



(Unofficial Translation)

**2nd National Action Plan on Business and Human Rights
(2023-2027)**

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**Draft Translation of the Second National Action Plan on
Business and Human Rights
(2023-2027)**

Preamble

The Second National Action Plan on Business and Human Rights (2023-2027) (NAP) is a national policy framework that provides guidelines for action in various sectors with the aim of protecting individuals and communities from human rights violations caused by the business sector, and of preventing, mitigating or providing interventions for the negative impacts caused by it. It also promotes responsible business practices and respects for human rights throughout the supply chain with the aim of sustainable economic growth.

The Second NAP was built upon the First National Action Plan on Business and Human Rights (2019-2022), which implemented the United Nations Guiding Principles on Business and Human Rights (UNGPs) to achieve tangible outcomes. It also draws on the 20-year National Strategy (2018-2037), the Master Plan under the National Strategy; the National Reform Plan, the 13th National Economic and Social Development Plan (2023-2027), the 5th National Human Rights Plan (2023-2027), the Sustainable Development Goals (SDGs), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the Universal Periodic Review (UPR) mechanism. The Second NAP also takes into account the context of the changing global situation and conditions, such as the outbreak of COVID-19, climate change, economic change, and domestic and international conflicts. In the process of drafting the NAP, it echoed active participation from all sectors – government, state enterprise, business, civil society, and stakeholders which emphasized consultative discussion of both the policy and implementation from the central, regional, and local levels.

The Ministry of Justice, through the Rights and Liberties Protection Department, wishes to express heartfelt gratitude to the United Nations Development Programme (UNDP) and everyone who contributed to the development of NAP and sincerely hopes that all sectors will work together to implement the NAP and put it into effective practice, as well as achieve the goals and concrete results.

Ministry of Justice
Rights and Liberties Protection Department

2023

Contents

Contents	1
Executive Summary.....	3
Chapter 1 The Background of the Second National Action Plan on Business and Human Rights (2023-2027)	7
1.1 United Nations Guiding Principles on Business and Human Rights (UNGPs)	7
1.2 National Action Plan on Business and Human Rights: The International Context	9
1.3 Thailand and the Drafting Process of the National Action Plan on Business and Human Rights	10
1.4 The Linkages between the Second National Action Plan on Business and Human Rights (2023-2027), Plans and Policies at the National Level, and the Sustainable Development Goals and International Human Rights Standards ..	11
Chapter 2 The Drafting Process of the Second National Action Plan on Business and Human Rights (2023-2027) ..	15
2.1 Conceptual Framework for the Development of the Second National Action Plan on Business and Human Rights (2023-2027)	15
2.2 Timeframe of the Implementation of the Second National Action Plan on Business and Human Rights (2023-2027)	15
2.3 The process of developing the Second National Action Plan on Business and Human Rights (2023-2027)	16
Chapter 3 The Core Content of the National Action Plan on Business and Human Rights (2023-2027)	20
3.1 Action Plan on Labour	21
3.1.1 Overview and Challenges.....	21
3.1.2 Operational Success Factors	33
3.1.3 Recommendations from the Public Hearings	34
3.1.4 Goals and Overall Indicators	36
3.1.5 Action Plan and Indicators	38
3.2 Action Plan on Community, Land, Natural Resources and Environment	80
3.2.1 Overview and Challenges.....	80
3.2.2 Operational Success Factors	91
3.2.3 Recommendations from Public Hearings.....	91

3.2.4 Goals and Overall Indicators	94
3.2.5 Action Plan and Indicators	96
3.3. Action Plan on Human rights defenders	149
3.3.1 Overview and Challenges	149
3.3.2 Operational Success Factors	154
3.3.3 Recommendations from Public Hearings.....	155
3.3.4 Goals and Overall Indicators:	156
3.3.5 Action Plan and Indicators	157
3.4 Action Plan on Transboundary Investment and Multinational Enterprises	179
3.4.1 Overview and Challenges.....	179
3.4.2 Operational Success Factors	186
3.4.3 Recommendations from Public Hearings.....	187
3.4.4 Goals and Overall Indicators	188
3.4.5 Action Plans and Indicators.....	189
Chapter 4 Mechanisms for Monitoring, Follow-up and Evaluation of the Second National Action Plans on Business and Human Rights (2023-2027)	219
4.1 Mechanisms for monitoring the Second National Action Plan on Business and Human Rights (2023-2027)	219
4.2 Follow-up on and evaluation of the Second National Action Plan on Business and Human Rights (2023-2027)	219
4.3 Evaluation of the implementation of the Second National Action Plan (2023-2027)	220

Executive Summary

Background

On 29 October 2019, Thailand's Cabinet officially approved the First National Action Plan on Business and Human Rights (2019-2022) (NAP). All relevant agencies from all sectors worked together to implement the NAP. However, the First NAP is scheduled to end in 2022, the Rights and Liberties Protection Department, Ministry of Justice, as the responsible agency for developing and implementing the NAP and the Faculty of Law, National Institute of Development Administration, have drafted the Second National Action Plan on Business and Human Rights (2023-2027) with participation from all sectors to ensure the implementation of Thailand's NAP continues. This is being done concurrently with building knowledge and understanding of business and human rights issues amongst all parties involved, which will be crucial for the implementation of the NAP.

The Drafting process of the Second National Action Plan on Business and Human Rights (2021-2027)

The Second NAP is prepared in accordance with the guidelines set forth in the Guidance on the National Action Plans on Business and Human Rights, the UN Working Group on Business and Human Rights, with a focus on the participatory process and on the basis of human rights principles such as non-discrimination, transparency, and accountability. Earlier, the Rights and Liberties Protection Department under the Ministry of Justice and the Faculty of Law, National Institute of Development Administration reviewed four key issues as stipulated in the First NAP, namely 1) labour, 2) community, land, natural resources, and environment; 3) human rights defenders; and 4) transboundary investment and multinational enterprises. The review served to conceptualize the framework for the development of the Second NAP. Additionally, studies, reviews, analyses of the data, opinions, and recommendations have been gathered from various sectors, including the government, state enterprises, businesses, civil society, academics, experts, as well as stakeholders, through desk review, questionnaires, interviews, and participation in various meetings, whilst also accounting for the conditions, constraints and contexts that existed during the First NAP's implementation. These include COVID 19 pandemic as well as current issues that are reflected in

the opinions of various sectors, such as wars, the pandemic, environmental problems and natural disasters, climate change, technological change, and the protection of vulnerable groups such as children, women, people with disabilities, LGBT+ people, ethnic groups, and sex workers. The issues above have been addressed by a draft of the Second NAP, with an opportunity for all sectors to review the entire process of the action plan. The drafting of the Second NAP is under the supervision of the Sub – Steering Committee on the implementation of the National Business and Human Rights Action Plan under the Human Rights Action Committee of Thailand which is submitted for the approval by the Office of the National Economic and Social Development Council and the Cabinet for approval.

The Key content of the Second National Action Plan on Business and Human Rights (2023-2027)

The Second National Action Plan on Business and Human Rights (2023-2027) consists of four main chapters:

Chapter 1: The Background of the Second National Action Plan on Business and Human Rights (2023-2027) consists of the background of the United Nations Guiding Principles on Business and Human Rights and the draft of the Second National Action Plan on Business and Human Rights (2023-2027), the linkages and relevance between the NAP and other national plans and strategies, and the Sustainable Development Goals.

Chapter 2: The Drafting Process of the Second National Action Plan on Business and Human Rights consists of the conceptual framework for the draft of the Second NAP, the timeline for the implementation of the Second NAP and the drafting process of the Second NAP.

Chapter 3: The Core Content of the Second National Action Plan on Business and Human Rights (2023-2027) consists of 1) An Action Plan on Labour; 2) An Action Plan on the Community, Land, Natural Resources and the Environment; 3) An Action Plan on Human Rights Defenders; 4) An Action Plan on Transboundary Investments and Multinational Enterprises; and 5) other issues. Each action plan includes an overview of the situations, challenges, achievements, action plans, and indicators. Other issues consist of three topics: business and human rights in conflict areas, rights of the elderly, and rights to privacy and personal data protection.

Chapter 4: Mechanisms for Monitoring, Follow-Up, and Evaluation of the Second National Action Plan on Business and Human Rights (2023-2027) consists of the steering mechanism, and the monitoring and reporting of the implementation of the Second National Action Plan on Business and Human Rights, and the evaluation of the implementation of the Second National Action Plan on Business and Human Rights.

Monitoring Mechanism of the Implementation of the Second National Action Plan on Business and Human Rights (2023-2027)

Monitoring of the implementation of the Second National Action Plan on Business and Human Rights (2023-2027) will be conducted through the Sub-Steering Committee on the Implementation of the National Action Plan on Business and Human Rights. The Sub-Steering Committee is chaired by the Director General of the Rights and Liberties Protection Department and is made up of members who are representatives of various stakeholders responsible for monitoring the implementation of the Second NAP. Meetings will be held at regular intervals throughout the year.

Monitoring and Reporting of the implementation of the Second National Action Plan on Business and Human Rights (2023-2027)

The Rights and Liberties Protection Department under the Ministry of Justice will monitor the implementation of the Second NAP on a continuous basis through three channels: (1) the focal point of the unit; (2) official requests for information on the progress of the Second National Action Plan implementation; and (3) submission of reports on the implementation of the Second National Action Plan via the National Action Plan Action Reporting System on business and human rights (<http://nap.rlpd.go.th>). The Right and Liberties Protection Department will collect the data and the progress of the implementation of the Second National Action Plan and present them to the Sub-Steering committee for implementation of the National Action Plan on Business and Human Rights. The progress of which will be included in a half - year as well as an annual report submitted to the Cabinet.

Evaluation of the implementation of the Second National Action Plan (2023-2027)

The Rights and Liberties Protection Department under the Ministry of Justice will commission an expert to conduct an independent evaluation of the implementation of the Second Action Plan. To track the progress in the Second National Action Plan's Implementation, the evaluation will be undertaken in two phases: (1) the mid - term evaluation (between 2023-2025) and (2) the final evaluation (between 2023-2027). The Department will present the findings of the mid – term and final evaluation reports to the Sub - Steering committee for the Implementation of the National Action Plan on Business and Human Rights and the National Committee for the Implementation of the National Action Plan on Business and Human Rights for their review and approval. The report will then be submitted to the Cabinet and published.

Chapter 1

The Background of the Second National Action Plan on Business and Human Rights (2023-2027)

1.1 United Nations Guiding Principles on Business and Human Rights (UNGPs)

Over the past several decades, business and human rights have become high on international agenda. Professor John Ruggie was appointed as the special representative of the Secretary-General on human rights and transnational corporations and other business enterprises to examine the situation of business and human rights. **The United Nations Guiding Principles on Business and Human Rights** (UNGPs) are a set of principles from the examination that was endorsed by the United Nations Human Rights Council.

The UNGPs serves as an important document that offers guidance, divides up roles and responsibilities between the state, state enterprises, and private sector, and sets out how human rights apply to business, operations, even if it is not a legally binding instrument each country may adopt the UNGPs applicable to its country context.

The UNGPs are composed of three main pillars. Each of which incorporates fundamental principles and practices:

The First Pillar: Protect (Principles 1 to 10) outlines the state's duty to protect human rights. The State has the duty to protect individuals from being subjected to the violation of human rights, rights and liberties by the State, business, or other individuals. Even though the State is not, by itself, responsible for human rights violations that are committed by the private sector, the State has yet to take appropriate steps to prevent, inquire into, investigate, punish, and redress human rights abuses using various tools such as laws, regulations, policies, guidance, or judiciary process that are effective in protecting human rights.

Furthermore, the State is in charge of defining explicitly what is expected of business enterprises in terms of respecting human rights throughout their operations. This can be done in a number of ways, such as passing and enforcing laws, ensuring that laws and policies do not impede but rather enable businesses to respect human rights, and offering specific guidance on how to respect human rights amongst businesses and businesses that engage in commercial transactions with the State, both in

non – conflict and conflict-affected areas. States must ensure that government departments, agencies, and other State-based institutions that are directly involved in shaping business practices must be made aware of the State's obligation with regards to human rights and must be prepared to provide any necessary information and support.

The Second Pillar: Respect (Principles 11 to 24) outlines the responsibilities of the **private sector and state enterprises in upholding human rights**, including preventing human rights violations and assessing adverse human rights impacts that may occur. The responsibilities of state enterprises and businesses to respect human rights are to respect and comply with by all applicable laws, preventing human rights violations, managing adverse human rights impacts that occur and conducting human rights due diligence (HRDD) that is sufficient for the scale of the business to prevent risks and impacts that may arise from the operations. Business enterprises can fulfill their obligation to respect human rights by adopting the human rights policy to outline their expectation in this area. The Policy must be approved at the highest level of the organization.

In order to conduct business responsibly and respect human rights, HRDD should be ongoing and communicated to the public. It should address adverse human rights impacts that the business enterprises may cause or that may be directly linked to their operations, goods or services through their business relationships, such as partners, contractors and suppliers. Business enterprises should determine any potentially harmful human rights impacts that may have already happened or are at risks of occurring. This process should engage stakeholder consultation and call upon internal or independent human rights expertise. In order to prevent and mitigate adverse human rights impacts, business enterprises should incorporate the results of their impact assessments, develop indicators and exhibit transparency to ensure that the problem has been remedied. Enterprises must cooperate with stakeholders in their remediation, regardless of whether they caused or contributed to adverse impacts.

The Third Pillar: Remedy (Principles 25 to 31) is devoted to remedy. State and business enterprises shall take the necessary steps to remedy those affected by human rights violations from enterprises as part of the State's obligation to protect against business-related human rights abuses. States should establish both judicial and non-judicial mechanisms for the remedy of business-related human rights abuses. States must also consider how to facilitate people to access non-state-based grievance mechanisms. These mechanisms must be open, equitable, accessible, and well – defined process.

They must be consistent with human rights values, serve as a platform for on – going learning, and be based on engagement and dialogue with stakeholders. To address the issue at its sources and provide a direct remedy, business can offer or take part in efficient grievance process.

1.2 National Action Plan on Business and Human Rights: The International Context

Currently, 30 countries have made business and human rights as part of their national policy. These have been described in the following context based on their national circumstances:

1.2.1 States that have the stand-alone National Action Plan on Business and Human Rights covers 26 countries in total: the United Kingdom, the Netherlands, Finland, Lithuania, Sweden, Norway, Columbia, Switzerland, Italy, Germany, Poland, Belgium, Spain, Chile, the Czech Republic, Ireland, Luxembourg, Slovakia, Kenya, Thailand, Japan, Peru, Uganda, and Pakistan. The circumstances of each country, however, affects how any NAP is developed, detailed and conceptualized. Many states have adopted a general guideline without a clear action plan. Some countries, for example, Spain and Switzerland, only adopted Pillar 1 and Pillar 3 of the NAP because those are the only two for which the state can be accountable. Other States like France and Denmark have assigned a main agency and certain activities.

1.2.2 States that have included Business and Human Rights in their national human rights plans are the Republic of Korea (South Korea), Georgia and Mexico.

1.2.3 State that has its National Action Plan on Responsible Business Conduct is the United States. The plan makes reference to the OECD Guidelines for Multinational Enterprises that covers the responsibility of business for the environment labour rights, and anti-corruption.

Internationally, the UN Working Group has continued to highlight that the National Action Plans on Business and Human Rights are country-specific, as there is no set of formula for doing so. Each country shall appropriately apply it in accordance with national circumstances. The most crucial requirement is that the National Action Plans be successfully carried out at the national level.

1.3 Thailand and the Drafting Process of the National Action Plan on Business and Human Rights

The government recognises the importance of promoting responsible business practices, which is reflected in the Voluntary Pledge during the Second Cycle of the Universal Periodic Review (UPR) in 2016. The National Action Plan on Business and Human Rights (NAP) of Thailand is developed on the basis of the UN Guiding Principles for Business and Human Rights (UNGPs), which the government is committed to putting into and produce tangible outcomes for the nation. The NAP's objectives are to protect people and communities from human rights violations brought on by business operations; prevent, mitigate, and resolve problems or negative impacts caused by the business, and to promote responsible business practices and respect for human rights throughout the supply chain in order to achieve sustainable economic growth. The First NAP was developed with the collaboration of all sectors through the collection of data on business and human rights at the local level and through the process of screening, providing feedback, and incorporating recommendations from all concerned parties. The National Action Plan on Business and Human Rights (2019-2022) was then proposed to the Cabinet for its approval. This document is marked as the first NAP in Thailand on October 29, and Asia, making Thailand an international reputation.

All sectors joined together to advance the First National Action Plan on Business and Human Rights (2019–2022) following the government made the announcement on October 29, 2019 All sectors joined together to advance the First National Action Plan on Business and Human Rights (2019–2022) following the government made the announcement on October 29, 2019After the end of the First NAP period in 2022, the Rights and Liberties Protection Department, Ministry of Justice, which is the focal agency for planning and implementing the NAP, has partnered with the Faculty of Law, National Institute of Development Administration, to develop the Second National Action Plan on Business and Human Rights (2023-2027), with inputs from all sectors. This is being done concurrently with building knowledge and understanding of business and human rights issues amongst all concerned parties, with the aim to promote effective implementation of the NAP.

1.4 The Linkages between the Second National Action Plan on Business and Human Rights (2023-2027), Plans and Policies at the National Level, and the Sustainable Development Goals and International Human Rights Standards

The Second National Action Plan on Business and Human Rights (2023-2027) has been developed on the basis of connecting UNGPs to the Thai context, taking into account the 20-year National Strategy (2018-2037), the Draft of the Master Plan under the National Strategy, the Draft of the National Reform Plan, the Draft of the Thirteenth National Economic and Social Development Plan (2023-2027), the Fifth National Human Rights Plan (2023-2027), Sustainable Development Goals (SDGs), the International Covenant on Economic, Social, and Cultural Rights (ICESCR), the Universal Periodic Review (UPR), and other relevant international standards, as follows:

The 20-year National Strategy. The NAP is in line with the 20-year National Strategy in a number of ways, including **Creating social equality opportunities** by aiming to address the problem of discrimination in labour rights and occupation based on gender, physical disability, status, or other reasons to create equality for people to access job opportunities; **Green growth which is environmentally friendly**, by putting an emphasis on the obligations and responsibilities of the business, as well as external and internal investors so that any project that could do harm to the environment has to go through an environmental impact assessment (EIA). People who are affected by the project must be given the opportunity to access the above information in a participatory way. In the event of any harm occurring, fair remedies must be made without delay, **Rebalancing public sector development** by setting a goal of being “the public sector of the people for the people”. The improvement of grievance procedures and remedy mechanisms to ensure they are effective will be emphasized in the Action Plan. It will include a system for monitoring, tracking and reporting the complainants of results via various communication channels, including the use of technology to facilitate swift and simple communication.

The Master Plan under the National Strategy The NAP is in line with the Master Plan of the National Strategy on a number of issues, including foreign affairs, industry and services for the future, smart cities, infrastructure, logistics and digital systems, small-and-medium-size enterprises in the new era, special economic zones, developing of lifelong human capital, promoting good health for Thai people, social power, grassroots economy, equality and social security, sustainable growth, wholistic water

management, public service and government efficiency, anti-corruption and misconduct, law and the judicial process, research and innovation development, as well as an ad hoc Master Plan under the National Strategy as a result of the COVID-19 situation.

The National Reform Plan The NAP is in line with the National Reform Plan in a number of areas, including state affairs, the law, the judicial system, the economy, natural resources, and the environment, public health, society, energy, prevention, suppression of corruption and misconduct, education, culture, sports, labour, and human resource development.

The Thirteenth National Economic and Social Development Plan (2023-2027) The NAP is consistent with the Thirteenth National Economic and Social Development Plan in many aspects, including in Milestone 5, which calls for Thailand to serve as the key regional gateway for trade, investment and logistics; in Milestone 7, which highlights Thailand's strong and competitive small and medium enterprises as having high potential; in Strategy 8 which emphasises Thailand's smart cities as being liveable, safe and having sustainable growth; in Milestone 9 which emphasises Thailand's poverty reduction across generations and adequate and appropriate social protection; in Milestone 10 which emphasises Thailand's circular economy and low-carbon society; in Milestone 11 which emphasizes Thailand's ability to reduce risks and impacts from natural disasters and climate change; and in Milestone 13 which emphasises Thailand's modern and effective government that responds to people's needs.

The Policy and Plan on National Security (2023-2027) The NAP is consistent with the Policy and Plan on National Security (2023-2027).

The National Security Strategy and Plan 1: Strengthening the national security among the national institutions – the Monarchy, the Religion and the Nation, to promote harmony and respect for diversity based on human rights in Thai society. The National Security Policy and Plan 6: Management of Immigrants and Irregular Migrants, which focuses on the management of vulnerable workers with a balancing governance between the components of security, economy, and human rights.

The Fifth National Human Rights Plan (2023-2027) The NAP is consistent with the National Human Rights Plan in many areas, such as the judicial process, public health, business and the economy, and human rights plans for vulnerable groups such as workers, the elderly, children, and women, and human rights defenders, people with disabilities and LGBT+ people.

