamatory information. Human rights groups reported that approximately 2,000 other Thai social media users shared or liked the same BBC article and were not charged. In August Jatupat pled guilty to one count of violating the lese majeste law and was sentenced to five years' imprisonment, reduced to two and one-half years by the court in consideration of his guilty plea. From his arrest until his guilty plea, the court denied Jatupat's request for bail 12 times.

Civil Judicial Procedures and Remedies

The law provides for access to courts and administrative bodies to sue for damages for, or cessation of, a human rights violation. The government generally respected this right, but the emergency decree in force in the southernmost provinces expressly excludes administrative court scrutiny or civil or criminal proceedings against government officials. Victims may seek compensation from a government agency instead.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

NCPO Order No. 3/2015, along with the emergency decree, gives government security forces authority to conduct warrantless searches. Security forces used this authority routinely in the southernmost provinces and other border areas. There were complaints during the year from persons who claimed security forces abused this authority.

There were reports military officers harassed family members of those suspected of opposing the NCPO, including parents of students involved in anti-NCPO protests and the families of human rights defenders. For example, human rights groups reported intimidation of close associates of Chaiyaphum Pasae, the Lahu activist killed by soldiers in Chiang Mai Province (see section 1.a.).

Security services monitored persons, including foreign visitors, who espoused highly controversial views. In May officials from the Ministry of Digital Economy and Society made an announcement warning citizens not to “follow” or correspond on social media with three prominent critics of the military government and monarchy living overseas, namely academics Somsak Jeamterrasakul and Pavin Chachavalaphongpun and journalist Andrew MacGregor Marshall.

g. Abuses in Internal Conflicts

Internal conflict continued in the ethnic Malay-Muslim-majority, southernmost provinces. Frequent attacks by suspected insurgents and government security operations stoked tension between the local ethnic Malay-Muslim and ethnic Thai-Buddhist communities.

An emergency decree in effect in the southern border provinces of Yala, Pattani, Narathiwat, and parts of Songkhla provides military, police, and some civilian

authorities significant powers to restrict some basic rights and delegates certain internal security powers to the armed forces. The decree also provides security forces broad immunity from prosecution. Moreover, martial law--imposed in 2006--remained in effect and significantly empowered security forces in the southernmost provinces.

Killings: Human rights groups in recent years accused government forces of extrajudicial killings of individuals suspected of involvement with the insurgency. According to the NGO Deep South Watch, there were eight reported cases of government-affiliated forces conducting suspected extrajudicial killings in the southernmost provinces as of August. In each case security forces killed a suspect during the arrest. Government officials insisted the suspects in each case resisted arrest, necessitating the use of deadly force, a claim disputed by the families of the suspects and human rights groups.

According to Deep South Watch, violence resulted in 176 deaths and 245 injuries in 407 incidents as of July, less than in 2016. It also reported that as of July, violence caused more than 6,600 deaths and injured more than 12,000 persons in approximately 16,500 incidents in the region since 2004, but the organization did not differentiate among violence caused by insurgents, security forces, or criminal elements. As in previous years, suspected insurgents frequently targeted government representatives, including district and municipal officials, military personnel, and police, with bombings and shootings.

Some government-backed civilian defense volunteers received basic training and weapons from security forces. Human rights organizations continued to express concerns about vigilantism by these defense volunteers and other civilians.

Despite an overall decline in the level of violence, suspected insurgents continued to conduct attacks that resulted in civilian casualties. On August 16, a group of armed men dressed in military-like uniforms forced their way into a used car showroom in Songkhla Province and stole six pickup trucks while holding the owner and showroom staff hostage. They killed one hostage and seriously wounded two others. Suspected insurgents later converted several of the stolen vehicles into vehicle-borne bombs.

Physical Abuse, Punishment, and Torture: Local NGOs reported they continued to receive complaints from insurgent suspects alleging torture by security forces while in custody. The same NGOs noted it was increasingly difficult to substantiate the allegations due to the lack of cooperation from government

officials in carrying out credible investigations and providing access to suspects in detention. Human rights organizations maintained the detention of suspects continued to be arbitrary, excessive, and needlessly lengthy, and they criticized overcrowded conditions at detention facilities.

Martial law in the southernmost provinces allows detention for a maximum of seven days without charge and without court or government agency approval. The emergency decree in effect in the same areas allows authorities to arrest and detain suspects for an additional maximum of 30 days without charge. After this period expires, authorities must begin holding suspects under normal criminal law. Unlike under martial law, detentions under normal criminal law require court consent, although human rights NGOs complained courts did not always exercise their right of review.

The Southern Border Provinces Police Operation Center reported through September that authorities arrested 93 persons via warrants issued under the emergency decree. The government did not use military courts to try civilian defendants in the southernmost provinces.

Child Soldiers: Unlike in past years, there were no reports either government-affiliated forces or insurgents recruited child soldiers.

Other Conflict-related Abuses: According to the Ministry of Education, as of August there were no deaths of students, teachers, or other education personnel, although media reported insurgents killed two teachers and one student during the year. The government frequently armed both ethnic Thai-Buddhist and ethnic Malay-Muslim civilian defense volunteers, fortified schools and temples, and provided military escorts to monks and teachers.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

Broad NCPO orders restricting freedom of expression, including for the press, issued following the 2014 coup, remained in effect at year's end. Invoking these orders, officials suspended media outlets, blocked access to internet sites, and arrested individuals engaging in political speech. In addition to official restrictions on speech and censorship, NCPO actions resulted in significant self-censorship by the public and media. The NCPO routinely banned dissemination of information that could threaten the NCPO or "create conflict" within the country.

Freedom of Expression: The NCPO enforced limits on free speech and expression using a variety of regulations and criminal provisions.

Article 112 of the criminal code, the so-called lese majeste law, makes it a crime--punishable by a maximum of 15 years' imprisonment for each offense--to criticize, insult, or threaten the king, queen, royal heir apparent, or regent. The government continued to use this law to prosecute anyone who was in any way critical of the monarchy or members of the royal family. The law also allows citizens to file lese majeste complaints against each other. The government regularly conducted lese majeste trials in secret and prohibited public disclosure of the content of the alleged offenses. The government also frequently tried lese majeste cases in military courts that provided fewer rights and protections for civilian defendants, notwithstanding a September 2016 order that ended the practice of trying violations of Article 112 in military courts for offenses committed after that date (see section 1.e.). International and domestic human rights organizations and academics expressed concern about the lese majeste law's negative effect on freedom of expression.

Official statistics varied by agency, but new lese majeste cases increased dramatically following the 2014 coup. According to local NGO Internet Dialogue on Law Reform, as of September, 90 new lese majeste cases had been filed since the 2014 coup. In some of these cases, the accused committed the alleged offense prior to the 2014 coup, but authorities only filed charges afterwards. According to the Department of Corrections, the government detained 135 persons under lese majeste laws as of August (including a number of persons convicted for corruption-related offenses under Article 112 for misuse of royal title to further business interests).

In April a military court sentenced a 34-year-old man from Chiang Mai to 70 years in prison, reduced to 35 years in consideration of his guilty plea, for 10 counts of lese majeste related to messages he posted on a friend's Facebook page deemed defamatory to the monarchy. Human rights groups claimed the sentence was the longest ever for a lese majeste case.