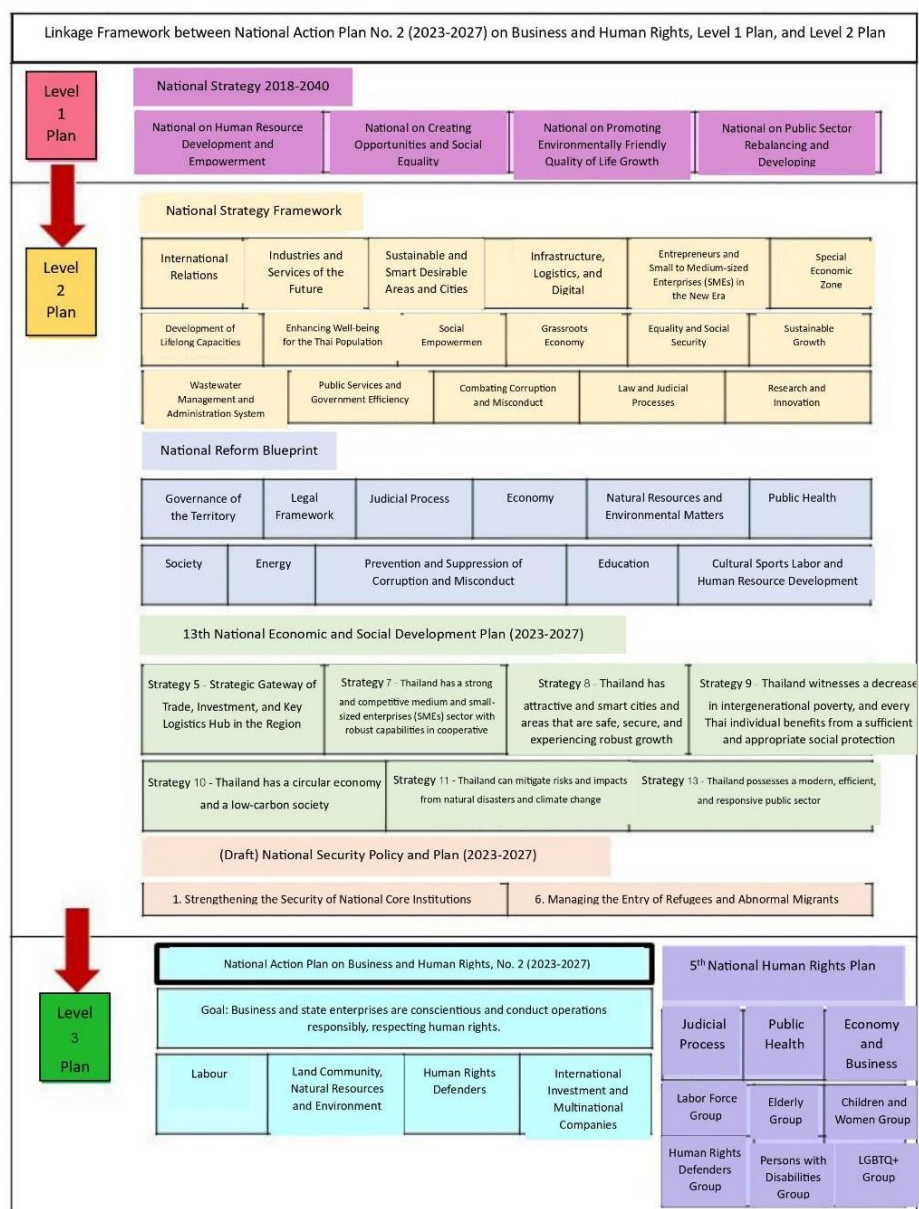
The Sustainable Development Goals (SDGs) Many goals are aligned with the NAP, such as Goal 5, gender equality, and Goal 8, on promoting sustainable and economic growth, full and productive employment, and decent work for all everyone, Goal 9 is to build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation and Goal 10 is to reduce inequality and Goal 16 is to promote a peaceful and inclusive societies for sustainable development.

The International Obligations that Thailand has ratified The NAP is in line with the international human rights instruments that Thailand has ratified, including the International Covenant on Economic, Social and Cultural Rights (ICESCR), the International Covenant on Civil and Political Rights (ICCPR), the International Convention on the Elimination of All Forms of Racial Discrimination (ICERD), the Convention of the Rights of the Child (CRC), the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), and the Convention of the Rights of Persons with Disabilities (CRPD), and etc.

The recommendations from the Universal Periodic Review (UPR). When the NAP is being prepared, the recommendations Thailand received from the United Nations Committee on International Human Rights Treaties and from the special mechanisms of the United Nations, in particular, the UN Working Group on Business and Human Rights were taken into account. Thailand also received the recommendations from the third cycle of the UPR mechanism on November 10, 2021 Thailand also has made a voluntary pledge to take steps to advance mandatory requirement of Human Right Due Diligence for business.

Other international standards include International Labour Standards of the International Labour Organisation (ILO), to which Thailand is a party, the Responsible Business Conduct (RBC) of the Organisation for Economic Cooperation and Development (OECD), and the Global Compact for Safe, Orderly and Regular Migration, and etc.

Diagram 1: Linkage Framework between National Action Plan on Business and Human Rights, Level 1 Plan, and Level 2 Plan



Chapter 2

The Drafting Process of the Second National Action Plan on Business and Human Rights (2023-2027)

2.1 Conceptual Framework for the Development of the Second National Action Plan on Business and Human Rights (2023-2027)

The Second National Action Plan on Business and Human Rights (2023-2027) is developed in accordance with the guidelines set out in the Guidance on National Action Plans on Business and Human Rights, UN Working Group on Business and Human Rights, with a focus on participatory process on the basis of human rights, non-discrimination, transparency and accountability. Four key priority areas specified in the First NAP have been examined: 1) labour; 2) community, land, natural resources and environment; 3) human rights defenders; and 4) cross-border investment and multinational enterprise. In addition, a study, review and analysis of data on the first NAP's performance in terms of development, problems, and challenges have been carried out, taking into consideration recommendations and inputs from various sectors, including the government, state enterprises, businesses, civil society, academics, experts as well as stakeholders, obtained through documents, surveys, interviews and participation in meetings. In addition, the review also took into consideration situations and contexts, including protection of protection of vulnerable groups like children, women, disabled people, LGBT+ people, ethnic groups, sex workers, etc., conflicts, the pandemic, environmental problems and natural disasters, climate change, technological change, All the above information were collected, analysed, synthesised, and used as a conceptual framework for the development of the second NAP.

2.2 Timeframe of the Implementation of the Second National Action Plan on Business and Human Rights (2023-2027)

The Second National Action Plan on Business and Human Rights (2023-2027) has a five-year implementation period, 2023–2027, in order to coincide with the initial timeframe of the National Strategy and the other level 3 plans ensuring that that the implementation is coordinated in the same direction.

2.3 The process of developing the Second National Action Plan on Business and Human Rights (2023-2027)

(1) Documentary Research

The Rights and Liberties Protection Department under the Ministry of Justice, together with the Faculty of Law, National Institute of Development Administration, conducted a study and researched documents related to business and human rights and the NAP to link information from the NAP and make it consistent with the plan and other national policies, such as the 20-year National Strategy (2018-2037), the Master Plan under the National Strategy, the National Reform Plan, the Policy and Plan on National Security (2023 - 2027), the Fifth National Human Rights Plan (2023-2027, the Thirteenth National Economic and Social Development Plan, the Sustainable Development Goals, the international human rights instruments Thailand has ratified, recommendations from the UPR process and other human rights mechanisms, and the evaluation reports of the First NAP's implementation and other relevant documents.

(2) Conceptual framework for the development of the Second National Action Plan on Business and Human Rights (2023-2027)

The Rights and Liberties Protection Department under the Ministry of Justice, in collaboration with the Faculty of Law, the National Institute of Development Administration developed a framework for the Second National Action Plan on Business and Human Rights (2023-2027). This framework is submitted to the Sub-Steering Committee on the Implementation of the National Action Plan on Business and Human Rights for approval. The framework was conducted under the Guidance on National Action Plans on Business and Human Rights, UN Working Group on Business and Human Rights.

(3) Gathering and processing of information

In order to develop the Second NAP, the Rights and Liberties Protection Department under the Ministry of Justice, together with the Faculty of Law, the National Institute of Development Administration collected data from various sectors through various channels for the development of the Second NAP as follows:

(3.1) Official documents were prepared in response to inquiries and recommendations from government agencies within the Ministry of Justice. The Rights and Liberties Protection Department issued letters to relevant agencies requesting data on the First NAP's performance, both periodically and annually. In addition, the Rights and Liberties Protection Department under the Ministry of Justice issued letters requesting assistance from all agencies to review the actions listed in the First NAP to identify the issues to be included in the Second NAP, taking into account compliance with the policies and action plans as well as practical consideration.

(3.2) A questionnaire was developed to gather further information from the survey respondents on four issues: profile of the respondents; business and human rights; the First NAP's implementation, and comments and suggestions for developing the Second NAP. Questionnaires have been disseminated through various channels, including letters, the LINE Application website, and various meetings, to provide opportunities for all sectors to participate in the development of the second NAP.

(3.3) Workshops for the development of the Second National Action Plan on Business and Human Rights (2023-2027) were organized via online channel. It covered the target groups representing the government, state enterprises, businesses, civil society, academics, experts, individuals and stakeholders who have been impacted by human rights violations by the business sector, in five regions: the Central region and Bangkok, the North, the Northeast, the East, and the South.

(3.4) In-depth interviews on a variety of issues (labour; community, land, natural resources and environment; human rights defenders; and cross-border investment and multinational enterprises) were conducted with direct stakeholders who are responsible for putting the First NAP into actions such as representatives from the government sector, state-owned enterprises, businesses, civil society, academics, experts and other stakeholders. The objective is to gain insight into operational difficulties and challenges.

(4) Developing the Second National Action Plan on Business and Human Rights (2023-2027)

The Rights and Liberties Protection Department, together with the Faculty of Law, National Institute of Development Administration drafted the Second NAP after reviewing the First NAP's performance, as well as the data, inputs and recommendations gathered in accordance with the

guidelines in (3), both obtained from official documents, surveys, meetings, in-depth interviews and other channels, and current situation and context into consideration. The data was collated, examined, and synthesized to develop the Second NAP, consisting of four main issues similar to the First NAP with the incorporation of inputs from the study and hearings.

(5) Comments of the Second National Action Plan on Business and Human Rights (2023-2027)

The Rights and Liberties Protection Department under the Ministry of Justice, together with the Faculty of Law, the National Institute of Development Administration, organised online workshops to gather comments of the Second National Action Plan on Business and Human Rights (2023-2027), with various target groups such as the government, state enterprises, businesses, civil society, academics, experts, individuals and stakeholders impacted by human rights violations from the business sector. This was conducted in five regions: the Central region and Bangkok, the North, the Northeast, the East and the South, in order to collect information, opinions and recommendations from the participants to further improve the Second NAP.

(6) Revision of the Second National Action Plan on Business and Human Rights (2023-2027)

The Rights and Liberties Protection Department under the Ministry of Justice, together with the Faculty of Law, and the National Institute of Development Administration, brought comments and suggestions gathered from participants of the meeting under (5), which were utilized to revise the Second NAP. The draft was then submitted to the Sub- Steering Committee on the Implementation of the National Action Plan on Business and Human Rights for review and was subsequently revised until it was approved.

(7) Submission of the draft Second National Action Plan on Business and Human Rights (2023-2027) to the Office of the National Economic and Social Development Council and the Cabinet for approval

The Rights and Liberties Protection Department under the Ministry of Justice submitted the draft Second National Action Plan on Business and Human Rights (2023-2027), which was approved by the Sub- Steering Committee on the Implementation of the National Action Plan on Business

and Human Rights and the National Committee on the Implementation of Human Rights, to be reviewed and approved by the Cabinet. The draft Second National Action Plan on Business and Human Rights was approved on 25 July 2023, and it was further disseminated and communicated with relevant agencies that are responsible for driving the implementation.

Chapter 3

The Core Content of the National Action Plan on Business and Human Rights (2023-2027)

Goal “State Enterprises and businesses have awareness on responsible business practices and respects for human rights”

Objectives

1. To protect individuals and communities from human rights violations caused by the business sector, and to prevent, mitigate or provide interventions for the negative impacts caused by it.
2. To promote responsible business practices and respects for human rights throughout the supply chain with the aim of sustainable economic growth.

The core content of the Second National Action Plan on Business and Human Rights (2023-2027) consists of the following four key priority areas:

- (1) Action Plan on Labour,
- (2) Action Plan for Community, Land, Natural Resources, and Environment;
- (3) Action Plan for Human Rights Defenders; and,
- (4) Action Plan on Transboundary Investment and Multinational Enterprises.

The content of each action plan comprises an overview, challenges, operational success factors, recommendations, plans that cover issues, and linkages with the UNGP’s Pillars, projects/activities, responsible agencies (primary/secondary), timeframes and indicators and alignment with the 13th National Economic and Social Development Plan (2023-2027), the Sustainable Development Goals (SDGs) and UNGPs.

3.1 Action Plan on Labour

3.1.1 Overview and Challenges

The overall situation of labour protection, especially during the spread of the COVID-19 pandemic, remains an important challenge in Thailand because the pandemic directly affects all types of workers, especially vulnerable labour groups, and the business sector as a whole. The implementation of the Action Plan on Labour has been hampered by the COVID-19 pandemic. Many activities were completed with progress, whereas some activities present operational difficulties. The main issues can be summed up as follows:

With regards to the ratification of international instruments, Thailand has ratified six out of the eight fundamental International Labour Conventions of the International Labour Organisation (ILO). The other two conventions are pending ratification, namely; the Freedom of Association and the Protection of the Rights to Organize Convention 1948 (ILO No. 87) and the Right to Organise and Collective Bargaining Convention 1949 (ILO No. 98). For the ILO Convention No. 98, the Ministry of Labour proposed amendments to the relevant laws- the draft of the Labour Relations Act B.E. and the State Enterprise Labour Relations Act B.E. ... and conducted feasibility studies on the Domestic Workers Convention (C.189). The ratification of ILO Convention No. 87 and No. 98 remains challenging, especially to safeguarding the labour protection for migrant workers. Therefore, it is necessary to consider ratification of the said Conventions and assessment of the impacts on various economic, political, social and cultural dimensions.

In addition, the Ministry of Labour, represented by the Bureau of International Cooperation, together with related tripartite organisations - the International Labour Organisation (ILO), the Organisation for Economic Cooperation and Development (OECD) and the European Union - implemented a project to develop Responsible Supply Chains in Asia (2017-2020). The project conducted the study to identify approaches promote the ILO's Tripartite Declaration of Principles concerning Multinational Enterprises and Social Policy in the context of Thailand.

The outstanding result of international developments in the past is that the European Union has decided to lift the yellow card for illegal, unreported and unregulated (IUU) fishing in Thailand. This

decision reflects the successful measures taken to combat illegal fishing, which also included to addressing human trafficking and undocumented labour in the fishing industry.

The following laws/rules/regulations, including domestic labour standards are reviewed:

Wages: The Ministry of Labour has placed a high priority to passing relevant laws to provide protection for both Thai and migrant workers. In the past, various policies have continuously been implemented to safeguard workers' rights on wage protection. On going meetings are organized to review workers' wages, working conditions, and current cost of living. However, challenges remain in ensuring all employers and business operators pay the minimum wages in accordance with the law. Yet unfair wages, salary deduction for maternity leave, overtime wages, underpayment or nonpayment and lack of living wages have become issues concerned.

Social Security: The Social Security Office has proposed an amendment to the 2020 Royal Decree to raise the age of an insured person to 65 years to be eligible for social security protection, including the revision of other relevant laws. The public hearing of draft laws from relevant parties are completed, and the results of which are being incorporated to the draft law. Furthermore, the Social Security Office has upgraded the social security benefits for the insured, such as increased medical expenses for one-day surgery, increased funeral grants, and influenza vaccination coverage for an insured person aged 50 and above to be included in the health promotion and disease prevention programmes. However, challenges still remain, such as the difficulty in and access to social security benefits when employers do not pay contribution as per the law. Moreover, although Section 40 of the 1990 Social Security Act and its amendments state that a self-employed employee/informal employee is eligible to sign up to the social security fund , a person entitled under this section must be a Thai national. In addition, this scheme generally offers fewer benefits than the other scheme for a formal employee.

Gender equality. The Department of Labour Protection and Welfare, the Ministry of Labour has proposed to consider amending the 2019 Labour Protection Act (No. 7), Section 53 to include measures to ensure female employees are paid equal to their male counterparts for the same job. The employers, supervisors, controllers or inspectors are prohibited from committing sexual abuse,

harassment or nuisance to employees. The Department of Women's Affairs and Family Development, the Ministry of Social Development and Human Security serves as a focal point for the prevention and Mitigation of sexual harassment and abuses at work. It encourages cooperation and an understanding in proper and thorough implementation between government agencies, and private sector. In this regard, Act on Legislative Drafting and Evaluation of Law 2019 requires an evaluation of the effectiveness of laws that have been in force. Therefore, in 2021, the Ministry of Social Development and Human Security collaborated with Prince of Songkla University to evaluate the achievement of the 2015 Gender Equality Act, which was presented to the Minister of Social Development and Human Security. The assessment will be forwarded to the Law Reform Commission, Office of the Council of State to circulate to other agencies via the legal central system. In addition, the Department of Women's Affairs and Family Development, the Ministry of Social Development and Human Security adopted the measures to support women's role as an important economic driver. The initiative includes men's participation in childcare and creates the mechanisms for child development to reduce the burden on working women. This measure was approved by the Cabinet on January 11, 2022. The Department of Women's Affairs and Family Development discussed with relevant agencies to make a revision of maternity entitlement regulation for female civil officers from 90 days to 98 days. and provide a parent leave entitlement for male government officers from 15 days of at stretch days to 15 non consecutive days until they have used up their leaves. The 2/2021 Resolution of the National Women's Status Development Policy and Strategy Committee on September 16, 2021 approved the 2020 National Women's Assembly proposal, titled the development of laws and policies related to the extension of social security coverage to informal workers, to the Cabinet as a guideline for policy formulation and legislation improvement. The Ministry of Labour serves as the key agency to draft and develop relevant policies and laws. The Cabinet passed a resolution on May 17, 2022 for the acknowledgment of the 2020 National Women's Assembly proposal. The initiative was proposed by the Ministry of Social Development and Human Security and was assigned to the Ministry of Labour, the Office of the Council of State, and related agencies of the Office of the National Economic and Social Development Council for further actions in the relevant areas.

Labour unions: The challenge reflected during the hearing amongst various sectors was the right to form a trade union under the 1975 Labour Relations Act, applicable to Thai nationals only. The problem is that in some special economic zones, there are not many Thai workers, and therefore a union cannot be formed. Moreover, subcontracted workers may not be able to join the union of their choice because, under the 1975 Labour Relations Act, those who have the right to form or join a union must be employed by the same employer. It is challenging to discuss the terms of their employment with the company they work for because subcontracted workers are treated as the subcontractor agents' employees.

The right to strike: Civil society has expressed concerns about cases where employees of state enterprises and government organisations have no right to cause or support a strike under the State Enterprise Labour Relations Act 2000, while international law states that government officials classified as “not working in essential services ” are entitled to strike.

Unfair dismissal: Civil society has expressed concern over the reported cases of unfair dismissal related to the organisation and operation of a labour union or unfair strikes, such as the dismissal of a union leader or union committee member under the layoffs or staff reduction claim.

Promoting employment and welfare for vulnerable groups

The important issues are as follows:

Migrant workers: In implementing the policy, the Ministry of Interior has issued a cabinet resolution to regularize irregular migrant workers migrants . The Department of Labour Protection and Welfare under the Ministry of Labour has enforced the Labour Protection Act of 1998 and the 2014 Ministerial Regulation on Labour Protection of agricultural workers which provide equal protection to workers regardless of racial, religious, cultural discrimination, and nationality. In addition, the Ministry of Public Health promoted the issuance of universal health insurance cards to migrant workers and their families during the COVID-19 pandemic and gave them the same access to vaccines and medical care as Thai workers. Additionally, international organisations have historically been very important in promoting and defending the rights of migrant workers. The creation of a committee to coordinate migrant worker recruitment between the public and private sectors in January 2020 was supported

by the International Organisation for Migration (IOM). This committee serves as a forum for the consultation and discussion of many issues pertaining to ethical and fair recruitment practises, decent employment, migrant worker skill development, and strengthening the effectiveness of laws and regulations. This committee serves as an example of how the public and private sectors can work together to achieve the objectives and operational strategies for sustainable development. Moreover, IOM works in partnership with the Department of Rights and Liberties Protection, the Department of Employment, the United Nations Development Programme, the Eastern Economic Corridor (EEC), and the business community to ensure decent work employment for migrant workers in regions where there is a high demand for migrant workers and to provide businesses with training on ethical and fair recruitment practises. However, in practice, there are still challenges in many areas, such as unequal allocation of rights, welfare, and benefits to Thai and migrant workers, registration of migrant workers, communication, and non-compliance with the law by employers. This results in migrant workers being unable to claim their rights and social benefits under Thai law, including social security benefits.

Service workers (sex workers): Civil society is currently proposing that sex work be recognised as a profession. The Department of Women's Affairs and Family Development under the Ministry of Social Development and Human Security has set up a drafting committee on prevention and suppression of prostitution. A meeting of the committee was held to establish a framework for improving the Prevention and Suppression of Prostitution Act 1996. Five measures and guidelines to protect the rights and improve the quality of life of service workers were established:

- (1) Health and sanitation protection measures;
- (2) Welfare promotion and labour protection measures;
- (3) Career training and development measures;
- (4) Stigma and violation reduction measures, and;
- (5) Risk mitigation measures.

In addition, the Ministry of Public Health has provided healthcare assistance, education, disease prevention, treatment, and control ,and distributed condoms in accordance with an individual health insurance rights. For some groups that cannot afford health care services, humanitarian assistance will be provided. However, challenges remain regarding discrimination, access to labour rights and lack of knowledge and understanding. Service workers are not yet legally recognised. They lack access to labour rights, including the eligibility to the social security fund, which excludes them from the protection . These workers particularly need access to health care. For instance, they require sexually transmitted diseases (STD) screening more frequently than usual, yet the screening is only offered once a year. A person living with HIV/AIDS often faces discrimination in job applications, due to a compulsory HIV/AIDS testing, job denials, and unfair termination due to HIV/AIDS infection.

inmates or ex-convicts: The Department of Corrections, Ministry of Justice has established the Centre for Assistance to Reintegration and Employment (CARE) to enable ex-convicts to work both as employees in an establishment and as owners of their own businesses. The centre provides vocational training for inmates based on their knowledge, skills, and aptitudes, as well as the demand of entrepreneurs in each sector . Career training programmes in fields such as industrial technicians, agriculture, and home economics are organised for children and youth under the supervision of the Ministry of Justice's Department of Juvenile Observation and Protection.