There were numerous reports of security forces harassing citizens who publicly criticized the military government. In May police arrested eight persons, including political activists and victims' relatives, who had organized a mime performance on Bangkok's Ratchaprasong Road to commemorate the seven-year anniversary of

the killing of nearly 90 persons during political protests in 2010. Authorities later released without charge those arrested.

Press and Media Freedom: Independent media were active but faced impediments to operating freely. Many media contacts reported concerns about NCPO orders authorizing government officials to limit press freedom and suspend press operations without a court order.

The 2017 constitution requires owners of newspapers and other mass media to be citizens. Government entities owned and controlled most radio and broadcast television stations.

Violence and Harassment: Senior government officials routinely made statements critical of media. Media operators also complained of harassment and monitoring.

In August police officials from the Technology Crime Suppression Division charged journalist Pravit Rojanaphruk with two counts of sedition and computer crimes for posting comments on his Facebook page critical of the military regime and its response to flooding in the country's northeastern provinces. The Thai Journalists Association released a statement calling on the government to cease using sedition laws to intimidate media and the public.

Censorship or Content Restrictions: The NCPO restricted content deemed critical of or threatening to it, and media widely practiced self-censorship. NCPO Order 41/2016 empowers the National Broadcasting and Telecommunications Commission (NBTC) to suspend or revoke the licenses of radio or television operators broadcasting content deemed false, defamatory to the monarchy, harmful to national security, or unnecessarily critical of the military government. Authorities monitored media content from all media sources, including international press.

The emergency decree, which remained in effect in the conflict-affected southernmost provinces, empowers the government “to prohibit publication and distribution of news and information that may cause the people to panic or with an intention to distort information.” It also authorizes the government to censor news considered a threat to national security.

Libel/Slander Laws: Defamation is a criminal offense punishable by a maximum fine of 200,000 baht (\$6,125) and two years' imprisonment. Military and business

figures filed criminal defamation and libel cases against political and environmental activists, journalists, and politicians.

There were several high-profile cases of criminal defamation against human rights defenders and government critics. In 2016 officials from the military's Internal Security Operations Command (ISOC) Region 4 filed criminal defamation and computer crimes charges against three of the principal drafters of a report documenting cases of alleged torture by security forces in the southernmost provinces. In March ISOC Region 4 officials announced their decision to drop charges against the three report drafters, and they formally dismissed all charges in October.

In February police officials filed a complaint against Sunghidh Piriyanarangsarn, dean of Rangsit University's College of Social Innovation, and retired police colonel Viru Sirisawatdibut, accusing them of defaming police during a January public academic discussion on the "Efficiency of the Royal Thai Police."

Private companies also continued to invoke criminal defamation laws against critics. In April Myanmar Ponpipat Co. Ltd, a mining company based in Bangkok, filed a criminal defamation lawsuit against Pratch Rujivanarom, a journalist with English-language daily newspaper *The Nation*, accusing him of defaming the company by reporting on the impact of mine operations on persons living nearby.

The government also charged several critics with sedition. In August police charged former energy minister Pichai Nariphaphan and Puea Thai Party politician Watana Muangsook with sedition for their Facebook commentary critical of the country's political and economic problems under NCPO rule. Watana was also charged with sedition for separate Facebook posts in support of deposed prime minister Yingluck Shinawatra. Human rights groups argued these charges violated the country's commitments under the International Covenant on Civil and Political Rights (ICCPR).

National Security: Various NCPO orders issued under Section 44 of the interim constitution, later extended by the 2017 constitution, provide authorities the right to restrict distribution of material deemed to threaten national security. Media associations expressed alarm regarding the sweeping powers they complained lacked clear criteria for determining what constitutes a threat to national security.

In February, following a complaint from the military, the NBTC suspended for seven days a political program of channel Voice TV, finding that a discussion of

“the role of the judiciary in conflict resolution” broadcast in January violated NCPO orders prohibiting the dissemination of information deemed detrimental to national security or critical of the NCPO. The NBTC later suspended the license of Voice TV for seven days in March for violating an NCPO order prohibiting “dishonest criticism” of the military regime.

On August 9, the NBTC suspended for 30 days the broadcast license of Peace TV, a television channel operated by the United Front for Democracy against Dictatorship, on allegations the channel’s content threatened national security and the morality of the country.

Internet Freedom

The government continued to restrict or disrupt access to the internet and routinely censored online content. There were reports the government monitored private online communications without appropriate legal authority.

The amended Computer Crimes Act, endorsed by the king on January 23, establishes procedures for the search and seizure of computers and computer data in certain criminal investigations and gives the Ministry of Digital Economy and Society authority to request and enforce the removal of information disseminated via the internet. The government may impose a maximum five-year prison sentence and a 100,000 baht (\$3,060) fine for posting false content on the internet found to undermine public security, cause public panic, or harm others, based on vague definitions. The law also obliges internet service providers to preserve all user records for 90 days in case authorities wish to access them. Any service provider that gives consent to or intentionally supports the publishing of illegal content is also liable to punishment. By law authorities must obtain a court order to ban a website, although officials did not always respect this requirement. Media activists criticized the law, stating it defined offenses too broadly and some penalties were too harsh.

Individuals and groups generally engaged in the peaceful expression of views via the internet, although there were numerous restrictions on content, including proscribing lese majeste, pornography, gambling, and criticism of the NCPO.

The government closely monitored and blocked thousands of websites critical of the monarchy. The prosecution of journalists, political activists, and other internet users for criminal defamation or sedition for posting content online further fostered an environment of self-censorship. Many political online message boards and

discussion forums closely monitored discussions and self-censored to avoid being blocked. Newspapers disabled or restricted access to their public comment sections to minimize exposure to possible lese majeste or defamation charges. The NBTC also lobbied foreign internet content and service providers to remove or locally censor lese majeste content. Human rights contacts reported that police sometimes asked detained political activists to reveal passwords to their social media accounts.

Internet access was widely available in urban areas and used by citizens, including through a government program to provide limited free wi-fi access at 300,000 hotspots in cities and schools. The government also undertook an initiative to expand internet access to rural areas throughout the country. International monitoring groups estimated 46 million citizens (67 percent of the population) had access to the internet during the year.

Academic Freedom and Cultural Events

The NCPO intervened to disrupt academic discussions on college campuses, intimidated scholars, and arrested student leaders critical of the coup. Universities also practiced self-censorship.

University authorities reported the regular presence of military personnel on campus, monitoring lectures and attending student events. There were numerous accounts of authorities arresting students for exercising freedom of speech and expression.

In August police charged Chiang Mai University professor Chayan Vaddhanaphuti and four others with violating NCPO restrictions on public gatherings related to their participation in the International Conference on Thai Studies held at the university in July. The five were photographed holding posters that read, “An academic forum is not a military barracks,” in apparent protest of military monitoring of the academic conference.

In June soldiers removed artwork from two Bangkok galleries exhibiting work depicting the 2010 military crackdown on protesters, which authorities deemed a threat to public order and national reconciliation.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

The 2017 constitution grants the freedom to assemble peacefully, subject to restrictions enacted to “protect public interest, peace and order, or good morals, or to protect the rights and liberties of others.”

NCPO orders, invoked under authority of Article 44 of the interim constitution and extended under the 2017 constitution, prohibit political gatherings of five or more persons and penalize persons supporting any political gatherings. Human rights groups argued the prohibition violated the country’s obligations under the ICCPR. According to a human rights advocacy group, the NCPO disrupted at least 13 public events through July and more than 157 events since seizing power in 2014. In May the Foreign Correspondents’ Club of Thailand announced police had ordered the club to cancel a scheduled panel discussion entitled “Memories of 1932: The Mystery of Thailand’s Missing Plaque.”

In June police banned public gatherings in Bangkok to commemorate the 85th anniversary of the end of absolute monarchy in the country in 1932. According to activists, students and professors reported that police telephoned or visited them in their homes and encouraged them not to participate in any planned commemoration activities. Several students reported that security officials also warned their parents not to allow the students to participate in any event.

Surat Thani, Phuket, and Phang Nga Provinces have regulations that prohibit migrant workers--specifically persons from Cambodia, Burma, and Laos--from gathering in groups, while Samut Sakhon Province prohibits migrant gatherings of more than five persons. Authorities did not enforce these provisions strictly, particularly for gatherings on private property. Employers and NGOs may request permission from authorities for migrant workers to hold cultural gatherings.

Freedom of Association

The interim constitution did not explicitly provide for freedom of association. The 2017 constitution grants individuals the right to free association subject to restrictions by law enacted to “protect public interest, peace and order, or good morals.”

The law prohibits the registration of a political party with the same name or logo as a legally dissolved party.

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.

d. Freedom of Movement

The interim constitution and the 2017 constitution provide for freedom of internal movement, foreign travel, emigration, and repatriation. The government generally respected these rights, with some exceptions for “maintaining the security of the state, public peace and order or public welfare, town and country planning, or youth welfare.”

Following the 2014 coup, the NCPO issued orders prohibiting travel outside the country for approximately 155 persons, the majority of which were lifted in 2016. Nevertheless, the Thai Lawyers for Human Rights Center (TLHR) estimated there were an additional 300 persons who, when summoned to appear before the NCPO following the 2014 coup, signed agreements as a condition of their release consenting not to travel abroad without NCPO approval. According to the TLHR, the NCPO had not revoked the restrictions contained in these agreements.

The government usually cooperated with the Office of the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration, the International Committee of the Red Cross, and other humanitarian organizations in providing protection and assistance to refugees, asylum seekers, stateless persons, and other persons of concern, although with some restrictions. Cooperation with UNHCR to protect certain groups remained uneven, which limited UNHCR's ability to provide protection to all nationalities.

Abuse of Migrants, Refugees, and Stateless Persons: In 2015 authorities confined in IDCs and shelters approximately 870 Rohingya and Bangladeshi persons who arrived in the country irregularly by boat during the mass movement in the Bay of Bengal and Andaman Sea in May 2015. As of September approximately 140 persons (mostly Rohingya) remained in detention.

Authorities continued to treat refugees and asylum seekers from Burma who lived outside of designated border camps, including Rohingya boat arrivals, as illegal migrants. Persons categorized as illegal migrants are legally subject to arrest and

detention. Although reinstated in 2013, authorities had not permitted bail for detained refugees and asylum seekers since mid-2016.

International humanitarian organizations noted concerns about congested conditions, lack of exercise opportunities, and limited freedom of movement in the IDCs.

In-country Movement: The government restricted the free internal movement of members of hill tribes and other minority groups who were not citizens but held government-issued identity cards. Authorities prohibited holders of such cards from traveling outside their home districts without prior permission from the district office or outside their home provinces without permission from the provincial governor. Offenders are subject to fines or a jail term of 45 to 60 days. Persons without cards may not travel at all. Human rights organizations reported police at inland checkpoints often asked for bribes in exchange for allowing stateless persons to move from one district to another.

Foreign Travel: Local authorities also required other long-time noncitizen residents, including thousands of ethnic Shan and other non-hill-tribe minorities, to seek permission for foreign travel. A small number of Burmese refugees, who were approved for third-country resettlement but not recognized as refugees by the government, had awaited exit permits for years.

Protection of Refugees

The government's treatment of refugees and asylum seekers remained inconsistent. Nevertheless, authorities hosted significant numbers of refugees and asylum seekers, generally provided protection against their expulsion or return, and allowed persons fleeing fighting or other incidents of violence in neighboring countries to cross the border and remain until conflict ceased. Moreover, authorities permitted non-Burmese refugees recognized by UNHCR and registered Burmese refugees residing in official refugee camps to resettle to third countries.

Refoulement: The government provided some protection against the expulsion or return of refugees to countries where they would face threats to their lives or freedom because of their race, religion, nationality, membership in a particular social group, or political opinion. Outside the camps, government officials did not distinguish between asylum-seeking Burmese and other undocumented Burmese, regarding all as illegal migrants. Authorities generally took those arrested outside of the camps to the border and deported them back to their home country.

Authorities generally did not deport persons of concern holding valid UNHCR asylum-seeker or refugee status; however, in 2015 authorities forcibly deported a vulnerable migrant group of 109 ethnic Uighurs to China. As of December approximately 60 Uighurs remained in detention in the country.

Immigration police in Bangkok arrested and detained asylum seekers and refugees, including women and children. There were approximately 200 refugees and asylum seekers residing in IDCs.

Access to Asylum: The law does not provide for the granting of asylum or refugee status. Burmese asylum seekers and refugees who reside outside official refugee camps are by law considered illegal migrants, as are all non-Burmese asylum seekers and refugees in the country if they do not hold a valid passport and visa. If arrested they are subject to indefinite detention at IDCs in Bangkok and other provinces.

UNHCR remained limited in its ability to provide protection to some groups of refugees outside the official camps. Its access to asylum seekers in the main IDC in Bangkok and at Suvarnabhumi International Airport to conduct status interviews and monitor new arrivals varied throughout the year. UNHCR had access to provincial IDCs where authorities detained ethnic Rohingya to conduct refugee status determinations. Authorities allowed resettlement countries to conduct processing activities in the IDCs, and humanitarian organizations were able to provide health care, nutritional support, and other humanitarian assistance.

The government allowed UNHCR to monitor the protection status of approximately 102,000 Burmese refugees and asylum seekers living in nine camps along the border with Burma, but it prohibited UNHCR from any assistance role in the camps. NGOs funded by the international community provided basic humanitarian assistance in the camps, including health care, food, education, shelter, water, sanitation, vocational training, and other services. UNHCR issued identification cards to registered refugees living in the camps.

The government facilitated third-country resettlement for 1,600 Burmese refugees from camps as of August. Refugees residing in the nine camps along the border who had not registered with the government were ineligible for third-country resettlement.

Freedom of Movement: Refugees residing in the nine refugee camps on the border with Burma had no freedom of movement, and authorities confined them to the

camps. A refugee apprehended outside the official camps is subject to harassment, fines, detention, deregistration, and deportation.

Refugees and asylum seekers were not eligible to participate in the official nationality-verification process, which allows migrant workers with verified nationality and passports to travel throughout the country.

Employment: The law prohibits refugees from working in the country. The government allowed undocumented migrant workers from neighboring Burma, Cambodia, and Laos to work legally in certain economic sectors if they registered with authorities and followed a prescribed process to document their status (see section 7.d.). The law allows victims of trafficking and witnesses who cooperate with pending court cases to work legally during and up to two years after the end of their trial involvement.