Persons with disabilities: The Department of Empowerment of Persons with Disabilities, the Ministry of Social Development and Human Security, has implemented a project to promote persons with disabilities in the workplace and motivate them to work in government agencies in the 100:1 ratio required by law. Moreover, the Informal Labour Protection Division, Department of Labour Protection and Welfare under the Ministry of Labour has driven the promotion and development of the quality of life of persons with disabilities by empowering them to have a career, income and good quality of life through the Subcommittee of the Department of Empowerment of Person with Disabilities. An action plan has been implemented for workers with disabilities through projects to support employment and self-employment and to provide sources of funding. Meanwhile, business operators are encouraged to hire a person with disabilities, and the construction of essential facilities to meet the various needs of a person with disabilities is supported.

Elderly Group: The Department of Employment and the Informal Labour Protection Division under the Ministry of Labour have developed measures and mechanisms to promote the employment of the elderly. Furthermore, the Department of the Older Persons, Ministry of Social Development and Human Security, Chulalongkorn University to formulate the 3rd National Plan on the Elderly (2023-2040): 5-Year Accelerated Action Plan (2023-2027). This plan, which builds on the 2nd National Plan on the Elderly (2002-2024), focuses on four pillars: economy, environment, health, and society, along with the development of Business Guidance on Older Persons, and provides a continuous framework and guideline for addressing the needs of Thailand's elderly population. Access and utilization of technology and innovations are promoted equitably and ethically. Additionally, the Department of Older Persons has initiated measures to drive the 4-dimensional well-being of the Thai elderly (economy, environment, health, and society) using technology and innovations to support comprehensive improvements. This initiative was approved by the Cabinet on September 29, 2020, leading to the amendment of the Act on Older Persons, 2003 (B.E.2546), and now a draft of the amended Act of Older Persons (No. ...) is approved by the Committee of the National Elderly. It will be the driving force behind the 3rd National Plan for the Elderly (2023–2040), which will be implemented in the fiscal year 2023 (beginning on October 1, 2023), and was approved by the Cabinet on May 17, 2023. The vision is to ensure that "elderly individuals have a quality of life, security, and contribute to social development." The key contents comprise four sub-action plans:

- (1) Aged preparedness;
- (2) Enhancing the overall and equitable quality of life for the elderly;
- (3) Reforming and integrating the management system to support high-quality elderly society and;
- (4) Strengthening research capabilities, technological and innovative developments to support the aging society.

Mothers and children: The Department of Children and Youth of the Ministry of Social Development and Human Security has called on business operators to set up and register childcare centres in their workplaces. A Memorandum of Understanding (MOU) has been signed between the

organization and the Ministry of Labour to encourage businesses to register with the Ministry of Social Development and Human Security in accordance with the National Child Protection Committee's regulations. This aims to establish childcare centres with a designated breastfeeding corner within business establishments in 2017 *Subcontractors*: The ratio of subcontracted workers in Thai industrial zones was particularly high compared to the overall number of workers. The issue is the difference in benefits and wages between contract and subcontracted workers, especially government outsourced staff. Most subcontracted workers receive lower monthly wages and are not entitled to the same benefits as employees. Furthermore, the majority of subcontracted workers are migrant workers, making them more vulnerable to risk of labour rights breaches and other forms of exploitation.

Border pass migrant holders and Seasonal workers: Thai law permits migrant workers to work either as a daily or seasonal workers under the border employment scheme. Under this scheme, migrant workers are permitted to work and stay in the "designated area" along the border up to 3 months per round. However, every 30 days in this three month period of stay, migrant workers are required to report at the border checkpoint to renew their stay. A border pass migrant holder who leaves the "designated area" faces up to two years of imprisonment, a fine of up to THB 20,000, or both. The disproportionality of the aforementioned penalty has been heavily criticized. The 1998 Labour Protection Act mandates employers to provide severance to employees who have been dismissed if they have worked for 120 consecutive days or more. However, it found that these workers were often not compensated upon the termination of employment. It has also been reported that several border pass migrant holders were laid off without severance pay, despite the fact that they were full-time workers. Employers often use the term seasonal workers to avoid paying compensation upon termination. Regarding social security benefits, while the Social Security Office has opened a channel for a border pass migrant holder to register for social security benefits, in practice, a border pass worker often faces challenges in enjoyment of the benefits because employers do not comply with the law.

Informal Worker: In Thailand, a large number of informal workers especially self-employed workers, are not protected by labour laws nor covered under the social security fund unless they register

under Section 40, which gives less benefits than that of workers in a formal sector . Informal workers also including workers, who were freelance workers and self-employed workers. However, the COVID-19 pandemic caused various changes in the labour market as more workers work full-time in the informal economy, resulting in a misunderstanding of worker classification as formal or informal worker *Internship*: The challenges involve hiring interns with no compensation or work-related benefits.

Occupational Safety and Health: The Department of Labour Protection and Welfare, the Ministry of Labour has consistently developed restrictions and regulations to guide enterprises in their operation, such as the 2020 Ministerial Regulation on Health Checks for Workers in risk sectors; the 2021 Ministerial Regulation Prescribing the Standard for for the Administration and Management of Occupational Safety, Health and Environment in Construction work as well as the Announcement of the Department of Labour Protection and Welfare on Criteria, Procedures and Training Curriculum on Occupational Safety in Confined Spaces, etc. The Social Security Office, under the Ministry of Labour, has examined and updated the number of benefits under the 1994 Workmen's Compensation Act, including medical expenses for employees throughout out their treatment, rehabilitation and funeral expenses. Moreover, the Department of Disease Control under the Ministry of Public Health has taken proactive measures to explore the use of chemicals and illnesses caused by exposure to agricultural chemicals and to enhance the potential of the public health personnel network in the provision of public health services and personnel for business operators. As for the business sector, the Employers' Confederation of Thailand has collaborated with IOM to provide continuous training in occupational health and safety, following the standards set by the Department of Labour Protection and Welfare, Ministry of Labour, to migrant workers since 2020. The training is equipped with interpretation services and the learning materials are in migrant workers' languages. Since 2020, the Employers' Confederation of Thailand has collaborated with IOM to provide migrant workers with continual occupational health and safety training in accordance with the requirements established by the Ministry of Labour's Department of Labour Protection and Welfare. The training includes interpretation services and learning materials in the languages of the migrant workers. However, problems remain today because some business operators fail to satisfy safety regulations, and working conditions and safety equipment are inadequate.

Measures to assist workers and employers affected by the COVID-19 pandemic: The government has provided equal protection without discrimination to all workers, Thais and migrants, and has taken steps to address the growing income inequality, particularly for those affected by the COVID-19 pandemic. The measures taken include the dissemination of labour market information, the promotion of recruitment services, the provision of guidance to promote self-employment and vocational skills training in alignment with the current situation, the development of a network for informal workers' protection through civil society and labour volunteers, the promotion of employment of new graduates by the public and private sectors, as well as financial compensation measures such as enhancing liquidity (loans and credit guarantees) for business operators and debt relief (repayment of debts). However, many challenges remain in practice which were exacerbated during the COVID-19 pandemic. Workers are laid off without severance or benefits or having their working hours losses, both in large business sectors and small and medium enterprises. There are reports of dismissals of employees infected with COVID-19. This includes migrant workers being unable to access information due to language barriers.

Creating a database: The Information Communication Technology Center and the Ministry of Labour have established a central labour database to address labour shortages and the ratio of labour inspectors, and a database that can be used to address other labour-related problems.

Training to enhance knowledge and understanding across various sectors: The Ministry of Labour through the Department of Labour Protection and Welfare has promoted knowledge and understanding of Thai Labour Standards and social responsibility towards workers, as well as implemented a project to improve the protection of migrant workers' rights by strengthening the migrant workers' protection network through various activities. The Labour Standard Development Bureau has conducted training for businesses to encourage the implementation of Good Labour Practices. The Social Security Office has carried out an awareness raising programme amongst Thai and migrant workers on social security as well as the benefits provided the social security and workmen's compensation funds. The Department of Employment has conducted pre-departure trainings for job seekers and assisted workers travelling abroad for work. To enhance understanding and knowledge about human rights issues, the Rights and Liberties Protection Department has

continually partnered with labor-related civil society organisations to carry out training programmes aimed at workers, particularly migrant workers. This initiative aims to promote fundamental human rights awareness while also providing access to legal services and other government aid programmes. However, the challenge in practices includes staff shortages, and the shortages of labour inspectors.

Human trafficking and forced labour: The Royal Thai Police conducts regular inspections in areas where there is a risk of forced labour such as the fishing sector which employ migrant workers of three nationalities. The Ministry of Labour inspects workplaces in the risk sectors that use a large number of migrant workers. They also help to prepare documents for training and disseminating knowledge and awareness of victims of human trafficking in three languages: Lao, Cambodia, and Myanmar. In this regard, The Ministry of Justice will provide victims of human trafficking with legal support, compensation for damages, and witness protection.

Business Operations: Large corporations make an efforts to incorporate international principles or practices into their operations. They have declared human rights policies as part of the corporate governance principles and business ethics in accordance with international standards. Previously relevant agencies have partnered with the business sector to provide companies with continual knowledge about laws and labour rights. For example, The Securities and Exchange Commission (SEC), for example, has issued internal circulars to issuing companies and capital market operators as guidance on the United Nations Guiding Principles (UNGPs) and the adoption of Human Rights Due Diligence (HRDD) to provide companies with a better understanding of human rights. The Rights and Liberties Protection Department has worked with the Global Compact Network Thailand and the United Nations Development Programme (UNDP) to host meetings, training, seminars to educate companies on labour rights. In practice, however, the business sector faces a hurdle due to a lack of information about labour rights. In certain circumstances, employers keep workers' passports to prevent them from fleeing, not recognising that this is a violation of human rights. Moreover, small and medium enterprises are not able to link entrepreneurship with the human rights perspective because, amongst other things, they have limited budgets. As a result, they are unable to prioritise

human rights problems and are not motivated to act, particularly when company operators are heavily affected by the economic impact of the COVID-19 pandemic.

Relief aid: There are currently channels for complaints and assistance for those affected by labour and human rights violations under the supervision of many agencies, such as the Damrongdhama Center, Ministry of Labour (1506) and Ministry of Justice (Dial 1111 ext. 77 or Application Justice Care), the Office of the National Human Rights Commission, civil society networks, or the Department of Employment's web based complaint channel (<http://doe.go.th/helpme> available in 6 languages: Thai, English, Myanmar, Lao, Cambodian, and Vietnamese). The Office of the Court of Justice has encouraged parties to mediate a case, particularly during the COVID-19 pandemic. The President of the Supreme Court announced the labour case dispute resolution policy. Furthermore, the Ministry of Justice, through the Rights and Liberties Protection Department, has consistently undertaken efforts to provide legal assistance to migrant workers on an equal basis with Thai workers. Most recently, they have advocated for the Compensation and Damages Committee to adopt guidelines for victim compensation, as well as for the expenses of witnesses in criminal proceedings. The resolution was passed to ensure that foreign nationals who become victims in Thailand can access to compensation, in accordance with the law, regardless of their legal status. This includes ongoing support from the Rights and Liberties Protection Department and the Ministry of Justice in dispute resolution under the 2019 Dispute Mediation Act. Moreover, the Ministry of Labour, in partnership with IOM, has developed a handbook titled 'How to Mediate Employment Disputes under Thai Labour Law to enhance the business sector's understanding of using the government's mediation process. The handbook was introduced jointly with relevant ministries to businesses in Thailand and network partners. Nevertheless, challenges remain as workers may not be aware of the existence of grievance mechanisms. The grievance process is rather complicated, and there is a lack of confidence in handling the complaints.

Future challenges of the labour sector: significant challenges that could arise in the future and for which an action plan should be formulated are the impacts of climate change on labour and access to labour rights, especially the risk of agricultural workers being affected by climate change. Future research on risk assessment, the impact on the protection of rights and access to labour rights is

also required. To combat labour shortages or higher wages, machines or technologies will be used to replace human labour, or migrant workers will be imported. Given that information technology is replacing the labour force, the government should take measures to protect and promote the labour force capability so that workers, including the elderly, can adapt and have ways to earn a living in the future more concretely. Ageing societies, which will lead to labour shortages or an increase in labour costs, result in the need to address these issues through mechanization, automation, or the incorporation of technology to replace human labour. An increase in the importation of foreign employees may also be a part of this.

3.1.2 Operational Success Factors

The following ideas were chosen as ones to take into account in order to properly address labor-related human rights breaches in light of the various challenges:

1. To implement the action plan more effectively, the work of government officials from different sectors needs to be coordinated. A special focus should be put on effective enforcement of the laws that support and protect workers as well as raising public awareness of the grievance procedures and available recourse for those who are injured.
2. Raise awareness and knowledge of labour rights issues among enterprises and the business sector to promote a broader and greater respect for these rights.
3. Encourage cooperation with civil society and groups and organisations that provide aid and support to local workers as development partners so that groups and organisations can reflect on the facts and participate in solving the real problems.
4. Promote and create understanding to lessen stigma and discrimination against specific worker groups of workers, such as migrant workers, service workers, HIV-infected workers, etc.

3.1.3 Recommendations from the Public Hearings

Following consultation with many sectors and consideration of various viewpoints, the following suggestions for carrying out the labour action plan were made:

1. Urgently implement pending activities of the first National Action Plan (NAP) after the COVID-19 pandemic situation has been brought under control.
2. Consider supporting the business sector, especially small and medium-sized enterprises, particularly those affected by the economic impact of the COVID-19 pandemic, so that these business groups can resume their operations and benefit their workers.
3. Consider allocating resources and budgets to the government agencies that are responsible for workers to facilitate mentoring.
4. Establish guidelines for integration between relevant departments to increase efficiency in the promotion and protection of labour rights.
5. Expand channels and options for resolving for labour rights violations such as termination of employment without compensation or benefits, unfair dismissal, termination of employment during pregnancy, salary deduction due to maternity leave, determination of holidays and leave that does not comply with the law, non-compliance with safety standards and/or not having the proper safety equipment, no payment or overtime compensation not paid in full, inability to access rights to medical treatment and social security rights, etc.
6. Consider ratifying International Labour Organisation (ILO) Convention No. 87 on Freedom of Association and Protection of the Right to Organise and No. 98 on the Right to Organise and Collective Bargaining Convention, plus amending local laws to be in line with international standards.
7. Consider and review laws, policies, and guidelines to ensure the protection of informal workers, subcontracted workers, service workers, HIV-infected workers, and other vulnerable groups so that they are protected and have access to various benefits just like

regular workers in the system. This is done through simplified, straightforward, efficient, and non-discriminatory procedures.

8. Make the registration process for migrant workers simpler, quicker, and more accessible.
9. Support resources and disseminate knowledge on labour laws and rights, including channels to file complaints, counseling services, and support for workers, including migrant and seasonal workers, on a larger scale.
10. Consider amending and improving the Labour Relations Act to remove obstacles to the protection of non-Thai workers and other groups of workers in forming unions and open a channel for subcontracted workers to join an existing union in the companies where they work so that they can negotiate working conditions with that company.
11. Consider amending and improving social security laws to ensure that migrants and other workers have simple, timely, effective and non-discriminatory access to social security benefits.
12. Consider amending and improving the State Enterprise Labour Relations Act to grant the right to strike to government officials who do not provide "essential services".
13. Consider amending and improving the Workmen's Compensation Act to eliminate obstacles of the timeframe of the claim submission, including developing an advisory service system and assisting migrant workers with information preparation and complaint filing.
14. Examine the risks and measures for labour protection and promote the labour capacity , especially for the agricultural workers who may be impacted by climate change in the future, as well as cases where technology may replace human labour, so that the workers can adapt, qualify and find other ways to pursue a career in the future.
15. Continuously expand areas of training provided to businesses and workers to create relevant knowledge and understanding of business and human rights issues, and labour rights issues, including equal access to rights, relief assistance, and equal legal protection for all types of workers.

16. Create jobs and professions for retirees who wish to engage in businesses and industries appropriate to their age, health condition, and experience by introducing technology that encourages older people to work. This will help society prepare to deal with an aging society. Additionally, creating a solid retirement plan and encouraging employers to hire more senior citizens are all parts of providing welfare for the elderly.
17. Support the protection of workers in all aspects, including the development and maintenance of worker family institutions, which are regarded as the cornerstone of worker provision.
18. Companies should be urged to uphold the values of respect and confidentiality for those who have experienced workplace harassment or violence.
19. Promote awareness of, and lessen stigmatisation of, specific occupational groups, such as migrant workers, service workers, and HIV-infected workers and take steps to protect them from discrimination. This involves thinking about how to change some definitions, like the one for "unskilled labour," to make them more pertinent.
20. Promote the employment of vulnerable groups of workers, especially people with disabilities, and further encourage the provision of facilities for people with disabilities.
21. Support, assist, and advocate for business operations to enhance labour protection.

3.1.4 Goals and Overall Indicators

Objective 1: Increased awareness of labour rights and benefits across all sectors.

Indicator: Every year, more initiatives, events, and channels are used to inform both employees and employers on their legal rights and benefits in the workplace.

Objective 2: Thailand has policies, laws, regulations, and practices that enhance and protect labour rights in accordance with international standards.

Indicator: studies, reviews, and the development or revision of legislation, rules, and practises to advance and safeguard labour rights are in accordance with international norms.

Objective 3: Thailand has measures, mechanisms, or processes for effective coordination between the public and private sectors to ensure law enforcement in labour matters, promptly resolve disputes, and reduce labour rights violations.

Indicators:

1. Measures, mechanisms, or processes for cooperation between the public and private sectors to address labour disputes are in place.
2. A worker filed a complaint through state mechanisms receive increased protection and higher levels of compensation.

3.1.5 Action Plan and Indicators

Duty of State

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
1	Becoming international treaties party				1.1 Study the possibility of becoming the party to the ILO Conventions 87, 98 and 189.*	Main Agencies - Ministry of Labour	2023-2027	Hold meetings to study the possibility of becoming a party to the ILO Conventions 87, 98 and 189	- National Strategy on Human Resource Development and Empowerment - National Strategy on Creating Opportunities and Social Equality - 13th National Economic and Social Development Plan Milestone9 - SDG 8 - UNGPs Article 5

					1.2 Prepare the operational guideline on the Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy (MNE Declaration) appropriate to the situation and context of Thailand.*	Main Agencies - Ministry of Labour	2023-2027	Develop guidelines concerning the promotion of the MNE Declaration	- National Strategy on Human Resource Development and Empowerment - National Strategy on Creating Opportunities and Social Equality - 13th National Economic and Social Development Plan Milestone9 - SDG 8 - UNGPs Article 5
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2	Amendments to laws, regulations, policies and related measures			2.1 Review the laws, regulations, policies and related measures on labour protection, social welfare, minimum living wage and fair recruitment, in line with human rights principles.*	Main Agencies - Ministry of Social Development and Human Security - Ministry of Labour	2023-2027	- Review/amend the laws, regulations, policies and related measures	- National Strategy on Human Resource Development and Empowerment - National Strategy on Creating Opportunities and Social Equality - 13 th National Economic and Social Development Plan Milestone 9 - SDG 8 - UNGPs Article 1, 3, 5, 7
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				2.2 Review relevant laws and consider improvements or developments in accordance with ILO Convention No. 1 the Minimum Age Convention and 182: the Worst Forms of Child Labour and the 2014 Protocol of the ILO Convention on Forced Labour, 1930 and the ILO International Labour Organization Convention No. 182 concerning the Worst Form of Child Labour Convention (1999), Protocol of 2014 to the Forced Labour Convention, 1930 (No.29), (ILO General Principles and Operational Guidelines on Fair Recruitment) etc.*	Main Agencies - Ministry of Labour	2019-2022	- Review/amend the laws, regulations, policies and related measures	- National Strategy on Human Resource Development and Empowerment - National Strategy on Creating Opportunities and Social Equality - 13th National Economic and Social Development Plan Milestone9 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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				2.3 Review the laws, regulations, policies and measures related to vulnerable labour groups such as forced labour, elderly workers, migrant workers, seasonal workers, subcontractors, informal workers, sex workers, trainees, workers living with HIV/AIDS. This includes workers who are victims of human trafficking and forced labour, etc., to enable them to gain access to justice and have access to various benefits received by formal workers in line with international standards and regional standards e.g. the ASEAN Consensus on the Protection and Promotion of the Rights of Migrant Workers.	Main Agencies - Ministry of Social Development and Human Security - Ministry of Labour	2023-2027	- Review/amend the laws, regulations, policies and related measures	- National Strategy on Human Resource Development and Empowerment - National Strategy on Creating Opportunities and Social Equality-
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				2.4 Support the proposed draft of the Labour Relations Act ... and the State Enterprise Labour Relations Act ... in line with international human rights laws and standards.	Main Agencies - Ministry of Labour	2023-2027	- Driving the drafting of the Labour Relations Act ... and the State Enterprise Labour Relations Act ... in line with international laws and standards, in the legislative process	- National Strategy on Human Resource Development and Empowerment - National Strategy on Creating Opportunities and Social Equality - 13th National Economic and Social Development Plan, Milestone9 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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				2.5 Consider amending the social security system and the law by considering (1) Improving the conditions and benefits of the insured, (2) Having tripartite participation in Social Security Fund management (3) Access to funds by all types of workers equally, especially informal workers. (4) Provide protection for retired employees (5) Compliance with the principles of the ILO* (6) Elimination of obstacles in operations and practices regarding access to funds, such as advance payment charges.	Main Agencies - Ministry of Labour	2023-2027	- Review/amend the laws, regulations, policies and related measures	- National Strategy on Human Resource Development and Empowerment - National Strategy on Creating Opportunities and Social Equality - 13th National Economic and Social Development Plan, Milestone 9 - SDG 3, 8, 9 - UNGPs Article 1, 3, 4, 5, 7
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					2.6 Review and revise the Compensation Act to be modern, transparent, fair and in line with international principles, and solve problems arising from the application time frame.*	Main Agencies - Ministry of Labour	2023-2027	- Review/amend the laws, regulations, policies and related measures	- The National Strategy on Public Sector Rebalancing and Development - 13 th National Economic and Social Development Plan, Milestone 9, 13 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7