Access to Basic Services: The international community provided basic services for refugees living inside the nine camps on the border with Burma. For needs beyond primary care, a medical referral system allows refugees to seek other necessary medical services. For the urban refugee and asylum seeker population living in Bangkok, access to basic health services was minimal. Since 2014 two NGOs provided primary and mental health-care services. UNHCR coordinated referrals of the most urgent medical cases to local hospitals.

Since Burmese refugee children living in the camps generally did not have access to the government education system, NGOs provided schooling opportunities, and some were able to coordinate their curriculum with the Ministry of Education. In Bangkok some refugee communities formed their own schools to provide education for their children. Others sought to learn Thai with support from UNHCR, because the law provides that government schools must admit children of any legal status who can speak, read, and write Thai with some degree of proficiency.

Temporary Protection: The government continued to extend temporary protection status to the migrants of Rohingya and Bangladeshi origin who arrived during the 2015 maritime migration crisis in the Bay of Bengal and Andaman Sea.

Stateless Persons

The government continued to identify stateless persons, provide documentation to preclude statelessness, and open paths to citizenship for long-time residents.

According to the government, an estimated 485,500 persons, mainly residing in the northern region, were likely stateless or at risk of statelessness, including persons from Burma who did not have evidence of Burmese citizenship, ethnic minorities registered with civil authorities, and previously undocumented minorities.

The government pledged to attain zero statelessness by 2024 and in 2016 approved a cabinet resolution that provides a pathway to Thai nationality for approximately 80,000 stateless children and young adults. The resolution covers persons born in the country, whose parents are ethnic minorities, who are registered with the government, and who have resided in the country for a minimum of 15 years. The new resolution also applies to stateless youths certified by a state agency to have lived in the country for 10 years whose parentage is unknown.

Birth within the country does not automatically confer citizenship. The law bases citizenship on birth to at least one citizen parent, marriage to a male citizen, or naturalization. Individuals may also acquire citizenship by means of special government-designated criteria implemented by the Ministry of Interior with approval from the cabinet or in accordance with nationality law (see section 6, Children). Recent amendments to the law allow ethnic Thai stateless persons and their children, who meet the added definition of “displaced Thai,” to apply for the status of “Thai nationality by birth.”

The law stipulates every child born in the country receive an official birth certificate regardless of the parents’ legal status. Many parents did not obtain birth certificates for their children due to the complexity of the process, the need to travel from remote areas to district offices, and a lack of recognition of the importance of the document.

By law stateless members of hill tribes may not vote or own land, and their travel is restricted. Stateless persons also may not participate in certain occupations reserved for citizens, including farming, although authorities permitted noncitizen members of hill tribes to undertake subsistence agriculture. Stateless persons had difficulty accessing credit and government services, such as health care. Although education was technically accessible for all undocumented and stateless children, it was usually of poor quality. School administrators placed the term “non-Thai citizen” on these students’ high school certificates, which severely limited their economic opportunities. Some public universities charged stateless and undocumented students higher tuition rates than citizens.

Without legal status, stateless persons were particularly vulnerable to various forms of abuse (see section 6, Children and Indigenous People).

Section 3. Freedom to Participate in the Political Process

In contrast to the interim constitution, the 2017 constitution largely provides citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage, although particulars about the electoral process and the composition of members of parliament remained pending, and elections had not been held by year's end.

Elections and Political Participation

Recent Elections: There had been no elections since the 2014 coup. NCPO Announcements No. 85/2557 and No. 86/2557, issued in July 2014, and NCPO Chairman Order No. 1/2557, issued in December 2014, ordered the suspension of all types of elections nationwide, at both the national and local levels.

During a popular referendum in August 2016, a majority of voters voted in favor of the 2017 constitution. The Referendum Law, which included restrictions on campaigning for or against the draft charter, governed the period preceding the constitutional referendum. Officials regularly invoked the law to limit free and open debate in advance of the referendum. Human rights groups reported approximately 200 persons were arrested for violating the Referendum Law, all of whom were opponents of the draft charter. As a result numerous national and international observers criticized the referendum as unfair because the electorate was unable to freely receive and impart information and campaign for their choice.

There were no verified reports of irregularities with referendum voting, which was held by secret ballot.

Political Parties and Political Participation: The interim constitution prohibited anyone who was a member of a political party in the past three years from serving in the National Legislative Assembly (NLA). Restrictions on political activity, particularly the prohibition on political gatherings of more than five persons, affected political parties' operations.

Participation of Women and Minorities: The precoup constitution encouraged political parties to consider a "close proximity of equal numbers" of both genders. Neither the interim constitution nor the 2017 constitution contains such a

provision. No laws limit participation of women and members of minorities in the political process; however, their participation was limited. There were 13 women in the NCPO-appointed 249-member NLA and four female ministers in the 34-person interim cabinet. The previous elected government had 81 women in the 500-seat lower house.

Few members of ethnic or religious minorities held positions of authority in national politics. The 249-member NLA included four Muslims and one Christian. No Muslims or Christians held cabinet posts. All governors (who are centrally appointed) in the southernmost provinces were Buddhist, but chief executives in those provincial administrative organizations were Muslim.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for conviction of corruption by officials. Government implementation of the law increased under the NCPO, although officials sometimes engaged in corrupt practices with impunity. There were reports of government corruption during the year.

Corruption: Corruption remained widespread among police. Authorities arrested police officers and convicted them of corruption, drug trafficking, and smuggling; police reportedly also committed intellectual property rights violations.

In 2015 the attorney general filed criminal charges against former prime minister Yingluck Shinawatra and 28 other officials in her administration related to alleged malfeasance in her government's handling of a rice-pledging program. In August the Supreme Court's Criminal Division for Holders of Political Positions found 20 defendants guilty of crimes related to corruption, sentencing former commerce minister Boonsong Teriyapirom to 42 years in prison for malfeasance in administering government-to-government deals involving Chinese companies as part of the rice-pledging program. In September the same court found Yingluck Shinawatra guilty of dereliction of duty in absentia for failing to address the corruption of Boonsong and other officials in her government and sentenced her to five years in prison. Prior to the verdict, Yingluck reportedly departed the country. Following the conviction, the court issued a warrant for her immediate arrest.

The government continued to enforce the 2009 arrest warrant against former prime minister Thaksin Shinawatra, who faced two and one-half years in prison after being convicted of malfeasance by the Supreme Court of Justice for Persons

Holding Political Positions for his involvement with a government bank loan to Burma. He continued to reside outside the country.

Financial Disclosure: Financial disclosure laws and regulations require elected and appointed public officials to disclose assets and income according to standardized forms. The law penalizes officials who fail to submit declarations, submit inaccurate declarations, or conceal assets. Penalties include a five-year political activity ban, asset seizure, and discharge from position, as well as a maximum imprisonment of six months, a maximum fine of 10,000 baht (\$306), or both.

The NACC financial disclosure rules do not apply to NCPO members, although NCPO members who serve in cabinet positions must comply with the rules. Likewise authorities also exempted members of the NCPO-appointed 200-member National Reform Steering Assembly, which was dissolved in July.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A wide variety of domestic and international human rights organizations operated in the country. NCPO orders affected NGO operations, including prohibitions on political gatherings and activities, as well as media restrictions. NGOs that dealt with sensitive political matters, such as political reform or opposition to government-sponsored development projects, faced periodic harassment.

Human rights workers focusing on violence in the southernmost provinces were particularly vulnerable to harassment and intimidation by government agents and insurgent groups. Several NGOs reported pervasive online harassment and threats. The government accorded very few NGOs tax-exempt status, which sometimes hampered their ability to secure funding.

The United Nations or Other International Bodies: According to UN reports, there were no developments regarding official visits previously requested by the UN working group on disappearances; by the UN special rapporteur on the freedoms of expression, assembly, and association; or by the UN special rapporteur on the situations of human rights defenders, migrants, and internally displaced persons. According to the United Nations, the government had not accepted a visit from any expert within the UN special procedures mechanism since 2013. As of October, 18 visit requests from UN special procedures were pending.

Government Human Rights Bodies: The independent NHRCT exists with the mission to protect human rights and to produce an annual country report. The commission received 404 petitions through September, compared with 617 during the same period in 2016. Of these complaints, 94 related to alleged abuses by police, an increase from the previous year. Human rights groups continued to criticize the commission for not filing lawsuits against human rights violators on its own behalf or on behalf of complainants.

The Office of the Ombudsman is an independent agency empowered to consider and investigate complaints filed by any citizen. Following an investigation the office may refer a case to a court for further review or provide recommendations for further action to the appropriate agency. The office examines all petitions, but it may not compel agencies to comply with its recommendations. From October 2016 through July, the office received 2,125 new petitions, of which 455 related to allegations of police abuses.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: Rape is illegal, although the government did not always enforce the law effectively. The law permits authorities to prosecute spousal rape, and prosecutions occurred. The law specifies penalties for conviction of rape or forcible sexual assault ranging from four years' imprisonment to the death penalty as well as fines.

NGOs asserted that rape was a serious problem, and noted a measure in the law allows offenders younger than 18 to avoid prosecution by choosing to marry their victim. They also maintained that victims underreported rapes and domestic assaults, in part due to a lack of understanding by authorities that impeded effective implementation of the law regarding violence against women.

According to NGOs the government underfunded agencies tasked with addressing the problem, and victims often perceived police as incapable of bringing perpetrators to justice.

Domestic violence against women was a significant problem. The Ministry of Public Health operated one-stop crisis centers that provide information and services to victims of physical and sexual abuse throughout the country. The law establishes measures designed to facilitate both the reporting of domestic violence

complaints and reconciliation between the victim and the perpetrator. Moreover, the law restricts media reporting on domestic violence cases in the judicial system. NGOs expressed concern the law's family unity approach puts undue pressure on a victim to compromise without addressing safety issues and led to a low conviction rate.

Authorities prosecuted some domestic violence crimes under provisions for assault or violence against a person, where they could seek harsher penalties. Women's rights groups reported domestic violence frequently went unreported, however, and police often were reluctant to pursue reports of domestic violence. The government operated shelters for domestic violence victims, one in each province. The government's crisis centers, located in all state-run hospitals, cared for abused women and children.

The Ministry of Social Development and Human Security continued to develop a community-based system, operating in all regions of the country, to protect women from domestic violence. The program focused on training representatives from each community on women's rights and abuse prevention to increase community awareness.

Female Genital Mutilation/Cutting (FGM/C): No specific law prohibits this practice. NGOs reported that FGM/C occurred in the Muslim-majority south, although statistics were unavailable. There were no reports of governmental efforts to prevent or address the practice.

Sexual Harassment: Sexual harassment is illegal in both the public and private sectors. The law specifies maximum fines of 20,000 baht (\$612) for those convicted of sexual harassment, while abuse categorized as an indecent act may result in a maximum 15 years' imprisonment and a maximum fine of 30,000 baht (\$919). The law governing the civil service also prohibits sexual harassment and stipulates five levels of punishment: probation, docked wages, salary reduction, suspension, and termination. NGOs claimed the legal definition of harassment was vague and prosecution of harassment claims difficult, leading to ineffective enforcement of the law.

Coercion in Population Control: There were no reports of coerced abortion, involuntary sterilization, or other coercive population control methods. Estimates on maternal mortality and contraceptive prevalence are available at:

www.who.int/reproductivehealth/publications/monitoring/maternal-mortality-2015/en/.

Discrimination: The interim constitution purported to protect “all human dignity, rights, liberties, and equality of the people.” The 2017 constitution provides that “men and women shall enjoy equal rights and liberties. Unjust discrimination against a person on the grounds of differences in origin, race, language, sex, age, disability, physical or health condition, personal status, economic or social standing, religious belief, education or political view, shall not be permitted.”

Women generally enjoy the same legal status and rights as men, but sometimes experienced discrimination particularly in employment. The law imposes a maximum jail term of six months or a maximum fine of 20,000 baht (\$612) or both, for anyone committing gender discrimination. The law mandates nondiscrimination based on gender and sexual identity in policy, rule, regulation, notification, project, or procedures by government, private organizations, and any individual, but it also stipulates two exceptions criticized by civil society groups: religious principles and national security.

Women were unable to confer citizenship to their noncitizen spouses in the same way as male citizens.

Women accounted for approximately 20,700 of the country’s 230,000 military personnel. Ministry of Defense policy limits the percentage of female officers to not more than 25 percent in most units, with specialized hospital/medical, budgetary, and finance units permitted 35 percent. Military academies (except for the nursing academy) refused admission to female students, although a significant number of instructors were women.

Children

Birth Registration: Citizenship is conferred at birth if at least one parent is a citizen. Birth within the country does not automatically confer citizenship, but regulations entitle all children born in the country to birth registration, which qualifies them for certain government benefits regardless of citizenship (see section 2.d.). NGOs reported that hill tribe members and other stateless persons sometimes did not register births with authorities, especially births occurring in remote areas, because administrative complexities, misinformed or unscrupulous local officials, language barriers, and restricted mobility made it difficult to do so.

Education: The 2017 constitution provides that all children receive free “quality education for 12 years, from preschool to the completion of compulsory

education,” which is defined as through grade nine. NGOs reported that children of registered migrants, unregistered migrants, refugees, or asylum seekers also had limited access to government schools.

Child Abuse: The law provides for the protection of children from abuse, and laws on rape and abandonment carry harsher penalties if the victim is a child. The law provides for protection of witnesses, victims, and offenders younger than 18 in abuse and pedophilia cases. According to advocacy groups, police showed reluctance to investigate abuse cases, and rules of evidence made prosecution of child abuse difficult.

Early and Forced Marriage: The minimum legal age for marriage for both sexes is 17, while anyone younger than 20 requires parental consent. A court may grant permission for children between the ages of 15 and 16 to marry.

Sexual Exploitation of Children: The law provides heavy penalties for persons who procure, lure, compel, or threaten children younger than 18 for the purpose of prostitution, with higher penalties for persons who purchase sexual intercourse with a child younger than 15. Authorities may punish parents who allow a child to enter into prostitution and revoke their parental rights. The law prohibits the production, distribution, import, or export of child pornography. The law also imposes heavy penalties on persons convicted of sexually exploiting persons younger than 18, including for pimping, trafficking, and other sexual crimes against children.