				2.7 Consider the amending of the Prevention and Suppression of Prostitution Act 1996 and related laws, including the supervision of entertainment businesses to comply with the laws by protecting and improving the quality of life of sex workers.*	Main Agencies - Ministry of Social Development and Human Security (Department of Women's Affairs and Family Development) Supporting Agencies - Royal Thai Police	2023-2027	- Review/amend the Prevention and Suppression of Prostitution Act 1996 and related laws - Supervise entertainment businesses to comply with the law	- National Strategy on National Security - The 13th National Economic and Social Development Plan, Milestone 9, 13 - SDG 5 - UNGPs Article 1, 3, 4, 5, 7
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					2.8 Facilitate consultation and engagement of stakeholders, including coordination with countries of origin, to develop laws and policies on the management of migrant workers.	Main Agencies - Ministry of Labour	2023-2027	- Engage in discussions with relevant stakeholders, including countries of origin, to develop laws and policies on the management of migrant workers.	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 9, 13 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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3	Development of labour management system			Establish centralised systems for collecting and searching for information regarding labour in order to facilitate labour analysis and support integration between agencies.*	Main Agencies - Ministry of Labour	2023-2027	- Establish systems for collecting and searching for information regarding labour	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 7, 9 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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4	Recruitment and labour registration			4.1 Develop control and checking measures for fair recruitment such as the inspection of recruitment of workers, development of occupational standards of the recruitment agency to ensure that they comply with the law and an increase of the number of labour inspectors	Main Agencies - Ministry of Labour	2023-2027	- Check domestic and overseas recruitment agencies - Develop measures for the public to check the registration of the recruitment agency	- National Strategy for Creating Opportunities and Social Equality - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 9, 13 - SDG 8 - UNGPs Article 1, 3, 7
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				4.2 Develop measures to encourage and motivate workers to register under the law, as well as improve the process of migrant worker registration to be carried out with speed and continuity and be hassle-free and easily accessible. Coordinate with other stakeholders to identify lessons from the administration of migrant workers under the Foreign Workers Administration Decree B.E. 2560 (2017) with the General principles and operational guidelines for fair recruitment and definition of recruitment fee and related costs. Review the timeframe for registrations, decentralize migrant administration system, communicate with employers and migrants in the language(s) they understand, and promote MOU recruitment.	Main Agencies - Ministry of Labour	2023-2027	- Encourage workers to register under the law - Improve the registration process for migrant workers - Support is provided for workers to work according to MOUs	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 9 - SDG 8 - UNGPs Article 1, 2, 3, 4, 5, 7
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5	Labour protection			5.1 Training and providing knowledge about complaint channels, consultation, receiving support, rights and duties according to the Labour Protection law, labour rights (covering issues such as employment contracts, termination of employment, wages, overtime pay, holidays, leave, child labour, occupational safety, benefits, etc.), gender diversity, the Gender Equality Act 2015 and mechanisms within the act and guaranteed by domestic and international law, as well as UNGPs, to business operators and Thai and migrant workers. In addition, develop a manual to disseminate such knowledge in a language that such workers can easily understand.*	Main Agencies - Ministry of Justice (Office of the Justice Fund / Rights and Liberties Protection Department / Department of Special Investigation) - Ministry of Labour , supporting agency - Ministry of Social Development and Human Security (Department of Women's Affairs and Family Development)	2023-2027	- Number of training sessions/trainees - Number of media published - Assessment of knowledge and understanding after the training	- National Strategy for Creating Opportunities and Social Equity - The National Strategy on Public Sector Rebalancing and Development -The 13th National Economic and Social Development Plan, Milestone 9 - SDG 8, 10 - UNGPs Article 1, 3, 4, 5, 7
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					5.2 Provide assistance to workers, including migrant workers who have been laid off by reviewing effective measures to remediate them and alleviate their hardship effectively.*	Main Agencies - Ministry of Labour	2023-2027	- Number of workers receiving assistance - Plans and measures put in place to assist workers who have been laid off	- National Strategy on Human Resource Development and Empowerment - The National Strategy on Public Sector Rebalancing and Development - 13th National Economic and Social Development Plan, Milestone 9 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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					5.3 Study the current situation of wage structure and develop mechanisms, measures or policies to adjust wages to be fair and suitable for the cost of living every year.*	Main Agencies - Ministry of Labour	2023-2027	- Study and adjust wages to be fair and suitable for the current cost of living	- National Strategy for Creating Opportunities and Social Equality - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 9, 13 - SDG 8 - UNGPs Article 3, 4, 5, 7
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				5.4 Examine and inspect business licenses, employment contracts, working conditions and work permits (in the case of migrant workers) in entertainment venues and establishments to ensure that all laws, ministerial regulations, regulations and standards related to labour protection, employment and the management and operation of safety, occupational health and environmental health at work are enforced to the fullest extent, as well as consider the application of labour measures or laws applicable to the fisheries sector to monitor labour conditions in other industrial sectors such as agriculture and construction, where a large number of migrant workers are employed.*	Main Agencies - Ministry of Labour - Ministry of Industry - Royal Thai Police Supporting Agencies - Ministry of Social Development and Human Security (Department of Women's Affairs and Family Development) - Ministry of Agriculture and Cooperatives	2023-2027	- Number of establishment inspections, including the agriculture and construction sectors - Develop measures to inspect establishments to comply with laws, ministerial regulations, regulations and standards related to labour protection, employment, safety, occupational health and environmental health at work	-National Strategy for Security - The 13th National Economic and Social Development Plan, Milestone 4, 8, 9 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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					5.5 Provide effective healthcare services to workers in disease prevention and control, health promotion, medical treatment and rehabilitation, as well as develop migrant worker and followers of migrant workers. -friendly health service centres and drive forward the settlement and operation of Wellness Centres both in public health service points and establishments.*	Main Agencies - Ministry of Labour - Ministry of Public Health	2023-2027	- Number of workers, including migrants, receiving medical services - Provide public health services to migrant workers - Number of hospitals and establishments that operate Wellness Centres in line with criteria set by the Department of Disease Control	- National Strategy on Human Resource Development and Empowerment - National Strategy for Creating Opportunities and Social Equality - The 13th National Economic and Social Development Plan, Milestone 4 - SDG 3, 8, 10 - UNGPs Article 3, 4, 5, 7
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				5.6 Train job seekers before travelling to work in a foreign country by providing knowledge about the rights and benefits according to the laws of that country and the mechanisms to protect labour rights in the country of destination, including protection given to Thai workers experiencing problems, and giving advice on health care, including provide similar knowledge to MOU migrant workers.	Main Agencies - Ministry of Foreign Affairs - Ministry of Labour - Ministry of Public Health	2023-2027	- Number of job seekers trained before travelling - Provide coordination and assistance to Thai workers abroad -Projects/activities giving advice and healthcare information to Thai workers - Number of MOU migrant workers who have been educated	- National Strategy on Human Resource Development and Empowerment - The 13th National Economic and Social Development Plan, Milestone 4 - SDG 8, 17 - UNGPs Article 3, 4, 5, 7
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6	Eliminating discrimination, harassment and non-access to equal labour benefits			6.1 Develop a system for collecting data/collecting statistics on labour rights violations, as well as discrimination against vulnerable workers and non-access to equal benefits in the business sector, to facilitate policy analysis.	Main Agencies - Ministry of Labour	2023-2027	- Develop a system for collecting data/collecting statistics on labour rights violations - Number of data, statistics, and annual reports	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8 - SDG 8, 10 - UNGPs Article 3, 4, 5, 7
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				6.2 Determine measures for the protection of rights of vulnerable workers that might face discrimination, such as female workers, ethnic groups, stateless persons, refugees, migrants, migrant workers, especially in the agricultural and fisheries sectors, seasonal workers, domestic workers, LGBT+ people, people living with HIV/AIDS, the elderly, former inmates/inmates; by using various measures such as promoting the employment of these workers, creating an understanding, reducing bias and stigma against certain occupations Organising the awareness-building activities for the public to reduce prejudice and stigma toward the vulnerable worker group and the adoption of the National Guideline on the Prevention and Management of HIV/AIDS in the Workplace.*	Main Agencies - Ministry of Social Development and Human Security - Ministry of Labour - Office of the National Security Council Supporting Agencies - Ministry of Public Health	2023-2027	- Development of protective measures for vulnerable worker group: - Number or channels of communication/media for promoting equality - Number of awareness-building activities for the general public - Number of the general public accessing knowledge resources	- National Strategy for Creating Opportunities and Social Equality -The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8, 9 - SDG 5, 8, 10 - UNGPs Article 1, 3, 4, 5, 7
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				6.3 Promote jobs and employment for persons with disabilities in the workplace and in public sectors, as well as improving the efficiency of the Fund for Promotion and Development of Life Quality of Disabled Persons.*	- Main Agencies - Ministry of Social Development (Department of Empowerment of Persons With Disabilities Human Security) - Ministry of Labour	2023-2027	- Number of person with disabilities who have received empowerment and vocational development. - Number of person with disabilities who have accessed loan funds. - Empowerment of persons with disabilities. - Number of nationwide establishments complying with the law as stipulated in section 33, 34, and 35 of the Person with Disabilities Empowerment Act, B.E. 2550 (2007), and the Amendment No. 2, B.E. 2556 (2013).	- The 13th National Economic and Social Development Plan, Milestone 9 - SDG 5, 8, and 10 - UNGPs Article 1, 3, 4, 5, 7
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							- Number of person with disabilities who have been facilitated in receiving employment within government agencies. - Percentage of person with disabilities who have been given support in occupation or engaged in a profession, not less than 60%.	
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				6.4 Disseminate knowledge and understanding about gender equality, gender balance, and prevention of gender-based harassment and workplace violence* including the UN Standards of Conduct for Business: Tackling Discrimination against LGBTI People, which address eliminating practices of discrimination against gender diversity in the private sector.	Main Agencies - Ministry of Social Development and Human Security (Department of Women's Affairs and Family Development) - Ministry of Justice (Rights Protection and Liberties Department) Supporting Agencies - Ministry of Justice - Ministry of Labour - Ministry of Education	2023-2027	- Number of channels/media/ public communication activities promoting knowledge and understanding of gender equality and preventing sexual harassment and violence at the workplace - Number of trainees - Number of business operators participating in Thai labour standards and being encouraged to make declarations, announcements and policies to prevent sexual harassment.	- National Strategy for Creating Opportunities and Social Equality - The 13th National Economic and Social Development Plan, Milestone 12 - SDG 5, 10, 12 - UNGPs Article 1, 3, 4, 5, 7
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7	Children of migrant workers			Address the problem of access to education by children of migrant workers by providing basic education in accordance with the problem's conditions and needs, both in the public and private system and informal (non-formal education), as well as encouraging establishments to organise child service centres in the workplace with the Ministry of Social Development and Human Security.*	Main Agencies - Ministry of Social Development and Human Security - Ministry of Labour - Ministry of Education	2023-2027	- Number of children of migrant workers who received basic education - Number of establishments received a promotion of welfare other than those stated by law (place/persons) - Number of establishments registered as a child service centre in the workplace	- National Strategy on Human Resource Development and Empowerment - The 13th National Economic and Social Development Plan, Milestone 9 - SDG 4, 8 - UNGPs Milestone 1, 3, 4, 5, 7
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8	The workforce of the future			8.1 Organise the training to enhance the knowledge and skills of workers, including migrant workers, in accessing and using technology to add value and competitiveness on labour.	Main Agencies - Ministry of Labour	2023-2027	- Projects/activities to enhance knowledge and develop the skills and potential of workers - Number of training sessions and trainees	- National Strategy on Human Resource Development and Empowerment - The 13th National Economic and Social Development Plan, Milestone 5, 9 - SDG 4, 8 - UNGPs Milestone 1, 3, 4, 5, 7
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				8.2 Study the risks and measures to protect and promote the potential of workers who may be affected by future events, such as the spread of various diseases, climate change, using technology to replace labour and international conflict.	Main Agencies - Ministry of Labour	2023-2027	Results of the study of the risks and measures to protect and promote the potential of workers who may be affected	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan Milestone 11 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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				8.3 Study and propose measures to prepare for the ageing society, such as the use of technology to help promote the work of elderly workers, create jobs and careers for seniors who want to work in the business and industrial sectors suitable for their age and set up incentives for the business sector to employ more elderly people, as well as promote and disseminate knowledge to business operators about business practices consistent with the Business Guidance on the Older Persons.*	Main Agencies - Ministry of Labour Supporting Agencies - Ministry of Social Development and Human Security (Department of Older Persons)	2023-2027	- Results of the study of measures to prepare for the ageing society - Projects/activities to publicise and disseminate knowledge to business operators about business practices consistent with the Business Guidance on the Older Persons	- National Strategy on Human Resource Development and Empowerment - National Strategy for Creating Opportunities and Social Equality - The 13th National Economic and Social Development Plan, Milestone 8, 9, 12 - SDG 8 - UNGPs p Article 1, 3, 4, 5, 7
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				8.4 Enhancing the capacity of children and youth to have fundamental knowledge about business and human rights, as well as engaging in activities to develop vocational skills and promote youth employment opportunities, including youth in the NEET category (Not in Education, Employment, or Training).	Main Agencies - Ministry of Social Development and Human Security - Ministry of Justice (Rights and Liberties Protection Department, Department of Children and Youth) - Ministry of Labour Supporting Agencies: - Ministry of Education - National Economic and Social Development Council (NESDC)	2023-2027	- The number of projects/activities that provide knowledge business and human rights to children and youth. - Number of Projects/Activities that develop vocational skills and promote youth employment including youth in NEETs category	- National Strategy on Human Resource Development and Empowerment - National Strategy for Creating Opportunities and Social Equality Dimension: - The 13th National Economic and Social Development Plan, Milestone 9 and 12 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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9	Support various agencies to eliminate labour rights problems			9.1 Provide channels for the exchange of information and regular consultations between labour protection agencies in order to solve labour problems in an integrated and systematic way.	Main Agency - Ministry of Labour	2023-2027	- Number of discussions/integrated action plans	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development, Milestone 9, 13 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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				9.2 Measures to encourage Social Enterprise (SE) and Civil Society Organisation Social Enterprises (CSO), including promoting and supporting access to capital or resources. human resource development, incentives, network building and social enterprises and civil society Organisations social enterprises database.		2023-2027	- Number of measures supporting social enterprises and civil society organisations' social enterprises - Promoted and supported social enterprises and civil society organisations' social enterprises	- National Strategy on Human Resource Development and Empowerment - National Strategy for Creating Opportunities and Social Equality - The 13th National Economic and Social Development Plan, Milestone 9, 12 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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10	Promotion of business operations			10.1 Train and encourage establishments to apply Good Labour Practice (GLP) and Migrant Worker Guidelines in their business management.*	Main Agencies - Ministry of Labour	2023-2027	- Number of employers/business operators receiving training on GLP or Migrant Worker Guideline	- The National Strategy on Competitiveness Enhancement - 13 th National Economic and Social Development Plan, Milestone 12 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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					10.2 Provide knowledge and understanding and issue measures to encourage businesses to conduct Human Rights Due Diligence (HRDD) to protect workers in the supply chain.*	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) - The Securities and Exchange Commission - Office of Small and Medium Enterprise Promotion	2023-2027	- Number of employers/business operators receiving HRDD training - Number of establishments receiving support and conducting HRDD reports - Training activities to encourage businesses to conduct HRDD	- The National Strategy on Competitiveness Enhancement - 13th National Economic and Social Development Plan, Milestone 7, 12 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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					10.3 Provide support to businesses and workers in the business sector, especially small and medium enterprises affected by COVID-19.	Main Agencies - Ministry of Finance - Ministry of Commerce - Office of Small and Medium Enterprise Promotion	2023-2027	-Provide measures to support small and medium enterprises affected by COVID-19	- The National Strategy on Competitiveness Enhancement - 13th National Economic and Social Development Plan, Milestone 7 - SDG 8, 17 - UNGPs Article 1, 3, 4, 5, 7
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				10.4 Encourage large enterprises and listed businesses that use migrant workers as their main production force to conduct Human Rights Due Diligence as a measure to prevent the exploitation of workers. The report must be made public to create awareness and for review, while also placing emphasis on transparency and traceability according to good governance.*	- Main Agencies - The Securities and Exchange Commission	2023-2027	Train and issue circulation to raise awareness about HRDD for companies whose securities are listed on the Stock Exchange of Thailand	- The National Strategy on Competitiveness Enhancement - 13th National Economic and Social Development Plan, Milestones 8, 13 - SDG 8, 12 - UNGPs Article 1, 2, 3, 4, 5, 7
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11	Complaints/petitions				11.1 Establish a complaint system (both public and private) and develop staff competency in order to receive complaints effectively and keep the information confidentially under the Personal Data Protection Act Communicate and promote multiple channels in different languages that are convenient, fast and traceable for the result of the complaint by using technology, such as hotline services, website channels and mobile phone applications, etc.*	Main Agencies - Ministry of Social Development and Human Security (Department of Women's Affairs and Family Development) - Ministry of Interior - Ministry of Justice (Rights and Liberties Protection Department) - Ministry of Labour - Ministry of Public Health - Office of the Attorney General	2023-2027	-Level of success in settlement of complaints/grievances - Number of channels/systems of complaints/petitions that can track and monitor the status of complaints/petitions - User satisfaction survey - Projects/activities to develop officers' potential in receiving and handling complaints/petitions	- The National Strategy on Public Sector Rebalancing and Development - 13th National Economic and Social Development Plan, Milestone 13 - SDG 8, 11 - UNGPs Article 1, 3, 4, 5, 7
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					11.2 Arrange for informers of corruption cases related to job recruitment and labour rights violation to enter the witness protection programme.*	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department/Department of Special Investigation) - Royal Thai Police	2023-2027	Number of witnesses who entered the witness protection programme	- The National Strategy on Public Sector Rebalancing and Development - 13 th National Economic and Social Development Plan, Milestone 13 - SDG 16 - UNGPs Article 1, 3, 4, 5, 7
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1 2	Administration of justice				Develop dispute resolution mechanisms that are favourable to workers, worker protection, and migrant workers. Increase the number and enhance the capacity of staff in resolving labour disputes and language coordinators to facilitate workers who enter into the justice system.*	Main Agencies - Ministry of Labour - Ministry of Justice	2023-2027	- Develop dispute resolution mechanisms that are favourable to workers - Numbers of training to enhance the capacity of staff in resolving labour disputes - Increase in the number of interpreters and language coordinators	- The National Strategy on Public Sector Rebalancing and Development - 13th National Economic and Social Development Plan, Milestone 13 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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1 3	Remedies				13.1 Develop remedy mechanisms from both the government and private sectors at the national and local levels to be modern, transparent, fair, and in line with international human rights principles, the needs of affected people and communities, as well as mechanisms under the Workmen's Compensation Act B.E. 2537 (1994) and the Employee Welfare Fund under the Labour Protection Act B.E. 2541 (1998), as well as develop the system to provide advice, assistance and remedy for migrant workers.*	Main Agencies - Ministry of Interior - Ministry of Justice - Ministry of Labour Supporting Agencies - Ministry of Interior - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	- Develop remedy mechanisms under related laws - Number of affected people who have access to assistance and remedies	- The National Strategy on Public Sector Rebalancing and Development - 13th National Economic and Social Development Plan, Milestone 9, 13 - SDG 8 - UNGPs Article 1, 3, 4, 5, 7
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				13.2 Study the feasibility of establishing a fund to help victims of workplace discrimination or harassment.*	Main Agencies - Ministry of Human Security Development (Department of Women's Affairs and Family Development)	2023-2027	- Study the possibility of establishing a fund to remedy victims of discrimination or sexual harassment in the workplace - Number of victims that the Commission of the Act identified and wish to receive remedies	- The National Strategy on Public Sector Rebalancing and Development - 13th National Economic and Social Development Plan, Milestone 9 - SDG 5, 8 - UNGPs Article 1, 3, 4, 5, 7
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* The activity was implemented under the First National Action Plan on Business and Human Rights but requires further action or has been adapted from the First National Action Plan on Business and Human Rights after being fully or partially implemented.

Corporate Responsibility

1. Compliance with labour laws, labour standards, and the principles of human rights.

- 1.1.State enterprises and the business sector must review the rules and regulations of their organisations, provide an announcement or a statement on the human rights policy in their organisations, as well as promote, understand, and support the amendment of rules, regulations, announcements, or statements of subsidiaries and supply chains to ensure labour protection in line with international human rights laws and the UNGPs.
- 1.2.State enterprises and the business sector must disseminate laws, measures, rules, regulations and local and international human rights principles related to labour laws, labour standards, and labour protection to staff within their subsidiaries and supply chains.*
- 1.3.State enterprises and the business sector must uphold and strictly comply with local and international labour laws and regulations. They must also encourage their subsidiaries and supply chains to do the same. This covers activities like no forced overtime , unfair dismissal, workplace insurance enforced, providing welfare in accordance with the law, etc.

1. Labour rights and welfare

- 1.1.State enterprises and the business sector that use migrant workers should be responsible for the costs of recruiting labour and other expenses in accordance with the “employer pays principle”.*
- 1.2.State enterprises and the business sector should establish measures to certify or ensure healthcare for workers in the workplace, such as vacation, leave, negotiations, etc.
- 1.3.State enterprises and the business sector should provide welfare for workers and their families, such as childcare centers in the workplace.*

2. Elimination of workplace discrimination

- 2.1.State enterprises and the business sector should specify measures and policies to show the intention of supporting equal opportunities without discrimination in employment, recruitment, compensation, termination, promotion, and removal of any conditions that cause a negative impact on employees and job seekers as appropriate, regardless of gender, HIV/AIDS infection, disability, age, ethnicity, etc.