Child sex trafficking remained a problem and the country continued to be a destination for child sex tourism, although the government initiated new programs to combat the problem. Children from migrant populations, ethnic minorities, and poor families remained particularly vulnerable, and police arrested parents who forced their children into prostitution. Citizens and foreign sex tourists committed pedophilia crimes, including the commercial sexual exploitation of children.

The government made efforts throughout the year to combat the sexual exploitation of children, including opening two new child advocacy centers in Pattaya and Phuket that allow for developmentally appropriate interviews of child victims and witnesses. The centers allowed both forensic interviewing and early social service intervention in cases of child abuse, trafficking, and exploitation. The multiagency Thailand Internet Crimes against Children Task Force also accelerated its operations, leveraging updated regulations and investigative methods to track internet-facilitated child exploitation.

Displaced Children: Authorities generally referred street children to government shelters located in each province, but foreign undocumented migrants avoided the shelters due to fear of deportation. The government generally sent citizen street children to school, occupational training centers, or back to their families with social worker supervision. The government repatriated some street children who came from other countries.

Institutionalized Children: There were limited reports of abuse in orphanages or other institutions.

International Child Abductions: The country is a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State's *Annual Report on International Parental Child Abduction* at travel.state.gov/content/childabduction/en/legal/compliance.html.

Anti-Semitism

The resident Jewish community is very small, and there were no reports of anti-Semitic acts. Nazi symbols and figures were sometimes displayed on merchandise and used in advertising.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

Persons with Disabilities

The 2017 constitution prohibits discrimination based on disability and physical or health conditions.

The government modified many public accommodations and buildings to accommodate persons with disabilities, but government enforcement was not consistent. The law mandates persons with disabilities have access to information, communications, and newly constructed buildings, but authorities did not uniformly enforce these provisions. The law entitles persons with disabilities who register with the government to free medical examinations, wheelchairs, and crutches.

The government's Community-based Rehabilitation Program and the Community Learning Center for People with Disabilities project operated in all provinces. The government provided five-year, interest-free, small-business loans for persons with disabilities.

The government maintained dozens of separate schools and education centers for students and persons with disabilities. The law requires all government schools nationwide to accept students with disabilities, and a majority of schools taught students with disabilities during the year. The government also operated shelters and rehabilitation centers specifically for persons with disabilities, including day-care centers for autistic children.

The tax revenue code provided special income tax deductions to promote employment of persons with disabilities. Some employers subjected persons with disabilities to wage discrimination.

National/Racial/Ethnic Minorities

Two groups--former Chinese civil war belligerents and their descendants living in the country for several decades, and children of Vietnamese immigrants residing in 13 northeastern provinces--lived under laws and regulations restricting their movement, residence, education, and access to employment. A law confines the Chinese group to residence in the northern provinces of Chiang Mai, Chiang Rai, and Mae Hong Son.

Indigenous People

Noncitizen members of hill tribes faced restrictions on their movement, could not own land, had difficulty accessing bank credit, and faced discrimination in employment. Although labor laws give them the right to equal treatment as employees, employers often violated those rights by paying them less than their citizen coworkers and less than minimum wage. The law also limits noncitizens in their choice of occupations. The law further bars them from government welfare services, such as universal health care.

The law provides citizenship eligibility to certain categories of hill tribes who were not previously eligible (see section 2.d.). The government supported efforts to register citizens and educate eligible hill tribe members about their rights.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

No laws criminalize expression of sexual orientation or consensual same-sex sexual conduct between adults.

The LGBTI community reported that police treated LGBTI victims of crime the same as other persons except in the case of sexual crimes, where there was a tendency to downplay sexual abuse or not to take harassment seriously.

The law does not permit transgender persons to change their gender on identification documents, which, coupled with societal discrimination, limited their employment opportunities. The law prohibits discrimination “due to the fact that the person is male or female or of a different appearance from his/her own sex by birth.” There was some commercial discrimination based on sexual orientation and gender identity.

HIV and AIDS Social Stigma

Some social stigma remained for persons with HIV/AIDS despite intensive educational efforts by the government and NGOs. There were reports some employers refused to hire persons who tested positive for HIV.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The interim constitution did not contain provisions providing for the right of freedom of association or the right to bargain collectively. The 2017 constitution provides that a person shall enjoy the liberty to unite and form an association, cooperative, union, organization, community, or any other group. The Labor Relations Act (LRA) and State Enterprise Labor Relations Act (SELRA) remained in effect. The LRA allows private-sector workers to form and join trade unions of their choosing without prior authorization, to bargain collectively, and to conduct legal strikes with a number of restrictions.

Legal definitions of who may join a union and requirements that the union represent at least one-fifth of the workforce hampered collective bargaining efforts. Under the law only workers who are in the same industry may form a union. For example, despite working in the same factory, contract workers who are classified

under the “service industry” may not join the same union as full-time workers who are classified under the “manufacturing industry.” This restriction often diminished the ability to bargain collectively as a larger group. Labor advocates claimed companies exploited this required ratio to avoid unionization by hiring substantial numbers of temporary contract workers. The law also restricts formal affiliations between unions of state-owned enterprises (SOE) and private-sector unions because two separate laws govern them.

The law allows employees in private enterprises with more than 50 workers to establish “employee committees” to represent workers’ collective requests and to negotiate with employers and “welfare committees” to represent workers’ welfare-related collective requests. Employee and welfare committees may give suggestions to employers, but the law bars them from submitting labor demands or conducting legal strikes. The law prohibits employers from taking adverse employment actions against workers for their participation in these committees and from obstructing the work of the committees. Therefore, union leaders often joined employee or welfare committees.

The SELRA allows one union per SOE. SOEs in the country included state banks, trains, airlines, airports, marine ports, and postal services. Under the law civil servants, including teachers at public and private schools, university professors, soldiers, and police, do not have the right to form or register a union; however, civil servants (including teachers, police, and nurses), and self-employed persons (such as farmers and fishers) may form and register associations to represent member interests. If a SOE union’s membership falls below 25 percent of the eligible workforce, labor relations regulations require dissolution.

The law forbids strikes and lockouts in the public sector and at SOEs. The government has authority to restrict private-sector strikes that would affect national security or cause severe negative repercussions for the population at large, but it did not invoke this provision during the year.

Noncitizen migrant workers, whether registered or undocumented, do not have the right to form unions or serve as union officials. Registered migrants may be members of unions organized and led by citizens. Migrant worker participation in unions was limited due to language barriers, weak understanding of rights under the law, frequent changes in employment, membership fees, restrictive labor union regulations, and segregation of citizen workers from migrant workers by industry and by zones (particularly in border and coastal areas). In practice many migrant

workers formed unregistered associations, community-based organizations, or religious groups to represent member interests.

The law does not protect union members against antiunion actions by employers until their union is registered. To register a union, at least 10 workers must submit their names to the Department of Labor Protection and Welfare (DLPW). The verification process of vetting the names and employment status with the employer exposes the workers to potential retaliation before registration is complete. Moreover, the law requires union officials be full-time employees of the company or SOE and prohibits permanent union staff.