- 2.2. Increase the employment of women, ethnic groups, persons with disabilities, senior citizens, ex-convicts, etc., by considering them as appropriate, including requiring the establishments to have proper facilities set up.*
- 2.3. State enterprises and the business sector should establish measures and policies to prevent sexual harassment in the workplace by considering adoption of the UN Standards of Conduct for Business: Tackling Discrimination against LGBTI People in the workplace.
- 2.4. State enterprises and the business sector should adopt local and international best practices, such as Good Labour Practice (GLP) in business management and conducting human rights due diligence for large businesses by conducting assessments within the organisation and workers within the supply chain to prevent labour exploitation.

3. Complaint and remedy mechanisms

- 3.1. State enterprises and the business sector should provide internal channels for operational grievance mechanisms (OGMs) and keep confidential information. Many channels should be opened and must have convenient and fast access for tracking through a mobile phone application or via website, etc.*
- 3.2. State enterprises and the business sector should consider holding discussions to mediate disputes to achieve resolutions between workers by offering them the opportunity to participate in negotiations.*
- 3.3. State enterprises and the business sector should cooperate with the government, international organisations, and other independent mechanisms to ensure that labour laws, labour standards, and human rights principles are being followed.*
- 3.4. State enterprises and the business sector should agree on measures to remedy damage to workers in the event that workers' human rights are violated (including measures and mechanisms to support and solve problems related to dismissal). The remedies should cover physical and mental damage.*

* The activity was implemented under the First National Action Plan on Business and Human Rights but requires further action or has been adapted from the First National Action Plan on Business and Human Rights after being fully or partially implemented.

3.2 Action Plan on Community, Land, Natural Resources and Environment

3.2.1 Overview and Challenges

During the implementation of the first National Action Plan (NAP) (2019-2022), the Royal Thai Government (RTG) and the business sector attempted to advance many activities designated in the NAP using legal and policy advocacy to implement action plans involving communities, land, natural resources, and the environment. However, integrating cooperation from all sectors posed numerous difficulties for such collaborative implementation. This, coupled with the COVID-19 pandemic, resulted in certain activities not being achieved. They are thus to be continued in the second NAP as follows:

The development, improvement, and amendment of laws, rules, regulations, policies and measures related to communities, land, natural resources and the environment. The focus should be on the following laws.

The draft Land Reform and Protection of Agricultural Area Act, B.E. ... The Agricultural Land Reform Office, Ministry of Agriculture and Cooperatives, undertook a study to determine how to strengthen the law governing land reform for farmers and people. The needs of farmers, the people, and relevant stakeholders were compiled and analysed. This helped to improve the law and the draft Land Reform and Agricultural Area Protection Act, B.E. ... and it contained a compilation of viewpoints attained through the common legal system's various platforms. The bill is now being proposed in accordance with the procedures of the provisions of the Constitution of the Kingdom of Thailand and the 2019 Legislative Drafting and Evaluation of Law Act.

Draft Land Bank or Other Organisations with the Similar Purposes Act B.E. ... The Land Bank Administration Institute (Public Organisation) undertook a study of guidelines for establishing a land bank to assist affected people and proposed a draft law related to the establishment of land banks and land management institutions to distribute access to and possession of land fairly and sustainably while ensuring that it is used for its intended purpose.

Draft Climate Change Act, B.E. ... is currently being expedited by the Office of Natural Resources and Environmental Policy and Planning (ONEP) as a tool to improve climate change mitigation in

Thailand. This draft Act was recently approved by the National Climate Change Policy Committee and is now being proposed to relevant agencies for their comments and opinions before being submitted to the Cabinet for consideration.

Draft Biodiversity Act, B.E. ... is currently being expedited by the Office of Natural Resources and Environmental Policy and Planning (ONEP). This will serve as a tool or mechanism to support Thailand's development. The draft law was endorsed by the Cabinet on 22 February 2022, and is currently under review by the Council of State before being presented to Parliament for further consideration.

Law on the Preparation of Pollutant Release and Transfer Registers (PRTR): The Department of Industrial Works issued Ministerial Regulation No. 27 (B.E. 2563) in pursuance of the Factory Act, B.E. 2535 (1992). This regulation obliges industrial operators to provide substantive information on pollutants or chemicals used in the manufacturing business to the Department of Industrial Works and to compile it in a PRTR inventory of industrial plants. A problem arose in this situation since the Ministerial Regulation that governs the PRTR system does not require the reporting of information for the purpose of establishing a database. In addition, the Pollution Control Department (PCD) of the Ministry of Natural Resources and Environment has revised the Act on Enhancement and Conservation of National Environmental Quality, B.E. 2535 (1992), stipulating that PRTR covers additional sources of pollution in addition to industrial enterprises. Currently, the draft law is under consideration by the Office of the Council of State.

*Regional Ecological Map:*¹ As part of the Twenty-Year Plan, the Office of Natural Resources Policy and Environmental Policy and Planning (ONEP) is tasked with continuously implementing the Sixth Strategy on Smart Areas. The goal is to map regional ecological landscape plan for all regions of Thailand by the year 2037. The findings will be applied as a tool in policymaking to provide the framework for the development of livable cities, rural areas, sustainable agriculture, eco-industries, and natural resource conservation area plan for archaeological sites. The ultimate outcome is

¹ The ecological map is a strategic tool for urban development, contextualising its potential and ecological suitability. This tool creates a balance between the integration of conservation and development towards sustainability based on the ecosystem and the participation of all parties.

achieving ecological, geo-social, and cultural sustainability. In 2022, the ONEP completed the first region of landscape mapping in the northern region.

Review of Other Laws: Several authorities conducted such reviews with the aim of abolishing and/or repealing outdated or irrelevant laws or amending them to allow for the use of technology in their application. The following laws and regulations have been amended: the Enhancement and Conservation of National Environment Quality Act to be modern and responsive to pollution and relevant situations. The amendment also includes the provision on the Pollution Release and Transportation Directory (PRTR) into the Act, etc.

Public Participation and Hearings: The Ministry of Industry has scheduled public hearings on the legal procedures required for stakeholders in the project's pre-, during-, and post-business operations phases. The hearings cover the entire procedure starting with the request for permission to operate a factory and the expansion of the factory's operational areas in accordance with applicable laws and regulations. The Ministry requires factories to conduct Environmental Impact Assessment (EIA) and Environmental and Health Impact Assessment (EHIA) reports following relevant laws, including mining. The public manual, according to the Licensing Facilitation Act B.E. 2558 (2015) states that the public handbook is intended to increase transparency in government processes while reducing personal discretion and revealing all steps and the timeline. In addition, the Department of Industrial Works has established regulations and guidelines for hearings of stakeholders - the people and communities involved with projects or activities or taking any action that may have a significant negative impact on the community—covering quality, the environment, natural resources, and health. Recently, discussions on methodologies and procedures were undertaken with stakeholders. Many representatives of civil society voiced their concerns about the ineffective participation process in the implementation of procedural rights during the consultations with various sectors, particularly during the COVID-19 pandemic when a significant number of stakeholder hearings were conducted through online channels without onsite visits. When local stakeholders are members of ethnic minorities, language problems might make information difficult to understand and obtain.

For **the Environmental Impact Assessment**, there are significant points classified into various issues as follows:

The Environmental Impact Assessment (EIA) and Environmental and Health Impact Assessment (EHIA): The Office of Natural Resources Policy and Environmental Policy and Planning (ONEP), Ministry of Natural Resources and Environment, initiated an Acceptance and Affirmation Survey of the Environmental Impact Assessment System in Thailand during the fiscal year, B.E. 2563 -2565 (2020 -2022). This seeks to collect recommendations and rules for ongoing process improvement and development. The survey's results showed a high degree of acceptance and confidence. Moreover, the percentage of acceptance and confidence increases over time. In the meantime, efforts are being made through law amendment and enactment, with Ministerial Regulations issued to disclose the names of consulting companies that have been suspended and revoked their licenses in the database of ONEP. This law is currently under consideration by the Office of the Council of State. Furthermore, a notice on EIA Consulting Qualifications for Professional Council Licencing has been made public. A draft of the rules, processes, and requirements for business activities in industrial estates has been released by the Board of Directors of the Industrial Estate Authority of Thailand. public hearings must be held by the Industrial Estate Authority of Thailand or other pertinent licencing organisations on projects carried out with EHIA. However, in consultations with various sectors, many civil society representatives expressed concerns over environmental impact assessments that are occasionally unsatisfactory to the locals. These are, for example, the issue of lax reporting or the use of false information; the absence of meaningful public participation; the lack of transparency in the execution process; the impartiality of rapporteurs hired by the company; and the limitations on the state's ability to monitor compliance with conditions under licences. Key challenges were also identified in the enforcement of the Minerals Act B.E. 2560, including the restricted involvement of public and local administrative organisations in developing strategies, policies, and issuing licences and concession certificates; the lack of clarity in defining the role of environmental rehabilitation, particularly in contaminated areas outside the mining area; and the establishment of rules and procedures for hearings in the community area. However, the impact of mining is not limited to distance. The representatives of civil society proposed that the Community Health Impact Assessment (CHIA) undertaken by members of the community and civil society in the area would be an alternative tool for resolving the problems mentioned above. Such a mechanism is not yet clearly stipulated in the law and has not received full support from the government.

Strategic Environmental Assessment (SEA): The Office of the National Economic and Social Development Council (NESDC) has published guidelines for environmental assessment at the strategic level (revised edition). The NESDC organised SEA Academic Training countrywide and advanced SEA training for middle-level executives and created a video to provide knowledge and understanding of the SEA. In 2022, the NESDC implemented the SEA guidelines in Chana district, Songkhla province, for the settlement of an industrial land use dispute. However, this was challenged, and action was taken accordingly. The SEA is a voluntary mechanism, but there is a call for specific enforcement to be clearly stated, particularly in large projects.

For the Special Economic Zones, vital issues can be summarised as follows: *Special Economic Zones (SEZ)*: Office of the National Economic and Social Development Council (NESDC) initiated the Office of the Prime Minister's Regulation on the Development of Special Economic Zones, B.E. 2564 (2021). This Regulation establishes the Committee on the Development of Special Economic Zones as a mechanism for supervising and driving the development of special economic zones. The Committee is authorised and mandated to formulate policies, provide operational guidance, offer operational direction, manage, and expand special economic zones. Room for hearings in relevant sectors would be made in the area to consider policy and guidelines. For the operations of city planning, the Department of Public Works and Town and Country Planning is preparing the draft plan and documents for drafting the Interior Ministerial Regulations for city and community planning in SEZ areas. For specific area plans, an Interior Ministerial Announcement has been issued to cover 10 provinces, while the NESDC has confirmed that the special economic development zone for the private sector and Industrial Estate Authority of Thailand will be renting to carry out the project is now complete. The related agencies and provinces have discussed, negotiated, and presented to the Cabinet for consideration the fair payment of compensation to those living there in accordance with the pertinent regulations. The 10 SEZs are occasionally visited and surveyed to monitor development progress, discuss with relevant agencies, and gather feedback on issues and concerns. However, in the dialogue session with various sectors, challenges and problems have been identified. Complaints included the selection of developed areas in the SEZs overlapping with areas used by large numbers of people and inhabitants; the declaration and demarcation of SEZ areas through special laws without a proper consultation process; the relocation of residents from their land in many

cases and without prior notice; and issues with compensation payments to affected individuals or communities based on various standards depending on the outcome of the negotiations or resources that responsible agencies can procure. Many SEZ-designated areas have not yet progressed with investment, causing people in the area to surrender their advantages in the residential and agriculture areas used.

Eastern Economic Corridor (EEC) Special Development Zone: The EEC Policy Committee Office (EECO), in collaboration with the Department of Public Works and Town and Country Planning, has prepared a land use plan and a plan for the development of infrastructure and public utilities in the Eastern Special Development Zone in the EEC, effective as of December 10, 2019. The plan is implemented in accordance with town planning concepts to be flexible for future growth, city development, and environmental and natural resource preservation. The EECO and the Department of Public Works and Town and Country Planning held a meeting to clarify details for relevant agencies and the public in the three provinces, the district clusters, and the agencies at the central administration. Twenty-five official hearing sessions were conducted along with other 15 informal public hearing sessions. 40 actions altogether, including gathering opinions, were conducted between December 2018 and June 2019. Information has been disseminated through a variety of channels after the EEC town plan has been implemented to encourage understanding of the EECO's policy governing the Special Economic Zones among governmental organisations, companies, and local administrative organisations at the provincial and district cluster levels from August to September 2020. The EECO also publicised through various channels the highest standards of good governance and operational guidelines for companies by striving for the implementation of the United Nations Guiding Principles on Business and Human Rights (UNGPs). This is reflected in the means for establishing and managing the Special Economic Zones and the EEC set out in the 2023 Budget Plan. However, in this regard, the civil society sector raised concerns about the land use designation in town planning that does not meet its potential and the actual function of space with the expansion of industrial zones, commercial areas, urban and rural communities to agricultural areas, natural resource, and environmental conservation areas. In addition, there are other issues raised in the study report on land, natural resources, and environment issues from the Special Economic Zone and the EEC prepared by the Committee on Land, Natural Resources, and Environmental Issues,

House of Representatives, including (1) the processes of people's participation do not fully comply with the laws and most hearings are not covering the people affected; (2) the impact and potential of water resources in the EEC, with an imbalance between water costs and the amount of water demanded; the quality of the water and the influx of saline water; and issues with water management both inside and outside the area; (3) the study on environmental impacts, potential, and limitations of the area, and the effects of expropriation that are incomplete and do not cover problems arising; and (4) the analysis of the economic, financial suitability and economic benefits that are not yet completed; and (5) the issues resulting from the garbage and industrial waste situation in the EEC's environmental conditions.

The Management of Land, Natural Resources, and Environment: The Office of Natural Resources Policy and Environmental Policy and Planning (ONEP), Ministry of Natural Resources and Environment has prepared "the Conceptual Framework for Ecological Landscape Mapping of the Northern Region along with the appropriate Watershed Boundary for the Use of Ecological Land Area" in the nine northern provinces of Thailand and also conducted the Study on Inclusive, Gender-Responsive Climate Change Benefit Analysis (ICCBA) and action guidelines to drive sustainable green space management phase II (2023-2027). The Office conducted public hearing activities and participation in order to carry out environmental protection projects in provinces with strong environmental protections and to uphold the rights of the affected individuals and communities. In accordance with its purpose and the requirements of the pertinent laws, the Office also encourages and assists the affected communities in restoring the environment and its natural resources.

However, challenges arose, including complaints lodged by civil society over the changing of rural and agricultural communities to be more industrial in nature. On the other hand, cases occurred where urban neighbourhoods have grown till they are nearer to the existing industrial regions, eventually causing such communities to be impacted by such industries. Other concerns were also raised about the amendment to the Factory Act B.E. 2562 (2019) with the downgrading of the standard for small factory controls, as the revision of the word "factory" has made it possible for smaller businesses to have high environmental impacts but not be subject to the Act and to reduce the control power of the Department of Industrial Works. In addition, on the issue of water

management, there were some observations on the imbalance of water quantity during the rainy season along with flooding and drought, the water shortages in both the agricultural and industrial sectors, and the problem of saline intrusion. Moreover, issues with PM 2.5 have been raised, especially the problem of burning crops and waste after the harvest. This needs to be solved through an integrative approach that supports farmers and agricultural investors like the sugarcane industry with the right instruments. It has been requested that the authorities in charge of enforcing laws to control pollution from industrial sources take action to improve emission standards and expedite the issuance of specific laws in the pollution control zone, including the issue of climate change. Some representatives of civil society have expressed great concern over the proposal to cancel the announcement of the Rayong Pollution Control Area and called for urgent action to tackle pollution in the area. This addresses solutions to the problems of the illegal dumping of industrial and community waste, the rise in waste generated by the industrial sector's expansion, the scarcity of facilities to dispose of hazardous waste, and the ineffectiveness of community solid waste management systems and community wastewater. The Ministry of Natural Resources and Environment recently announced the exemption of a waste power plant with a capacity of at least 10 megawatts from the regulations governing waste disposal facilities. Currently, the law requires the implementation of the Code of Practice (CoP) of the Energy Regulatory Commission if the refused-derived powerplants are not located in the following areas: (1) first- and second-class watersheds approved by the Council of Ministers; (2) environmentally protected areas; (3) additional conserved forest areas according to Cabinet resolutions; (4) wetlands of international importance; and (5) areas with air pollutant levels higher than 80% of the quality standards. However, the law requires that waste-to-energy plants that are exempt from EIA reporting adhere to the Energy Regulatory Commission's Code of Practice (CoP).

Capacity Building for Communities: The Department of Agriculture has conducted a project to organise a training session to inform farmers on the Plant Protection Fund's operating procedures and the law protecting flora and fauna. The Department of Social Development and Welfare, Ministry of Social Development and Human Security, has set up a mobile unit to work with network partners who are community leaders to encourage people in the highlands to help each other, built an understanding of their rights and responsibilities as Thai citizens, uphold laws and regulations, and

promote community-based social welfare model(s). In addition, the Rights and Liberties Protection Department of the Ministry of Justice has also organised training and human rights education activities for people and communities to provide them with real knowledge and understanding of fundamental human rights, with a greater focus on the process of participation between government officials and the public sector. Challenges reflected during the discussions with various sectors included the fact that the cultural identity of the area is being overshadowed by various tourism projects, the exclusion of local communities by these projects, and the lack of participation in the development of tourism in the area. This is also true for people who rely on natural resources, such as the Sea Gypsies, an ethnic group living along the Andaman coast whose culture and way of life have historically been influenced by the sea. The sea gypsies are being compelled to leave the area because they are unable to access the fishing grounds, which are essential to their way of life and source of income.

Survey on the Rights of Residents of Conservation Areas: Section 64 of the National Park Act B.E. 2562 (2019) intends to manage and solve land problems for people living or working in national parks by launching natural resource conservation projects for the forest dwellers to earn their living in designated areas in alignment with the conservation and restoration of natural resources in the areas. Section 65 of the National Park Act B.E. 2562 (2019) allowed people who live a normal life to live in the protected forestry areas. The mechanism is to allow those who live close to the national park to make responsible use of the resources while being under observation. In addition, the Ministry of Natural Resources and Environment has set a policy to solve land problems by calling for a review of the process for allocating arable land to the community covering all types of land, and compiling opinions on ways to improve the process of land management for the community. The Ministry has also taken urgent action to address the issue of land use overlaps, especially in residential, arable, and spiritual areas, and increase efficiency in conflict management at the local level by peaceful means and by supporting the principles of recognition and protection of "community rights " under the Constitution. In this regard, a Cabinet resolution on the issuance of guidelines for solving problems of the People's Movement for a Fair Society (P-Move) was passed on February 1, 2022, under which the Ministry of Natural Resources and Environment was assigned to review the appropriateness of all three Acts, namely the Community Forest Act, B.E. 2562 (2019); the National

Park Act, B.E. 2562 (2019), and the Wildlife Conservation and Protection Act, B.E. 2562 (2019), and to study the impact of legislation issued under these three Acts. These editions are:

Name of Law	Subordinated Laws Published in the Government Gazette	In process
The Community Forest Act, B.E. 2562 (2019)	19 legislations	10 legislations
The National Park Act, B.E. 2562 (2019)	17 legislations	4 legislations
The Wildlife Conservation and Protection Act, B.E. 2562 (2019)	26 legislations	37 legislations

Note: Data as of 7 February 2023

Bio-Circular-Green Economy Model (BCG Model) The government encourages every sector to integrate cooperation and apply the BCG model. The BCG model is a holistic approach to economic development that will simultaneously develop three sectors: Bioeconomy- using biological resources to create added-value and high-value products in connection with the circular economy- reusing materials as much as possible. Both the bioeconomy and the circular economy are based on the Green Economy, which balances social and environmental preservation with economic development to create stability and sustainability. Thailand has benefited from biodiversity and a pluralistic culture; therefore, as a result, it may use innovations to improve competencies. The BCG economy will enable Thailand to grow and remain globally competitive, while ensuring income distribution into the communities, reducing inequality, and building strong, environmentally-friendly and sustainable development in the communities.

Business Section Operations: State enterprises and business sectors have continually implemented new guidelines and regulations, such as Social Responsibility (ISO 26000), the adoption of Corporate Governance Policy, and the Business Code of Conduct Manual. Efforts are also being made to carry out an EIA or EHIA assessment following the guidelines outlined in relevant laws and regulations. They are also creating channels or complaint mechanisms where there has been a concealment of information about the complainant and handling, which calls upon the relevant parties to participate in the review process. The lack of human rights knowledge and the lack of motivation and incentive to carry out obligations in respect of human rights are the noted obstacles, particularly among small and medium firms and entrepreneurs who have been negatively affected financially by the COVID-19 pandemic. All business sector representatives are supporting the incentive measures for the sectors to improve respect for human rights. They believe that many initiatives taken to increase consumer awareness of environmental issues, such as the adoption of green labels, are unsuccessful since the price of these products is higher than those of comparable commodities on the market.

Remedial Mechanisms: Apart from the remedies provided by the Office of the Permanent Secretary, Ministry of Justice through the Justice Fund Office, and the Rights and Liberties Protection Department through the Office of Financial Aid for Victims and Defendants in Criminal Cases, the Office of the Permanent Secretary, Ministry of Industry through the Provincial Industrial Office also manages the funds established by mining operators. Disputes have arisen in the form of remedies. These typically provide compensation for immovable and/or movable properties, including crops, and trees or the cost of moving and demolishing assets, but they do not cover business losses, lost wages or income for those impacted, or the consequences of changing lifestyles. . The result is that those affected perceive the fund is unjust. Additionally, solutions are frequently considered, but it is not until after they have been brought up that they are taken into account during the project planning stage with funding from the initial project. Another problem is related to the relocation of housing, as in many cases, the new locations are not suitable for normal living. In addition, no attention is given to working in an integrated manner with the responsible agencies, and there is a lack of standardised remedies. All these are barriers to accessing effective remedies. In many cases, a ruling cannot be

efficiently enforced because the contested corporation has filed for bankruptcy and been liquidated. As a result, those affected are left without any remedial action.

3.2.2 Operational Success Factors

From the above challenges, it was found that to succeed in solving human rights violations in the context of community, land, natural resources, and environment, the following need to be considered:

1. To scope out the powers of the relevant agencies for supervision appropriately and sufficiently and align that scope with activities to achieve the goals of the NAP with an adequate and appropriate allocation of resources;
2. To accelerate the issuance and endorsement of tools that shall be used to motivate the business sectors to strictly comply with the NAP and consider voluntary and compulsory measures that are necessary for the implementation of the NAP;
3. To initiate public relations and disseminate the NAP to all sectors, especially those at the local level, namely the operators and business sectors;
4. To raise awareness on human rights principles related to issues of community, land, natural resources, and environment;
5. To integrate all endeavours from every sector to improve community rights, land, natural resources, and environment.

3.2.3 Recommendations from Public Hearings

The recommendations arising from the compilation of opinions and discussions with various sectors on issues of community, land, natural resources, and environment can be summarised as follows:

1. To implement activities not yet completed in the first NAP with urgent action once the COVID-19 pandemic is under control;

2. To support the business sector, especially small and medium enterprises (SMEs), whose economies have been affected by the COVID-19 pandemic and help them effectively implement the NAP;
3. To conduct public hearings on issues under various laws both online and onsite so that the stakeholders, especially marginalised populations who do not have access to online information, can be reached and truly participate in the process;
4. To supervise the environmental impact assessment in line with transparency, legality, codes of conduct, and best practices. The appraisal report provider shall be independent, proficient, and able to disseminate relevant information before providing stakeholders with sufficient time to reach an understanding of the proposals and prepare their recommendations. In cases where the stakeholders are representing ethnic groups, translation into local dialects shall be provided with appropriate communications to promote meaningful participation;
5. To promote and support the Community Health Impact Assessment Report (CHIA) that does not duplicate with other legally mandated assessment tools, such as environmental impact assessments required by the Enhancement and Conservation of National Environmental Quality Act;
6. To empower officials involved in the monitoring process to enable them to oversee the implementation of recommendations made by the environmental impact assessment with an adequate budget allocated to support monitoring and ensure that recommendations are vigorously implemented;
7. To review laws and regulations such as the Minerals Act, B.E. 2560 (2017), to allow the public sector to vigorously participate in strategic plans, policies, and the issuance of licenses and concession certificates, and to designate the areas where community public hearings are required to truly reflect the impact of the business without limiting the area by distance;

8. To concretely apply the Strategic Environmental Impact Assessment (SEA), possibly as a mandatory measure for large projects that may affect the wider community and environment, not just conduct an Initial Environmental Examination (IEE);
9. To supervise the formulation of land use in town planning in line with the potential and role of the area, both in the context of special economic zones and in other areas, and with meaningful participation of stakeholders;
10. To encourage consideration of rights and land use to cover the social and cultural dimensions and spiritual, economic, environmental, and political aspects of the area, including in the context of various forms of tourism promotion;
11. To promptly act to solve pollution problems in various areas and to expedite the responsible agencies enforcement of the measures to control pollution from industrial sources, improve emission standards for the environment, and expedite the issuance of specific laws in the pollution control zone;
12. To solve PM 2.5 problems in an integrated and urgent manner, including by supporting appropriate knowledge and tools to prevent and resolve such problems;
13. To clearly define the issue of climate change in the NAP with substantive indicators;
14. To consider reviewing the announcement of the Ministry of Natural Resources and Environment requiring all types and sizes of waste power plants to perform environmental and health impact assessments;
15. To check out the waste separation and recycling business, including the disposal of various industrial wastes currently operated, to promote waste segregation from the outset, and to jointly develop a surveillance system for robust investigations and prosecutions in cases of illegal smuggling and transport of waste;
16. To consider allocating water to the agricultural sector fairly and sufficiently before diverting water to industrial areas, including increasing the efficiency of irrigation in the agricultural sector;

17. To set a standard for remedial measures for people affected by development projects. The compensation shall take into account business losses, lost or reduced wages, or the impact on lifestyle changes. In cases where a new residence is provided, it shall be a suitable space for living according to the original lifestyle, and there shall be a remedial plan in place from the project planning stage to determine the remedial budget for the initial project by allowing stakeholders to participate in the process;
18. To review whether appropriate remedial measures for residents or reliance on developed areas in the SEZs are appropriate, taking into account the damage to the livelihoods of people forcibly relocated, the cost of opportunity loss, and considering the revocation or review of areas that have not undergone appropriate consultation, including promoting integration among relevant agencies for effective remedies. In the context of the EEC, deem it appropriate to make compensation principles in accordance with the appropriate guidelines of the EEC Development Fund in the treatment of those negatively affected by the development of the EEC area on the principles of equality, equity, participation, and taking market price into account;
19. To support people affected to be able to effectively execute judgments;
20. To determine measures, benefits, and incentives for business sectors implementing the NAP.

3.2.4 Goals and Overall Indicators

Goal 1: Expand the nationwide establishment of mediation centres for disputes in the public sector.

Indicator: Decreased number of complaints related to community, land, natural resources and environment

Goal 2: Increase public knowledge and understanding of the EIA and EHIA process.

Indicator: Percentage of participants with knowledge and understanding of the EIA and EHIA process meets established criteria.

Goal 3: Thailand adopts community, land, natural resource, and environmental management policies, rules, regulations, directives, measures, and practises that adhere to international standards, particularly international human rights norms.

Indicator: International standards, including international human rights standards, are studied, considered, developed, revised, and improved with regard to policies, laws, regulations, directives, measures, and practices for community rights, land rights, natural resource management, and environmental management.

3.2.5 Action Plan and Indicators

Duty of State

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
1	Developing, improving and amending relevant laws, rules, regulations, and policies and measures				1.1 Review, improve, amend and propose draft laws, rules, regulations and measures relating to the promotion of genuine public participation in the management of land, water resources, climate, natural resources and the environment affected by business operations.*	Main agency - Ministry of Agriculture and Cooperatives (Rubber Authority of Thailand/Office Land Reform for Agriculture) - Ministry of Natural Resources and Environment (Office of Natural Resources and Environmental Policy and Planning/Department of Forestry/Department of Marine and Coastal Resources/Department of Water Resources/Department of Groundwater Resources)	2023-2027	Reviewed, improved, proposed and amended laws, regulations and related measures.	- The National Strategy on Eco-Friendly Development and Growth - The 13th National Economic and Social Development Plan, Milestone 1, 8, 10, 11, 13 - SDG 6, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
						- Ministry of Industry (Department of Industrial Works) - Office of the National Land Policy			

				1.2 Review, improve, amend and propose draft laws, rules, regulations, and measures related to land management, including those concerning the conservation and allocation of land, tourism policies, urban planning and special economic zoning policies in accordance with human rights principles. This involves considering the rights and use of land to cover the social, economic, environmental dimensions of the area.	Main Agencies - Ministry of Natural Resources and Environment (Department of National Parks, Wildlife and Plant Conservation) - Ministry of Interior - Ministry of Industry (Department of Industrial Works) - The Land Bank Administration Institute (Public organisation) - Office of the National Land Policy	2023-2027	Reviewed, improved, proposed and amended laws, regulations and related measures.	- The National Strategy on Eco-Friendly Development and Growth - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 13, 14, 15 - UNGPs Article 1, 3, 5, 7
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				1.3 Review, improve, amend and propose draft laws, rules, regulations and measures related to eviction, which should be the last resort. Should there be a need for an action, it must comply with the principles of universal human rights. These include consulting the General Recommendation of the Economic, Social and Cultural Rights Committee, considering the use of Free Prior Informed Consent forms, receiving appropriate compensation and enforcing the assessment report on "Eviction Impact" Assessments prior to formulating policy.*	Main Agencies - Ministry of Agriculture and Cooperatives - Ministry of Natural Resources and Environment Supporting Agencies - Ministry of Interior	2023-2027	Reviewed, improved, proposed and amended laws, regulations and related measures.	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8, 13 -SDG 5, 10, 11 - UNGPs Article 1, 3, 4, 5, 7
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					1.4 Review, improve, amend and propose draft laws, rules, regulations, and measures relating to the management of mineral resources, including license issuance and zoning of mining areas to facilitate public participation and determine areas where community feedback reflecting the impact of the business is required.*	Main Agencies - Ministry of Industry	2023-2027	Reviewed, improved, proposed and amended laws, regulations and related measures.	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8, 11, 13 - SDG 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7

				1.5 Review, revise, amend and propose draft laws, rules, regulations, and measures related to food rights, fair allocation of land for agricultural purposes, supervise and administer contract farming. This also involves pushing forward laws that are currently being considered, such as the Land Reform Act and the Protection of Agricultural Areas, Draft Act on Establishment of Land Bank and Draft Act on Establishment of Land Management Institute and distributing land holdings fairly and sustainably.*	Main Agencies - Ministry of Agriculture and Cooperatives (Office of the Permanent Secretary, Ministry of Agriculture and Cooperatives) - The Land Bank Administration Institute - Office of the National Land Policy	2023-2027	Reviewed, improved, proposed and amended laws, regulations and related measures.	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 11,16 - UNGPs Article 1, 3, 4, 5, 7
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					1.6 Review, improve, amend and propose draft laws, rules, regulations and measures related to environmental protection, clean air and control of all types of pollution. This includes considering the introduction of legislation calling for the establishment of a directory on the release and removal of pollution (PRTR), of industrial and non-industrial factories, instead of applying ministerial regulations. Promote clean air laws, and advance the improvement of the Enhancement and Conservation of National Environmental Quality Act B.E.	Main Agencies - Ministry of Natural Resources and Environment Supporting Agencies - Ministry of Industry (Department of Industrial Works)	2023-2027	Reviewed, improved, proposed and amended laws, regulations and related measures.	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8, 10, 13 - SDG 11, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					2535 to align with international human rights principles.*				

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					1.7 Review, improve, amend and propose draft laws, rules, regulations and measures to enhance the efficiency of environmental/health impact assessments. Increase transparency and independence as well as encourage the Community Health Impact Assessment Report (CHIA) mechanism.	Main Agencies - Office of the National Health Commission (NHO)	2023-2027	Reviewed, improved, proposed and amended laws, regulations and related measures.	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8,11,13 - SDG 3, 6, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7

				1.8 Study and develop laws on the climate change.	Main Agencies - Ministry of Natural Resources and Environment	2023-2027	- Study results - Developed draft laws.	- The National Strategy on Public Sector Rebalancing and Development - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 10, 11, 13 - SDG 13 - UNGPs Article 1, 3, 4, 5, 7
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				1.9 Review, improve, amend and propose draft laws, rules, regulations and measures relating to waste and industrial waste management.	Main Agencies - Ministry of Natural Resources and Environment - Ministry of Energy - Ministry of Industry (Department of Industrial Works) Supporting Agencies - Ministry of Energy (Department of Alternative Energy Development and Efficiency)	2023-2027	Reviewed, improved, proposed and amended relevant laws, regulations and measures.	- The National Strategy on Public Sector Rebalancing and Development - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8, 10, 13 - SDG 6, 9, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					1.10 Review, develop and amend the subordinate law relating to the establishment of a land bank or other organisations with similar objectives as the land bank.	Main Agencies - The Land Bank Administration Institute	2023-2027	- Number of laws, rules, and regulations relating to the establishment of a land bank or other organisations with similar objectives as the land bank	- The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8, 13 - SDG 11, 16 - UNGPs Article 24, 25, 26, 27, 28, 29, 31

				1.11 Develop incentives for environmentally friendly activities among farmers and operators.	Main Agencies - Ministry of Finance - Ministry of Natural Resources and Environment - Ministry of Energy (Department of Alternative Energy Development and Efficiency) - Ministry of Interior - Ministry of Industry Supporting Agencies - Ministry of Justice (Rights and Liberties Protection Department) - Ministry of Commerce - Ministry of Tourism and Sports	2023-2027	-Number of eco-friendly laws, policies or incentives	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Competitiveness Enhancement - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 7, 8, 10 - SDGs Goal 11, 12, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7
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2	Public Participation and Development of Community Potential Processes			2.1 Arrange for online and on-site public consultations and public hearings with affected communities and people prior to the start of the project. Communities and the public can participate in the policymaking process. Encourage people and communities to determine the use of and managing natural resources and the environment. Consideration should be taken to requiring local government organisations to organise public hearing and participatory approaches under the environmental and relevant laws.	Main Agencies - Ministry of Agriculture and Cooperatives (Department of Land Development/ Highland Research and Development Institute (Public Organisation)) - Ministry of Natural Resources and Environment - Ministry of Energy (Office of the Permanent Secretary, Ministry of Energy/Department of Mineral Fuels) - Ministry of Interior - Ministry of Industry (Department of Industrial Works) Support Agencies - Ministry of Social Development and Human Security (Department of Social Development and Welfare)	2023-2027	Projects/activities organised for public opinions	- National Strategy on Green Growth - The 13th National Economic and Social Development Plan, Milestone 1, 8, 10, 11 - SDG 7, 11, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					2.2 Promote community forest management to solve the issue of coexistence between the forest and the forest dweller communities, including expediting the preparation of a law issued under the Community Forest Act.*	Main Agencies - Ministry of Natural Resources and Environment	2023-2027	- Projects/activities/measures to promote or solve community forest management problems - Issuing legislation	- The National Strategy on Eco-Friendly Development and Growth - The 13th National Economic and Social Development Plan, Milestone 1, 8, 11, 13 - SDG 11, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7

				2.3 Disclose the information about the implementation of large projects which may affect the areas and communities wherein operated, before, during and after the project by allowing complete access of information, both offline and online, to the public.*	Main Agencies - Ministry of Transport - Ministry of Energy - Ministry of Industry (Department of Industrial Works/Department of Primary Industries and Mines) - Southern Border Provinces Administrative Center	2023-2027	- Number of channels for disseminating information about the project to the public, especially the stakeholders	- The National Strategy on Eco-Friendly Development and Growth - The 13th National Economic and Social Development Plan Milestone 8, 13 - SDG 9,11,13,14,15 - UNGPs Article 8
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				2.4 Jointly prepare a handbook that promotes public awareness regarding the rights to genuine participation in accordance with international human rights standards, as well as provides knowledge about the channels for obtaining services and remediation by integrating the knowledge of all sectors. The handbook should always be updated to keep up with legislation changes and disseminated widely. *	Main Agencies - Ministry of Natural Resources and Environment - Ministry of Energy (Office of the Permanent Secretary, Ministry of Energy) Supporting Agencies - Ministry of Industry - Ministry of Justice (Justice Fund/Rights and Liberties Protection Department)	2023-2027	- Explanation of Public Rights to Participate in Government Projects Handbook - Dissemination channels	- The National Strategy on Eco-Friendly Development and Growth - The 13th National Economic and Social Development Plan Milestone 11, 13 - SDG 11, 13, 14, 15 - UNGPs Article 8
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				2.5 Promote knowledge, skills and academic knowledge among the community to increase production efficiency.	Main Agencies - Ministry of Agriculture and Cooperatives (Rice Department/ Department of Agriculture/ Department of Cooperative Promotion/ Highland Research and Development Institute (Public Organisation))	2023-2027	Projects/activities for promoting knowledge, skills and academic knowledge among the community	- The National Strategy on Eco-Friendly Development and Growth - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan Milestone 1, 5, 8, 10 - SDG 11, 12, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7
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				2.6 Support and promote careers among community enterprises.	Main Agencies - Ministry of Agriculture and Cooperatives - The Land Bank Administration Institute (Public Organisation)	2023-2027	- Number of farmers and the poor that have received employment support and promotion	- The National Strategy on Eco-Friendly Development and Growth - National Strategy for Enhancing Competitiveness - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 7, 8, 10 - SDG 11, 12, 13, 14, 15 -UNGPs Article 1, 3, 4, 5, 7
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				2.7 Encourage children and youth to participate in the management of natural resources, the environment and the communities in any affairs in that affect children. Identify measures for children and youth's participation, while considering the best interests of the child.	Main Agencies - Ministry of Natural Resources and Environment Supporting Agencies - Ministry of Social Development and Human Security (Department of Children and Youth Affairs) - Ministry of Interior	2023-2027	Number of measures to encourage children and youth participations in the natural resources, the environment management in their communities	- The National Strategy on Eco-Friendly Development and Growth - The 13th National Economic and Social Development Plan, Milestone 8, 9 - SDG 11, 12, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7
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3	Environmental and Health Impact Assessment			3.1 Review and develop the environmental/health impact assessment system and public hearing process in the environmental /health impact assessment procedure in a transparent manner, strictly complying with the laws, code of conduct and good practice guidelines. This should engage the participation of people from all sectors involved. The appraisal report provider must be independent, proficient as well as disseminate relevant information in advance to provide stakeholders with sufficient time to understand the proposals and prepare their recommendations. Impact assessment reports and cases of human rights violations that occurred should be conducted under the applicable laws. In the event that stakeholders are	Main Agencies - Ministry of Natural Resources and Environment - Ministry of Industry	2023-2027	- Review and develop environmental and health impact assessment system - Manage grievances related to projects and providing solutions - Information dissemination channels	- The National Strategy on Eco-Friendly Development and Growth - The 13th National Economic and Social Development Plan, Milestone 8, 13 - SDG 7, 11, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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				ethnic groups, localizations should be made and communicated in an appropriate manner to encourage genuine participation.*				
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				3.2 Call for post-environmental impact assessment, monitoring and inspections to prohibit business sectors from violating the rights after the project is approved/ authorised. Increase of powers among the monitoring and investigative official. Allocate adequate budgets so that the staff can perform effective monitoring and supervision.*	Main Agencies - Ministry of Transport - Ministry of Natural Resources and Environment - Ministry of Industry (Department of Industrial Works) - Ministry of Energy (Department of Mineral Fuels)	2023-2027	- Developed a process to monitor the project periodically and constantly. - Determined the scope of power and provided support in terms of resources in the operations of the staff.	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 11 - SDG 11, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7
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				3.3 Offer knowledge on Strategic Environment Assessment (SEA), and encourage the enforcement of SEA for large projects that may potentially harm the community and the environment on a broad scale.*	Main Agencies - Office of the National Economic and Social Development Council Supporting Agencies - Ministry of Natural Resources and Environment	2023-2027	- Promoting and disseminating strategic environmental assessment (SEA) guidelines to be adopted by various agencies, including the business sector	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8, 12 - SDG 11, 13, 14, 15 - UNGPs Article 8
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				3.4 Strengthen the current environmental impact and safety assessment process, especially in the context of large-scale development projects and other high-risk projects: such as infrastructure, mining and energy projects. Consider the feasibility for implementing compulsory Human Right Due Diligence.	Main Agencies - Ministry of Transport - Ministry of Natural Resources and Environment - Ministry of Energy (Department of Mineral Fuels) - Ministry of Industry (Department of Industrial Works and the Department of Primary Industries and Mines) - Southern Border Provinces Administrative Center Supporting Agencies - Ministry of Justice (Rights and Liberties Protection Department) - Ministry of Transport - Ministry of Natural Resources and Environment - Ministry of Energy - Ministry of Industry	2023-2027	- Enforced EIA/EHIA procedures, especially on major projects. - Introduced safety standards and supervision measures, as well as support plans, reports, and solutions in case of an accident, occurs in the project.	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 10 - SDG 11, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					3.5 Decentralise the mandate to consider the Environmental Impact Assessment to the local and provincial authorities.	Main Agencies - Ministry of Natural Resources and Environment Supporting Agencies - Ministry of Industry	2023-2027	- Decentralise the mandate to review EIA reports to the provincial and local levels.	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 11, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7