The law protects employees and union members from criminal or civil charges for participating in negotiations with employers, initiating a strike, organizing a rally, and explaining labor disputes to the public. The law does not protect employees and union members from criminal offenses for endangering the public or for causing loss of life or bodily injury, property damage, and reputational damage. The law does not prohibit lawsuits intended to censor, intimidate, and silence critics through costly legal defense. Some private companies charged union leaders with civil and criminal defamation for public statements made online or in media during collective bargaining in an effort, according to labor rights activists, to intimidate union leaders. Human rights defenders said the use of criminal defamation and other actions to camouflage retaliation had a chilling effect on freedom of expression and association.

The law prohibits termination of employment of legal strikers but permits employers to hire workers or use subcontract workers to replace strikers. The legal requirement to call a general meeting of trade union members and obtain strike approval by at least 50 percent of union members constrained strike action in the private sector. The law provides for penalties, including imprisonment, a fine, or both, for strikers in SOEs. In July the Supreme Court upheld a lower court's guilty verdict against seven union leaders of the State Railway of Thailand (SRT) for leading a strike in contravention of strike-permit rules and ordered them to pay fines totaling 21 million baht (\$643,000). The union was protesting the SRT's failure to fund maintenance and safety equipment and manage appropriate rest time for train conductors, which may have contributed to a 2009 train derailment and seven fatalities.

Labor law enforcement was inconsistent, and in some instances ineffective, in protecting workers who participated in union activities. Employers may dismiss workers for any reason except participation in union activities, provided the

employer pays severance. There were reports of workers dismissed for engaging in union activities, both before and after registration, and, in some cases, labor courts ordered workers reinstated. In some cases judges awarded compensation in lieu of reinstatement when employers or employees claimed they could not work together peacefully; however, authorities rarely applied penalties for conviction of labor violations, which include imprisonment, a fine, or both. International organizations reported DLPW leadership increasingly promoted good industrial relations and enforcement during inspector training across the country. Labor inspection increasingly focused on high-risk workplaces and the use of intelligence from civil society partners. Trade union leaders suggested that inspectors should move beyond perfunctory document reviews toward more proactive work site inspections. Rights advocates reported that provincial-level labor inspectors often attempted to mediate cases, even when there was a finding that labor rights violations requiring penalties occurred.

There were reports employers used various techniques to weaken labor union association and collective bargaining efforts. These included replacing striking workers with subcontractors, which the law permits when strikers continue to receive wages; threatening union leaders and striking workers; pressuring union leaders and striking workers to resign; dismissing union leaders, citing business reasons; prohibiting workers from demonstrating in work zones; and inciting violence to get a court warrant to prohibit protests. In some cases employers filed lawsuits against union leaders and strikers for trespassing, defamation, and vandalism. Some employers also transferred union leaders and striking workers to different, less desirable positions or inactive management positions (with no management authority) to prevent them from leading union activities. There were reports some employers supported the registration of competing unions to circumvent established unions that refused to accept the terms of agreement proposed by employers.

b. Prohibition of Forced or Compulsory Labor

The law prohibits all forms of forced or compulsory labor, except in the case of national emergency, war, martial law, or imminent public calamity.

The government updated various laws to strengthen its regulations against human trafficking, including forced labor. In January the third amendment of the antitrafficking law expanded the defined means of exploitation to include retention of identity documents and use of the accumulated debt burden. The amendment strengthened both the imprisonment and monetary penalties for the worst forms of

child labor and other forms of human trafficking. The prescribed penalties were sufficiently stringent to deter violations and commensurate with penalties prescribed for other serious offenses, such as rape.

In 2016, 14 migrant workers filed a complaint with the NHRCT alleging forced labor, confiscation of documents, abusive working and living conditions, excessive overtime, unlawful salary deductions, and limited freedom of movement. In September the Supreme Court upheld a labor court's decision, ordering their employer, Thammakaset Company, to pay 1.7 million baht (\$52,000) in unpaid overtime wages. In October the 14 workers were indicted, arrested, and released temporarily on bail on charges of criminal defamation, which carry maximum prison sentences of 18 months, a maximum fine of 30,000 baht (\$919), or both. The 14 workers entered not guilty pleas.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/.

c. Prohibition of Child Labor and Minimum Age for Employment

The law regulates the employment of children younger than 18 and prohibits employment of children younger than 15. Children younger than 18 are prohibited from work in an activity involving metalwork, hazardous chemicals, poisonous materials, radiation, and harmful temperatures or noise levels; exposure to toxic microorganisms; operation of heavy equipment; and work underground or underwater. The law also prohibits children from work in hazardous workplaces, such as slaughterhouses, gambling establishments, places where alcohol is sold, massage parlors, entertainment venues, sea fishing vessels, and seafood processing establishments. The law provides limited coverage to child workers in some informal sectors, such as agriculture, domestic work, and home-based businesses. Self-employed children and children working in nonemployment relationships are not protected under national labor law, but they are protected under the Child Protection Act and the third amendment of the Antitrafficking in Persons Act of January.

Violations of the law may include imprisonment or fines. Parents the court finds were "driven by unbearable poverty" are exempt from the law. In February the government amended the Labor Protection Act on child labor to strengthen penalties on employing child laborers younger than 15 or child laborers between the ages of 15 and 18 in hazardous work.

Government and private-sector entities, particularly medium and large manufacturers, actively advocated against the use of child labor through public awareness campaigns and bone-density checks to verify their age for identifying potential underage job applicants.

The DLPW is the primary agency charged with enforcing child labor laws and policies. In 2016 nearly one-half (47 percent) of labor inspections were targeted in high-risk sectors for child labor, including seafood processing, garment, manufacturing, agriculture, construction, gas stations, restaurants, and bars. Violations included employing underage child labor in hazardous work, unlawful working hours, and failure to notify the DLPW of employment of child workers. The amended labor protections, which impose high monetary penalties per each child laborer employed, were sufficient to deter violations. Nonetheless, there were reports some employers use inaccurate bone-density records to verify the age of child laborers.

Observers noted several limiting factors in effective enforcement of child labor laws, including: insufficient labor inspectors, insufficient interpreters during labor inspections, ineffective inspection procedures for the informal sector or hard-to-reach workplaces (such as private residences, small family-based business units, farms, and fishing boats), and lack of official identity documents or birth certificates among young migrant workers from neighboring countries. Moreover, a lack of public understanding of child labor laws and standards were also important factors.

Children from Thailand, Burma, Cambodia, Laos, and ethnic minority communities were engaged in labor in informal sectors in the country, including farming, fishing, restaurants, street vending, auto services, food processing, manufacturing, construction, domestic work, and begging. Some children engaged in the worst forms of child labor, including in commercial sexual exploitation, child pornography, as well as production and trafficking of drugs (see section 6, Children). Factors contributing to child labor can include poverty, family commitment, distance from schools, parents' occupations, and importance placed on education by parents.

Limited reports continued that insurgent groups in the southernmost provinces recruited children to commit arson or act as scouts or informants.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings.

d. Discrimination with Respect to Employment and Occupation

Labor laws did not specifically prohibit discrimination in the workplace regarding race, sex, gender, disability, language, political opinion, religion, age, social origin, national origin or citizenship, sexual orientation or gender identity, HIV-positive status or other communicable diseases, or social status. Effective September 2016 the law imposes penalties of imprisonment, fines, or both for anyone committing gender or gender identity discrimination, including in employment decisions. Another law requires workplaces with more than 100 employees to hire at least one worker with disabilities for every 100 workers.