4	Special Zones	Economic				4.1 Disclose information about the areas affected by the project implementation and the urban planning in the Special Economic Zones area, including the Eastern Economic Corridor (EEC). Land allocation in such areas must be considered based on the potential of land use, while ensuring the public participation, especially from the stakeholders and communities that may be affected.	Main Agencies - Ministry of Transport - Eastern Economic Corridor Thailand - Office of the National Economic and Social Development Council Supporting Agency - Ministry of Interior	2023-2027	- Implement public communication activities/project to disclose information before, during and after the project for public access, including information on the allocation of land use zoning plans. - Added channels for disseminating information on the project to keep the public, especially the stakeholders, informed.	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8,13 - SDG 9, 11, 13, 14, 15 - UNGPs Article 1, 3, 4, 5,7
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								- Number of public hearings in areas affected by the project(s), and discussions to resolve the current disputes.	
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				4.2 Consider appropriate measures for land expropriation. This includes reviewing or revoking areas that did not have proper consultation and consideration of fair and appropriate compensation affected individuals in disputed areas, taking into account the damage to the livelihoods from forced evictions, and the opportunity cost incurred. This is applicable to any land rights holders in any land title classification.**	Main Agencies - Ministry of Transport - Ministry of Interior	2023-2027	- Reviewed the appropriate measures for the expropriation of land. - Determined the criteria for compensation and fair remedy by consulting with those affected. - Launched solution measures for grievances that have occurred.	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8 - SDG 11, 13, 14, 15, 16 - UNGPs Article 1, 3, 4, 5, 7
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				4.3 Initiate measures urging the Special Economic Zones (SEZs) and the Eastern Economic Corridor (EEC) to observe the highest standards on good governance and UNGPs. specific agencies to be responsible for solving human rights violations occurring in the area.*	Main Agencies - Eastern Economic Corridor Thailand - Office of the National Economic and Social Development Council	2023-2027	- Developed guidelines/measures/policy statements urging the Special Economic Zones (SEZs) and the Eastern Economic Corridor (EEC) to observe the highest standards of governance and UNGPs. - Delegated responsible agencies to coordinate and resolve human rights violations.	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development. - The 13th National Economic and Social Development Plan, Milestone 1, 8, and 13 - SDG 11, 13, 14, 15, and 16 - UNGPs Article 1, 3, 4, 5, and 7
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5	Clean air and climate change			5.1 Prompt and immediate actions in solving pollution problems in various areas and expedite enforcement of pollution control measures from industrial sources. (This includes encouraging the industrial sector to establish in-house carbon reporting departments to create greenhouse gas accounts and exchange data with government agencies), as well as improve emissions. for decarbonisation carbon emission from business activities.	Main Agencies - Ministry of Natural Resources and Environment - Ministry of Industry	2023-2027	- Launched pollution decontamination measures - Reviewed / updated / amended emissions standards	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, and 13 - SDG 11, 13, 14, 15, and 16. - UNGPs Article 1, 3, 4, 5, and 7.
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				5.2 Determine climate change preparedness measures for businesses taking into account the human rights principles, and the context of Thai society. Inform the business on the climate change issues.	Main Agencies - Ministry of Natural Resources and Environment Supporting Agencies - Ministry of Justice	2023-2027	- Launched measures to support climate change for the business sector. - Established projects/activities to educate the business sector on climate change.	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, and 13. - SDG 11, 13, 14, 15, 16. - UNGPs Article 1, 3, 4, 5, and 7.
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6	Industrial waste and residues			6.1 Monitor the waste separation and recycling activities. Ensure the disposal of various industrial wastes is efficient and in accordance with international standards.	Main Agencies - Ministry of Industry (Department of Industrial Works)	2023-2027	- Monitored waste separation and recycling activities, including industrial waste.	- The National Strategy on Eco-Friendly Development and Growth - The 13th National Economic and Social Development Plan, Milestone 10. - SDG 9, 11, 13, 14, and 15. - UNGPs Article 1, 3, 4, 5, and 7.
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				6.2 Develop a monitoring system with the public and conduct investigations and prosecution against illegal smuggling and transport of waste.	Main Agencies - Ministry of Industry Supporting Agencies - Ministry of Interior - National Police Office	2023-2027	- Developed monitoring system - Number of cases accepted in the judicial process	- The National Strategy on Public Sector Rebalancing and Development. - The 13th National Economic and Social Development Plan, Milestone 10 - SDG 9, 11. - UNGPs Article 1, 3, 4, 5, 7, 8.
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				6.3 Develop or enhance the efficiency of laws and policies to establish accountability (under the polluter-pays principle) for decontamination and restoration of contaminated areas. Address other addressing other issues resulting from such incidents.	Main Agencies: - Ministry of Natural Resources and Environment - Ministry of Transport	2023-2027	Laws and policies that have been developed or revised for accountability (under the "polluter pays" principle) decontamination cleaning and restoration of restoring contaminated areas, and addressing related issues.	- The National Strategy on Eco-Friendly Development and Growth - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 10 and 13 - SDG 6, 9, 12, 13, 14, 15 - UNGPs Article 1, 3, 4, 5, 7
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7.	Community-based land, natural resources and environment management			7.1 Consider implementing surveillance, monitoring, tracking and investigation mechanism in case of violations of rights in land, natural resources and the environment by the business sector, with the engagement of community participation.	Main Agencies - Ministry of Natural Resources and Environment - Office of the National Land Policy Supporting Agencies - Ministry of Interior	2023-2027	7.1 Implemented surveillance, monitoring, tracking and investigation mechanism in case of violations of rights in land, natural resources and the environment by the business sector, with the engagement of community participation.	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8 - SDG 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8
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				7.2 Promote the enforcement of laws and policies related to land management, natural resources and the environment while taking into account the protection of rights of individuals and communities affected, such as rights to housing, rights to food, rights of access to land, rights to reasonable standards of living and gender, and ethnic dimensions. This involves the participation of such people, including supporting the community's role in conserving and restoring natural resources and monitoring environmental quality in accordance with relevant legal provisions.**	Main Agencies - Ministry of Natural Resources and Environment Department of National Parks, Wildlife and Plant Conservation - Office of the Attorney General Supporting Agencies - Ministry of Interior - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	- Projects/activities promoting the enforcement of the law regarding natural resources and environment management - Projects/activities encourage community roles in the management of natural resources and the environment.	- The National Strategy on Eco-Friendly Development and Growth - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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				7.3 Promote careers, and household income, improve communities as well, and build knowledge, skills, and academic knowledge among the community to increase production efficiency.	- Ministry of Social Development and Human Security (Department of Social Development and Welfare)- Ministry of Agriculture and Cooperatives (Highland Research and Development Institute (Public Organization)) - Ministry of Interior	2023-2027	- Projects/activities for Community Potential Building and Skills Promotion	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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				7.4 Promote community research on local wisdom on farming and approaches to conserve, utilise and restore land, natural resources and the environment.	Main Agencies - Ministry of Agriculture and Cooperatives (Highland Research and Development Institute (Public Organization)) - Ministry of Natural Resources and Environment - Office of the National Land Policy Board	2023-2027	- Projects/activities promoting local wisdom in farming and approaches to conserve, utilise and restore land, natural resources and the environment	- National Strategy on Green Growth - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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				7.5 Establish measures to ensure equitable access to natural resources, disclose public areas for shared benefits among the population, and distribute the authority to approve local-level resource utilization operations, including irrigation projects.	Main Agencies: - Ministry of Natural Resources and Environment - Ministry of Industry - Bank for Agriculture and Agricultural Cooperatives (Public Organization)	2023-2027	- The number of measures and guidelines to ensure equitable access to natural resources.	- National Strategy on Green Growth - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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8	Land and water management			8.1 Conduct investigations and prove the rights of occupiers and users of land and issuing of a document certifying legal rights.*	Main Agencies - Ministry of Interior - Office of the National Land Policy Board	2023-2027	Issuing documents certifying rights in accordance with the law	- National Strategy on Green Growth - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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				8.2 Appropriate measures for water resource management by ensuring fair and adequate water allocation to the agricultural sector before proceeding with diversion of water to industrial areas, including areas in the eastern region of the EEC.	Main Agencies - Ministry of Natural Resources and Environment - Office of the National Water Resources	2023-2027	- Initiated measures for water resources management.	- National Strategy on Green Growth - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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				8.3 Develop mechanisms for conservation and restoration of public water resources with public participation.	Main Agencies - Ministry of Natural Resources and Environment - Office of the National Water Resources	2023-2027	- Number of communities participating in the conservation of water resources	- National Strategy on Green Growth - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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9	Grievances			Publicise the grievance and complaint channels/mechanisms for individuals affected by business operations, especially on the issues of community rights, land, natural resources and environment, both nationally and extraterritorial impacts. Such channels must maintain confidentiality and availability in multiple languages or offer language coordinators to assist affected individuals from ethnic groups. The channels or the mechanism should coordinate among relevant agencies and inform the progress through case tracking and monitoring.	Main Agencies - Ministry of Agriculture and Cooperatives (Fish Marketing Organization) - Ministry of Transport - Ministry of Natural Resources and Environment - Ministry of Interior - Ministry of Justice - Ministry of Industry - Office of the Attorney General	2023-2027	- Public relations channels to raise public awareness regarding grievance channels for those affected by business operations in terms of land, natural resources and environment	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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10	Mediation/Litigation			10.1 Promote dispute mediation mechanisms, including the resolution of disputes through the civil mediation centres in all provinces.	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	- Number of cases pertaining land, natural resources and environmental disputes mediation mechanism - Number of settled cases - User satisfaction	- The National Strategy on Eco-Friendly Development and Growth - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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				10.2 Strengthen the competence and technical expertise of officials in the judicial process in conducting civil, criminal and administrative cases related to the environment, natural resources and land.*	Main Agencies - Office of the Attorney General Supporting Agencies - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	- Capacity building projects/activities for official in the in the justice process on the environmental, natural resources and land issues	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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11	Remediation			11.1 Identify remediation channels and measures or those affected by development projects by providing prompt and fair compensation that aligns with international human rights standards and is responsive to affected he needs of the people and communities If housing is to be provided, the location should be appropriate to the affected people's for livelihoods, in compliance to the principles in the UN Commission on Economic, Social and Cultural Rights General Comment No. 4.*	Main Agencies - Ministry of Agriculture and Cooperatives (The Royal Irrigation Department) - Ministry of Transport - Ministry of Natural Resources and Environment - Southern Border Provinces Administrative Centre Supporting Agencies - Ministry of Interior - Ministry of Justice (Rights and Liberties Protection Department) - Office of the National Land Policy Board	2023-2027	Developed remediation channels and measures for those affected by various development projects	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 1, 8, 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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				11.2 Prepare a remedial plan from the project planning stage to determine the remedial budget for the project from the outset by allowing stakeholders to participate in the process.	Main Agencies - Ministry of Transport - Ministry of Natural Resources and Environment - Ministry of Industry -Ministry of Interior	2023-2027	The number of projects in which remedial initiatives are planned from the outset with stakeholder participation.	- National Strategy on Green Growth - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					11.3 Establish systematic efficient rehabilitation plans for the land, environment and natural resources affected by business operations. Appoint a responsible agency(ies) and strengthen the expertise of the personnel in the agency in preparing, developing and enforcing the rehabilitation plan.*	Main Agencies - Ministry of Natural Resources and Environment Supporting Agencies - Ministry of Interior	2023-2027	- Identified responsible agencies. - Capacity building activities/projects to increase expertise on for individuals in agencies	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8 - SDG 10, 11, 15 - UNGPs Article 1, 3, 4, 5, 7, 8

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					11.4 Establish a risk insurance fund for human rights violation affected individuals from the business sector. Ensure the fund covers more business sectors and its effective enforcement.	Main Agencies - Ministry of Natural Resources and Environment	2023-2027	- Study a guideline on the establishment of Fund for individuals affected by human rights violations from the business sector.	- The National Strategy on Eco-Friendly Development and Growth - The National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16 - UNGPs Article 3, 4, 5, 7

* The activity was implemented under the First National Action Plan on Business and Human Rights but requires further action or has been adapted from the First National Action Plan on Business and Human Rights after being fully or partially implemented.

Corporate Responsibility

1. Compliance with laws, standards and human rights principles governing the environment, natural resources and land

1.1 State Enterprises and businesses should review the rules and regulations of the organisation and provide a declaration or policy statement on respect for the human rights of the organisation. They should promote, understand, and support amendments to rules, regulations, policy statements of subsidiaries and affiliates as well as supply chains, to ensure the protection of human rights related to the environment, natural resources, communities, and land in accordance with international human rights laws and standards, especially the UNGPs*.

1.2 State enterprises and businesses must disseminate laws, measures, rules, regulations, and human rights principles both within and between countries relating to human rights in terms of environment, natural resources, communities, and land among their personnel, including those in subsidiaries, affiliates, and supply chains in a way that is accessible to everyone.

1.3 State enterprises and businesses are required to observe and uphold all applicable laws, regulations, and human rights principles pertaining to the environment, natural resources, local communities, and places that are strictly protected by domestic and international law. They should promote and keep an eye on the supply chains, subsidiaries, and affiliates to ensure that they adhere to the aforementioned laws, regulations, and values.*

1.4 State Enterprises and businesses should consider preparing an annual Human Rights Impact Assessment (HRDD) report for public use.*

1.5 State enterprises and business must consider climate change issues into account when conducting operations. The Thai government has demonstrated its commitment to lowering greenhouse gas emissions in line with the goals set under Thailand's Long-term Low Greenhouse Gas Emission Development Strategies (LT-LEDS). This strategy involves both mitigation of greenhouse gas and climate adaptation to prevent severe economic, social, and environmental consequences for the population and society as a whole.

2. Promoting active participation from communities and public

2.1 State enterprises and businesses should disseminate information about their businesses, projects, and the environmental and health impact assessment reports to the public, especially the community and people in the area, before, during, and after the implementation of the project for transparency. This includes encouraging and monitoring the subsidiaries, affiliates, and supply chains to disseminate such information as well.*

2.2 State enterprises and businesses should communicate with people and nearby communities to create shared understanding. Public opinions from all sectors should be heard, and the participatory process of stakeholders must be respected.*

2.3 State enterprises and businesses should work closely with communities to support valuable and community-appropriate production processes.*

3. Environmental Impact Assessment (EIA) or Environmental and Health Impact Assessment (EHIA)

3.1 State enterprises and businesses should conduct a transparent EIA or EHIA assessment in strict compliance with the law, code of conduct, and practice guidelines through the participation of all sectors involved. The appraisal report provider must be independent, proficient as well as able to disseminate relevant information in advance in order to provide stakeholders with sufficient time to understand the proposals and prepare their recommendations. In the event that stakeholders are ethnic groups, localizations should be prepared and communicated in an appropriate manner to promote genuine participation.*

3.2 State enterprises and businesses should cooperate with the government and various agencies and mechanisms in validating accuracy and transparency in the preparation of EIA and EHIA. This also includes a rehearsal of dealing with the impact of the project's implementation.*

4. Grievance Mechanism and Remediation

4.1 State enterprises and businesses should establish complaint channels and grievance mechanisms within the organisation (Operational Grievance Mechanism: OGM). They should

ensure that confidential information is protected and various channels for complaints are provided, noting that the channels are easily and quickly accessible, the complaint results are traceable, and they can be coordinated with other agencies. Examples include a complaint system on the website, a complaint system via mobile phone, etc.*

4.2 State enterprises and businesses should consider settling disputes regarding lands, natural resources, and the environment with the community through mutual dialogue and conversation. In this regard, relevant agencies in the area may be coordinated to help mediate and settle disputes.*

4.3 State enterprises and businesses should cooperate with the government sector, international organisations, and other independent mechanisms in the event of operational monitoring in accordance with laws, standards, and human rights principles related to the environment, natural resources, communities, and land.*

4.4 State enterprises and businesses should be equipped with remedial measures to compensate individuals and communities affected by human rights violations as a result of business covering physical, mental, economic, and social damage.*

* The activity was implemented under the First National Action Plan on Business and Human Rights but requires further action or has been adapted from the First National Action Plan on Business and Human Rights after being fully or partially implemented.

3.3. Action Plan on Human rights defenders

3.3.1 Overview and Challenges

The following accomplishments and advancements were made during the first NAP's (2019-2022) implementation period by the government and businesses: The first was the development of legislation for the protection of human rights defenders. However, several challenges were faced, including but not limited to the Coronavirus 2019 pandemic (COVID-19), which prevented several activities from going as planned. For example, it was unable to extend an official invitation to Human

Rights Council experts under the Special Mechanism of the United Nations High Commissioner for Human Rights due to COVID-19. On-site community capacity-building activities, which require in-person meetings, were postponed to avoid COVID-19 spreading during the first NAP. These will be carried over to the second phase. The following sections provide a summary of the developments and challenges.

Identify the issues facing human rights defenders in the fourth National Human Rights Master Plan. This ensures that human rights defenders' issues will be included in the fourth National Human Rights Master Plan (2019-2023). On June 30, 2020, the National Human Rights Master Plan was approved by the Cabinet and made official. The Ministry of Justice has made a number of proposals in this respect, including expediting the adoption and implementation of pertinent draft legislation, such as the Draft Criminal Witness Protection Act (No. ...) B.E. ... The Act should comply with applicable international standards and ensure protection for human rights defenders. Furthermore, the Act should guarantee investigations and elevate the importance of human rights defenders' roles in the country. For the ongoing period of 2023–2027, human rights defenders continue to be one of the key target groups mentioned in the National Human Rights Plan (No. 5).

Research into Strategic Lawsuits Against Public Participation Prevention Measures for Human Rights Defenders through the Development of Legislation, Regulations, or Protective Measures During 2020-2022, the Rights and Liberties Protection Department under the Ministry of Justice and the United Nations Development Programme (UNDP) conducted two research projects: the Human Rights Defenders Protection Research Project and the Legislation and Preventive Measures for Strategic Lawsuits Against Public Participation (SLAPPs). Details of the projects are given below.

The Human Rights Defenders Protection Research Project studies the challenges Thai human rights defenders are facing. It documents historical information and patterns of intimidation against human rights defenders and gives a coherent definition of a Human Rights Defender by referring to relevant international standards. The study also examines current guidelines, rules, regulations, and other controls designed to improve the safety of human rights defenders. A summary of the current mechanisms, a discussion of the pertinent circumstances, and an evaluation of the mechanisms'

efficacy are also included. Finally, it looked at access to remedies and additional measures to address the situations facing human rights defenders.

Legislation and Measures to Prevent Strategic Lawsuits Against Public Participation. This examines the legislation, regulations, and measures taken to prevent deliberate legal actions against strategic lawsuits against public participation. The research provides a comparative overview of the situation of strategic lawsuits against public participation internationally and governments' preventive measures in other countries. Finally, it provides statistics on strategic lawsuits against public participation in Thailand.

A group of researchers with specific expertise was commissioned to conduct the research projects in consultation with the research project steering committee. The steering committee members consist of representatives from civil society organisations, human rights defenders, government agencies, and the private sector. The initial findings from the two studies were presented at several meetings, including small group discussions, regional meetings, and the National Consultation.

Amend existing laws and enact laws to bolster the protection of human rights defenders.

Legislation is in the process of development, along with the amendment of existing laws, such as the Bill on Damages for the Injured Person and Compensation and Expenses for the Accused in the Criminal Case Act (No. ...) B.E. ... These are designed to improve effective compensation for injured persons and provide compensation and expenses to the defendants in criminal cases. Another legislative development is the Bill on Measures to Prevent Strategic Lawsuits against Public Participation in Corruption and Malfeasance Cases B.E. ... The Cabinet has approved the Bill as proposed by the National Anti-Corruption Commission (NACC) in principle, and it is currently under consideration by the Office of the Council of State. Finally, the Ministry of Justice proposed an amendment to the Draft Criminal Cases Witnesses Protection Act (No. ...) B.E. ... from the version in 2003.

However, several challenges have been observed. A large number of representatives of civil society and human rights defenders consider that the enforcement of the Criminal Procedure Code, Sections 161/1 and Section 165/2, along with Section 21 of the 2010 Public Prosecutor and Public Prosecutor

Organisation Act and the Office of the Attorney General's Regulation on Issuing Prosecution Orders for Criminal Cases without Public Interest and Cases that may Impact National Safety, National Security, or National Interest of 2011, which are key laws that can be applied to terminate the Strategic Lawsuits against Public Participation, are insufficient to terminate the strategic lawsuits against public participation. They reason that these laws do not specifically guarantee the exercise of fundamental liberties and human rights. The laws use ambiguous and vague terms. The lack of defined operational standards makes authorities wary of using their legislative authority. Additionally, while litigation is being contemplated under Strategic Lawsuits against Public Participation, the statute does not include any options for authorities to oppose a prosecution order. Additionally, there are no screening procedures in place within the current state systems, ranging from the police investigation to the prosecution order by the public prosecutor, to stop bad-faith strategic litigation against public involvement. That said, the NACC has attempted to enact the Bill on Measures to Prevent Strategic Lawsuits against Public Participation in Corruption and Malfeasance Cases B.E. ..., which clearly defines "gag lawsuits" as a guide for judges, inquiry officials, and public prosecutors to dismiss any litigation characterised as a "gag lawsuit". However, the application of the Bill is limited to litigation involving corruption and malfeasance in the official authority.

Grievance Mechanisms and Assistance At present, there are several grievance mechanisms and interventions for people suffering from human rights violations. These grievance procedures are available from the Office of the National Human Rights Commission, the Office of the Ombudsman, Damrong Dharma Centres, the Rights and Liberties Protection Department of the Ministry of Justice, the MOJ Service Centres, Provincial Justice Offices, Community Justice Offices, and public prosecutor grievance centres under the public prosecutors' offices in various areas. Complainants can also use the network of civil society organisations for grievance procedures.

Promotion of mediation systems Mediation channels are available at multiple levels. The mediation process can be applied before, during, or after litigation. For example, the dispute mediation processes under the Mediation Act B.E. 2562 involve mediation processes at the public prosecutor level and the court of justice. The mediation systems ensure the efficient administration of justice and reduce the number of court cases.

Remedies for injured person Remedies assist persons injured as a result of human rights violations and strategic lawsuits against public participation. Currently, the “Justice Fund”, established under the 2015 Justice Fund Act, provides financial aid for legal proceeding. The fund also offers assurance for provisional release to defendants and accused parties. Additionally, it educates the broader public on legal matters.

However, it was discovered through discussions with important stakeholders that human rights defenders have been the target of strategic lawsuits against public participation because they engage in an activity or voice opinions to support and protect human rights. The lack of support and assistance during the legal procedure and difficulties in obtaining the Justice Fund as a result of the Fund Committee's use of discretionary powers to approve applications were two issues that human rights defenders frequently raised. Also, despite the court awarding compensation after litigation, they have not been able to receive any funds should a company go bankrupt. Human rights defenders have also experienced issues arising from officials' attitudes, which can be an additional challenge to accessing remediation.

Capacity-building training activities The Rights and Liberties Protection Department, Ministry of Justice has been providing training activities and thus an insight into human rights defenders' roles and responsibilities. Furthermore, the Department has organised training activities for law enforcement officers to increase their knowledge and understanding of law enforcement and the protection of human rights. The training activities involve the protection of liberties of expression and peaceful assembly, with reference to UN Human Rights Committee General Comment No. 37. The Department organised human rights knowledge training workshops and education for the public and communities, including human rights defenders. The educational sessions and activities aspire to complement the knowledge of human rights principles, human rights laws, available government services, and assistance packages. Moreover, the Royal Thai Police Headquarters has prepared an operational manual under the Public Assembly Act B.E. 2558 (2015) (Revised Edition B.E. 2563 (2020)) and distributed copies to the police, affiliated agencies, and the general public. The Office of the Attorney General has provided training activities to equip participants with proper and fair use of

relevant legislation, regulations, and policies on offences committed both inside and outside the Kingdom.