Discrimination with respect to employment occurred against LGBTI persons, migrant workers, and women (see section 7.e.). Government regulations require employers to pay equal wages and benefits for equal work, regardless of gender. Union leaders stated the wage differences for men and women were generally minimal and were mostly due to different skills, duration of employment, types of jobs, as well as legal requirements, which prohibit the employment of women in hazardous work. Nonetheless, a 2016 International Labor Organization (ILO) report on migrant women in the country's construction sector found female migrant workers consistently received less than their male counterparts, and more than one-half were paid less than the official minimum wage, especially for overtime work. Discrimination against persons with disabilities occurred in employment, access, and training.

Persons of diverse sexual orientations and gender identities faced frequent discrimination in the workplace, partly due to common prejudices and a lack of protective laws and policies on discrimination. A 2014 ILO report found discrimination at all stages of the employment process, including education and training, access to jobs, advancement opportunities, social security, and partner benefits. Transgender workers reportedly faced even greater constraints, and their participation in the workforce was often limited to a few professions, such as cosmetology and entertainment.

e. Acceptable Conditions of Work

Effective January 1, there were four rates of daily minimum wage depending on provincial cost of living, including 300 baht (\$9.19) for eight provinces, 305 baht (\$9.34) for 49 provinces, 308 baht (\$9.43) for 13 provinces, and 310 baht (\$9.50) for seven provinces. This daily minimum was three times higher than the

government-calculated poverty line of 2,644 baht (\$81) per month, last calculated in 2015.

The maximum workweek by law is 48 hours, or eight hours per day over six days, with an overtime limit of 36 hours per week. Employees engaged in “dangerous” work, such as chemical, mining, or other industries involving heavy machinery, may work a maximum of 42 hours per week and may not work overtime. Petrochemical industry employees may not work more than 12 hours per day and may work continuously for a maximum period of 28 days.

The law requires safe and healthy workplaces, including for home-based businesses, and prohibits pregnant women and children younger than 18 from working in hazardous conditions. The law also requires the employer to inform employees about hazardous working conditions prior to employment. Workers do not have the right to remove themselves from situations that endangered health or safety without jeopardy to their employment.

Legal protections do not apply equally to all sectors. For example, the daily minimum wage does not apply to employees in the public sector, SOEs, domestic work, nonprofit work, and seasonal agricultural work. Ministerial regulations provide household domestic workers some protections regarding leave, minimum age, and payment of wages, but they do not address minimum wage, regular working hours, social security, or maternity leave.

A large income gap remained between formal and informal employment, with workers in nonagricultural sectors earning an average of three times more than those in the agricultural sector. According to government statistics, 55 percent of the labor force worked in the informal economy, with limited protection under labor laws and the social security system.

There were reports daily minimum wages, overtime, and holiday pay were not well enforced in small enterprises, in some areas (especially rural or border areas), or in some sectors (especially agriculture, construction, and sea fishing). Labor unions estimated 5-10 percent of workers received less than the minimum wage; however, the share of workers who received lower than minimum wage was likely higher among unregistered migrant workers. Unregistered migrant workers rarely sought redress under the law due to their lack of legal status to work and live in the country legally.

The DLPW enforces laws related to labor relations and occupational safety and health. The law subjects employers to fines and imprisonment for minimum wage noncompliance, but enforcement was inconsistent. There were reports many cases of minimum wage noncompliance went to mediation in which workers agreed to settlements for owed wages lower than the daily minimum wage. Convictions for violations of occupational safety and health regulations include imprisonment and fines.

Medium and large factories often applied government health and safety standards, but overall enforcement of safety standards was lax. In the informal sector, such protections were substandard. NGOs and union leaders noted the main factors for ineffective enforcement as an insufficient number of qualified inspectors, overreliance on document-based inspection (instead of workplace inspection), lack of protection for workers' complaints, lack of interpreters, and failure to impose effective penalties on noncompliant employers. A 2016 policy change allowed the government to address a chronic shortage of interpreters for labor inspections and identification of victims of trafficking. The Ministry of Labor doubled the number of registered interpreters during the year. These served mostly at fishing port inspection centers and in multidisciplinary human-trafficking teams. The Department of Employment took steps to increase awareness of migrant workers' basic rights through briefings at three Post-Arrival and Reintegration Centers established in heavily trafficked border crossing areas.

The country has universal health care for all citizens, and social security and workers' compensation programs to insure employed persons in cases of injury or illness and to provide maternity, disability, death, child allowance, unemployment, and retirement benefits. Registered migrant workers in both the formal and informal labor sectors and their dependents are also eligible to buy health insurance from the Ministry of Public Health.

NGOs reported many construction workers, especially subcontract workers and migrant workers, were not in the social security system or covered under the workers' compensation program, despite requirements of the law. While the social security program is mandatory for employed persons, workers employed in the informal sector, temporary or seasonal employment, or self-employed may also contribute voluntarily to the workers' compensation program and receive government matching funds.

NGOs reported several cases of the denial of government social security and accident benefits to registered migrant workers due to the failure of employers to

fulfill mandatory contribution requirements or because of the failure of migrant workers to pass nationality verification.

Workers in the fishing industry were often deemed seasonal workers and therefore not required by law to have access to social security and accident compensation. The lack of sufficient occupational safety and health training, first aid, and reliable systems to ensure timely delivery of injured workers to hospitals after serious accidents further made fishery workers especially vulnerable. NGOs reported several cases of migrant workers who received only minimal compensation from employers after suffering disability or disfigurement on the job.

NGOs reported poor working conditions and lack of labor protections for migrant workers, including those near border-crossing points. In June the Ministry of Labor announced the Royal Ordinance Concerning the Management of Foreign Workers' Employment to regulate the employment, recruitment, and protection of migrant workers. The decree imposes heavy civil penalties for employing or sheltering unregistered migrant workers, while strengthening worker protections by prohibiting Thai employment brokers and employers from charging migrant workers additional fees for recruitment. The draft decree also bans employers from withholding migrant worker documents and disallows those convicted of labor and antitrafficking laws from operating employment agencies. Nevertheless, advocates awaited potential changes to the decree after a 180-day stakeholder consultation period expiring in January 2018. Between July and September, 797,685 undocumented migrant workers took steps to register or adjust their documentation or legal status, and 198,332 employers submitted registration documentation to the Department of Employment.

Labor brokerage firms used a "contract labor system" under which workers sign an annual contract. By law businesses must provide contract laborers "fair benefits and welfare without discrimination"; however, employers often paid contract laborers less and provided fewer or no benefits.

NGOs noted local moneylenders, mostly informal, offered loans at exorbitant interest rates so citizen workers looking for work abroad could pay recruitment fees, some as high as 500,000 baht (\$15,300). Department of Employment regulations limit the maximum charges for recruitment fees, but effective enforcement of the rules remained difficult and inadequate due to workers' unwillingness to provide information and the lack of legal documentary evidence regarding underground recruitment and documentation fees as well as migration costs. Exploitative employment service agencies persisted in charging citizens

working overseas large, illegal fees that frequently equaled their first- and second-year earnings.

In 2016, the latest year for which data was available, there were 89,488 reported incidents of diseases and injuries from workplace accidents. Observers said workplace accidents in the informal and agricultural sectors and among migrant workers were underreported. Employers rarely diagnosed or compensated occupational diseases, and few doctors or clinics specialized in them.