3.3.2 Operational Success Factors

From the aforementioned challenges, it is evident that the factors for success in addressing issues and promoting the role of human rights defenders in the context of business and human rights must consider the following:

1. Integrative and Shared Learning: Collaborate and learn together with all sectors to enhance the effectiveness of activities related to human rights defenders. This includes integration for more efficient enforcement of laws to promote and protect the work of human rights defenders, ensuring access to complaint mechanisms, supporting advocacy processes, and providing effective remedies for those impacted.
2. Support and Increased Understanding: Increase understanding of the roles and responsibilities of human rights defenders among the business sector. This enables effective implementation of operational plans, particularly for small and medium businesses, in accordance with their operational plans.
3. Promote Understanding and Attitudes: Develop positive understanding and attitudes among government agencies, state-owned enterprises, and the business sector towards the role of human rights defenders as development partners. This includes supporting dialogue spaces, fostering understanding, and engaging in collaborative work.
4. Collaborative Consultation: Engage in collaborative consultations with all sectors to develop appropriate guidelines and measures for the protection of human rights defenders that are suitable for the context of Thailand.

3.3.3 Recommendations from Public Hearings

Following consultations and discussions with relevant stakeholders, recommendations on human rights defenders can be summarised as follows:

1. Urgently implement activities of the first National Action Plan (NAP) that have not been completed soon after the spread of COVID-19 is under control;
2. Identify issues facing human rights defenders in the 5th National Human Rights Master Plan (2023-2027);
3. Promote a proper understanding of human rights defenders' definitions, roles, and responsibilities among all relevant stakeholders. Ensure mutual trust and promote any missions regarding the systematic protection of human rights defenders in the judiciary process, especially concerning children, minors, and gender-sensitive cases;
4. Encourage effective implementation of recommendations from research projects, including by reviewing, amending, and repealing relevant laws, measures, and mechanisms. This can be achieved by engaging stakeholders from all sectors to foster effective protection for human rights defenders, including preventing strategic lawsuits against public participation and using effective and comprehensive legal mechanisms;
5. Encourage and push for reviews and amendments of relevant laws on assistance and remedies for human rights defenders and those affected by strategic lawsuits against public participation through, for example, the Justice Fund. Ensure comprehensive and more efficient assistance for human rights defenders;
6. Accelerate the legislative process aiming to protect human rights defenders, including the Bill on safeguarding human rights defenders from Strategic Lawsuits Against Public Participation in Corruption and Malfeasance Cases. B.E. ... The pending consideration of such laws by relevant agencies should be expedited promptly;
7. Raise public awareness and increase awareness among judiciary officials on the roles and responsibilities of human rights defenders, public interest litigation, strategic lawsuits against public participation, and issues arising from such litigation;

8. Review the delegation of responsibilities under the National Action Plan among relevant implementing agencies. Ensure effectiveness and clarity in the assignment of activities;
9. Use measures and mechanisms to promote and protect human rights defenders and their function. These measures include supporting the work of human rights defenders through enhanced knowledge and understanding of the government's existing protection mechanisms, access to them, and operational methods for such mechanisms. Address operational challenges and support human rights defenders to have safe and secure online and offline operations; and
10. Identify lessons learned with the purpose of deriving a body of practical knowledge from human rights defenders. Promote understanding of practices and guidelines for the protection of fundamental rights among government agencies and create an exchange platform for administering the issues and problems in the performance.

3.3.4 Goals and Overall Indicators:

Goal 1: Thailand becomes a state party to the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), ensuring the protection of all individuals from enforced disappearance

Indicator: Thailand's ratification to the ICPPED.

Goal 2: Establish procedures or systems to fairly protect human rights defenders.

Indicator: Number of developed or established measures or mechanisms to protect human rights defenders.

Goal 3: All sectors have knowledge and understanding of the role of human rights defenders.

Indicator: Decreased number of complains related to human rights defenders

3.3.5 Action Plan and Indicators

Duty of State

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
1	Becoming an international human rights treaty party and cooperating with various human rights mechanisms				1.1 Encourage the country to ratify an international human rights International Conventions, e.g. the International Convention on the Protection of All Persons from Enforced Disappearance (ICPPED).*	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	Thailand has become a member to the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), which aims to safeguard individuals from forced disappearances.	- National Strategy on National security - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 11, 16, 17 - UNGPs Article 1, 3, 5, 7

					1.2 Promote cooperation with UN and regional human rights mechanisms.*	Main Agencies - Ministry of Foreign Affairs -Ministry of Social Development and Human Security (Department of Women's Affairs and Family Development) -Ministry of Justice (Right and Liberties Protection Department)	2023-2027	- Establish Conduct international cooperation with various agencies and organisations - Make An official visit or a Technical Visit to Thailand from the United Nations Human Rights Council's special mechanism	- National Strategy on National security - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 11, 16, 17 - UNGPs Article 1, 3, 5, 7
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2	Amendments to laws, regulations, policies and related measures			2.1 Consider, formulate, review, improve or amend laws, measures, mechanisms, and processes to enable the protection of human rights defenders, including women human rights defenders (WHRDs) and other vulnerable groups to work safely both off-line and online, in alignment with international human rights laws and standards.*	Main Agencies -Ministry of Justice (Rights and Liberties Protection Department) - Office of the Attorney General Supporting Agencies - Ministry of Social Development and Human Security	2023-2027	- Consider/ develop/ review/improve/ amend laws, measures, mechanisms, and processes for the protection of human rights defenders.	- National Strategy on National security - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16 - UNGPs Article 1,3,5,7
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					2.2 Review, amend, develop, and Implement preventive measures for effective safeguards against Strategic Lawsuits Against Public Participation (SLAPP).*	Main Agencies - Office of the Attorney General Supporting Agencies - Ministry of Justice (Rights and Liberties Protection Department) - Office of National Anti-Corruption Commission	2023-2027	- Measures are in place to enhance the prevention of Strategic Lawsuits Against Public Participation	- National Strategy on National security - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16 - UNGPs Article 1, 3, 5, 7

					2.3 Identify lessons learned, exchange knowledge, development of knowledge, and consult human rights defenders both nationally and internationally for constructive operation.*	Main Agencies - Ministry of Foreign Affairs - Ministry of Justice (Rights and Liberties Protection Department) Supporting Agencies - Ministry of Defense - Royal Thai Police	2023-2027	- Projects/activities for identifying lessons learned, knowledge exchanges, knowledge development, and national and international consultations on human rights defenders	- National Strategy on National security - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 11, 16 - UNGPs Article 1, 3, 5, 7
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3	Create understanding				3.1 Create knowledge and understanding of the role of human rights defenders among all stakeholders.	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) Supporting Agencies - Ministry of foreign Affairs	2023-2027	- Projects/ activities/ publication to raise awareness on the roles of human rights defenders - Participants' level of knowledge and understanding of the projects/activities/lessons from publication	- National Strategy for Creating Opportunities and Social Equality - The 13th National Economic and Social Development Plan, Milestone 12 - SDG 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8
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				3.2 Share good practice guidelines on measures to promote Liberties of expression and Liberties of assembly and adapt to the Thai context. Specifically, develop guidelines under the framework of the international human rights treaties and mechanisms to which Thailand is a party, such as the United Nations Human Rights Commission General Comments No. 34 and No. 37. This includes protecting the rights and liberties of children, minors, and gender-sensitive cases.*	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) Supporting Agencies - Ministry of Defence - Ministry of Foreign Affairs - Royal Thai Police - Office of the Attorney General	2023-2027	- Projects/activities to raise awareness on measures for the promotion of Liberties of expression and Liberties of assembly in compliance with international human rights standards - Good Practice/Guidelines on the measures to promote Liberties of expression and Liberties of assembly Public Assembly Act B.E. 2558 (2015)	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 11, 16, 17 - UNGPs Article 1, 3, 5, 7, 8, 10
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					3.3 Provide knowledge and understanding and establish measures and mechanisms to monitor illegal websites and input misinformation and fake news. Take action against businesses that commit such crimes.	Main Agencies - Ministry of Digital Economy and Society - Royal Thai Police - Office of the Attorney General	2023-2027	- Projects/activities to create an understanding of illegal websites, inputting fake news, and misinformation to the internet - Take measures and mechanisms to monitor illegal websites, misinformation, and fake news - Prosecute offences involving illegal websites, misinformation, and fake news	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 6, 12 - SDG 16 - UNGPs Article 1, 3, 4, 5, 7, 8
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					3.4 Provide knowledge and understanding and establish measures and surveillance mechanisms, including taking legal action against exploitative online media or technologies.	Main Agencies - Ministry of Digital Economy and Society - Royal Thai Police - Office of the Attorney General	2023-2027	- Projects/activities to provide knowledge and understanding of exploitative online media or technologies - Implement measures and mechanisms to monitor exploitative online media or technologies - Take legal actions against exploitative online media or technologies	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 6, 9 - SDG 16 - UNGPs Article 1, 3, 4, 5, 7, 8
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					3.5 Provide training activities for officials in the justice processes and law enforcement officials, including witness protection officials. Create understanding and increase the capacity to effectively implement human rights defender protection laws, measures, and mechanisms.*	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department /Department of Special Investigation) Supporting Agencies - Ministry of Defence - Royal Thai Police	2023-2027	Projects/activities to build an understanding of human rights defenders' protection measures/mechanisms to officials in the judicial processes	- National Strategy on Public Sector Rebalancing and Development -The 13th National Economic and Social Development Plan, Milestone 13 - SDG 11, 16, 17 - UNGPs Article 1, 3, 5, 7, 8, 10

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
						- Office of the Attorney General			

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					3.6 Organise capacity-building training activities for lawyers and prepare a list of lawyers/legal advisors who have the expertise and understand the human rights case legal representation.*	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	- Capacity building projects/activities/trainin g activities for human rights lawyers - List of attorney-at-law/legal advisors specialising in human rights	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16 - UNGPs Article 1, 3, 5, 7

					3.7 Outreach to communities and human rights defenders to inform them about their rights, various state assistance services, access channels, and methods of implementation. The information focuses on the rights in the justice processes, the bail process, law enforcement, etc.*	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) Supporting Agencies - Office of the Attorney General	2023-2027	- Knowledge sharing channel to human rights defenders on human rights, state services, and other assistance	- National Strategy on Human Resource Development and Empowerment - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8 - SDG 11, 16 - UNGPs Article 1, 3, 5, 7, 8, 9, 10
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4	Complaints, Grievance, and Assistance Seeking				Integrate timely, effective, and ease-of-access grievance, assistance, and support mechanisms to resolve human rights violations that may arise from business operations. Provide information for the public on the above-mentioned mechanisms. Regularly update complainants on the progress of relevant complaints.	Main Agencies - Ministry of Social Development and Human Security - Ministry of Agriculture and Cooperatives - Ministry of Natural Resources and Environment - Ministry of Commerce - Ministry of Interior - Ministry of Justice (Justice Fund/ Rights and Liberties	2023-2027	- Number of resolved complaints - Complainant satisfaction assessment - Action / coordination in providing protection, assistance, and care for complainants	- National Strategy on Public Sector Rebalancing and Development - SDG 16 - UNGPs Article 24, 25, 26, 27, 28, 29, 31
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						Protection Department) - Ministry of Industry (Department of Industrial Works) - Royal Thai Police - Office of the Attorney General			
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5	Mediation/Prosecution Mechanisms				5.1 Integrate, promote, and publicise the mediation system available at every level of the justice system. Develop alternative dispute resolution mechanisms.*	Main Agencies -Ministry of Justice (Rights and Liberties Protection Department) -Office of the Attorney General	2023-2027	- Projects/activities to promote mediation and alternative dispute resolution measures - Public communication channels for mediation at every justice system level - Number of mediation measures/centres for dispute resolution - Number of mediation cases	- National Strategy on Balancing and Developing Public Administration and State Management - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16 - UNGPs Article 24, 25, 26, 27, 28, 29, 31
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					5.2 Train and increase the capacity of mediators and equip them with knowledge and understanding of human rights protection and human rights defenders. Enhance understanding of gender-sensitive cases among children and youth.	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	- Mediator training projects/activities - Number of trained mediators	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16 - UNGPs Article 1, 3, 4, 5, 7, 8, 10, 27, 28, 29
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					5.3 Assist human rights defenders in accessing justice.	Main Agencies - Ministry of Justice (Justice Fund/Rights and Liberties Protection Department) - Office of the Attorney General	2023-2027	- Available channels/mechanisms/ measures to assist human rights defenders in accessing the justice system	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16 - UNGPs Article 24, 25, 26, 27, 28, 29, 31

6	Remediation				6.1 Remediation for victims/ injured persons in accordance with the relevant laws. Develop both physical and mental and remediation measures that are appropriate and gender sensitive in compliance with international human rights standards, including the UN Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power.*	Main Agencies - Ministry of Justice (Justice Fund/Rights and Liberties Protection Department) Supporting Agencies - Ministry of Social Development and Human Security - Ministry of Public Health	2023-2027	- Improve remedial measures and systems for victims/injured persons to meet international human rights standards	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16 - UNGPs Article 24, 25, 26, 27, 28, 29, 31
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					6.2 Resolve legal gaps and barriers to access effective remedial processes, including expanding access to remedies and assistance under the Justice Fund.	Main Agencies -Ministry of Justice (Justice fund)	2023-2027	- A study/ consideration/ review/ amendments/ improvement of relevant laws, rules, or regulations to increase access channels for remedies and assistance from the Justice Fund.	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG16 - UNGPs Article 1, 3, 4, 5, 7, 8, 10, 27, 28, 29

* The activity was implemented under the First National Action Plan on Business and Human Rights, but requires further action or has been adapted from the First National Action Plan on Business and Human Rights after being fully or partially implemented.

Corporate Responsibility

1. Compliance with laws, measures, and human rights principles on the protection of human rights defenders

1.1 State enterprises and businesses shall review the rules, regulations, and policies in their organisations. They should promote subsidiaries, affiliates, and supply chains to replicate the same practices and seek to understand and support the amendment of rules and regulations for the protection of human rights defenders. They should ensure human rights defenders will not be unfairly dismissed or prosecuted for demanding human rights for themselves, for other individuals, or for the public interest.*

1.2 State enterprises and businesses shall disseminate laws, measures, rules, regulations, policies, and human rights principles applicable to the protection of human rights defenders to their personnel, including accessible channels for information.*

2. Provide knowledge and understanding of the duties of human rights defenders

2.1 State enterprises and businesses should review and assign specific staff or an entity in their respective business organisations to provide information, organise training activities, publicise, and foster an accurate understanding of the roles of human rights defenders to their staff and affiliated entities, including their connections and network. They should participate in activities organised by government agencies on the above topics.*

2.2 State enterprises and businesses should set up a platform to dialogue with human rights defenders to foster an understanding of their collaboration.

3. Establish measures to protect human rights defenders

3.1 State enterprises and businesses should engage with government agencies in developing measures to protect human rights defenders and strengthen understanding of their roles.

3.2 State enterprises, businesses, and civil society should cooperate with the government and international organisations as and when required to supply information on actions or lawsuits

against human rights defenders. This includes providing information on the overall situation of the disputes and working with human rights defenders.*

4. Grievance Mechanisms and Remediation

4.1 State enterprises and businesses should establish a channel or a platform to consult with human rights defenders for understanding and constructive engagement. The platform may involve grievance handling to prevent, mitigate, and remedy adverse human rights impacts.*

4.2 State enterprises and businesses should provide clear channels for receiving complaints and assign a specific coordinator to handle complaint. They may consider dialogues and consultations with human rights defenders as methods for dispute resolution. Additionally, they may contact applicable local state agencies when using mediation for dispute resolution. State enterprises and businesses should avoid taking any legal actions against any human rights defenders who protect their rights, other individuals' rights, or public interests.*

* The activity was implemented under the First National Action Plan on Business and Human Rights but requires further action or has been adapted from the First National Action Plan on Business and Human Rights after being fully or partially implemented.

3.4 Action Plan on Transboundary Investment and Multinational Enterprises

3.4.1 Overview and Challenges

Progress has been made in a number of areas of the First Action Plan (2019–2022) for the Action Plan for Transboundary Investment and Multinational Corporations. Principles and procedures to advance and deepen respect for human rights in the context of global corporations and investment have been led by actions described in the Action Plan. However, several challenges require further practical resolution. Some activities have to be carried out more aggressively in the Second Action Plan as a result of the spread of COVID-19. Key progress and challenges can be summarised as follows:

The mechanism for complaints on transboundary human rights violations A sub-steering committee was established by the Human Rights Action Committee of Thailand to oversee the execution of the National Action Plan on Business and Human Rights. Its responsibilities include analysing suggestions and comments from the public. They are entrusted with addressing grievances and charges relating to commercial activities that may be subject to human rights abuses, both in the case of domestic investment and investment by Thai investors overseas. In addition, many human rights violations involving Thai companies abroad were examined by the National Human Rights Commission (NHRC). In 2020, the NHRC made recommendations for the promotion and protection of human rights on the topic "Community rights in the Republic of the Union of Myanmar where people are affected by mining companies" to various agencies to process and, later, to present these recommendations to the Cabinet. The Neighbouring Countries Economic Development Cooperation Agency (NEDA) has added channels for receiving complaints and hearing to opinions under the specific topic, "Human Rights Complaints". It was created specifically for people to directly, through the agency's website, share suggestions or complaints related to the operations of the Neighbouring Countries Economic Development Cooperation Agency (NEDA).

However, the understanding of all parties regarding Thailand's obligations to human rights violations committed by persons under their jurisdiction in other countries, which bind all the legislative, executive, and judicial branches, is still limited. Although understanding the Principles of

Extraterritorial Obligations gives states jurisdiction over any actions taken by the state and affects people living outside its territory in terms of their human rights, it is not well recognised in Thailand. These problems affect legislation, policies, and guidelines and prevent some groups of people affected by human rights violations outside Thailand from accessing aid and remedy mechanisms in Thailand.

The procedures for receiving and reviewing complaints in situations of human rights breaches from Thai investments or Thais living abroad, such as complaints to the NHRC, continue to face legal and practical challenges. This is due to the fact that relevant statutes do not explicitly define the NHRC's realm of authority. Despite the NHRC's efforts to examine human rights breaches by multinational firms and its many recommendations, there have been obstacles to and delays in implementing such recommendations. The sub-steering committee for the implementation of the National Action Plan on Business and Human Rights has the power to review complaints regarding businesses in Thailand or Thai multinational corporations abroad. However, there are limitations in the breadth of inquiry powers, including the ability to hold criminals accountable or penalise them.

In addition, Thailand currently faces problems and challenges in terms of practices and laws. It is still problematic whether the law can guarantee that victims of business operators, especially in a transboundary context, to effectively access justice and remedies in Thailand. Some of the important issues are the scope of the power of the court, conflicting legal principles, and statutes unfavourable for cross-border litigation. The legal status of the entity being separate from its shareholders is also problematic, as the parent company's liability for the operations of its affiliates is limited. Such issues, therefore, need to be revised and improved.

Examination of the current mechanisms shows that they focus on reviewing complaints after human rights violations have occurred. There is a lack of proactive mechanisms to insure, assess, and monitor transboundary impacts of human rights violations committed by Thai multinational corporations abroad or by companies that have transboundary impacts on Thailand. For instance, the Environmental Impact Assessment (EIA) is a mechanism that assesses the potential environmental impact of a project before its implementation can be decided. In 2018, the Mekong River Commission for Sustainable Development, of which Thailand is a member, presented

Guidelines for Trans-boundary Environmental Impact Assessment in the Lower Mekong Basin (Working Document) to the public with the objective of supporting the national environmental impact assessment system for various projects that could have transboundary impacts through enhancing cross-border communication and coordination. However, determination of criteria, methods and conditions for the preparation of environmental impact assessment reports based on the National Environmental Protection and Enhancement Act B.E. 2535 (1992) and its amendments (Section 2) B.E. 2020 will cover the impacts of projects located in Thailand only and it does not cover the transboundary impacts.

Disclosure of human rights information by Thai listed companies In 2020, the Capital Market Supervisory Board of the Securities and Exchange Commission (SEC) determined that all Thai listed companies must report human rights issues in their annual reports (Archived Annual Report, Annual Report Form 56-1, or One Report). It became effective with the fiscal year ending December 31, 2021, and the beginning of 2022. Companies issuing marketing securities to the public for the first time (IPO) will begin to disclose human rights issues in the filing. The objective is to enhance discipline among practitioners through market-driven measures rather than legal measures. They encourage the disclosure of the goals and overview of sustainability management policies, impact management for stakeholders in the business value chain, and sustainability management in social and environmental dimensions. In addition, the Securities and Exchange Commission (SEC) and the Stock Exchange of Thailand have promoted the disclosure of information on the performance of Thai listed companies. These companies are encouraged to cover issues of respect for human rights in accordance with the UNGPs and to conduct a sustainability assessment, including the evaluation of human rights practices for both the company and its partners, starting from the policy level through implementation policy compliance tracking and disclosure.

Promoting a comprehensive application of human rights principles In addition to publishing the handbook called Human Rights Due Diligence (HRDD) by agencies such as the Rights and Liberties Protection Department and the Office of the National Human Rights Commission, there is also an example of comprehensive human rights monitoring by the Office of Economic Development Cooperation with Neighbouring Countries under the declaration on human rights policy focusing on

assisting neighbouring countries. It was enacted on June 29, 2021, and requires a study, review, and comprehensive assessment of the risks of human rights violations before executing large-scale projects or projects related to public service, including any joint investment between the public and private sectors. Channels to disclose information and mechanisms to assist and discuss matters with affected communities in neighbouring countries have also been established. HRDD studies are required for all projects by the Neighbouring Countries Economic Development Cooperation Agency (NEDA) to provide academic assistance in the future. NEDA is still in the process of considering financial assistance for Myanmar. It is to support the framework of economic cooperation in the Greater Mekong Sub-region, which will be used to improve rules, guidelines, and further operations in the relevant sections. In addition, the Department of Water Resources under the Ministry of Natural Resources and Environment stated that the department has studied and planned a comprehensive Human Rights Risk and Impact Assessment (HRIA) prior to implementing large-scale water development projects.

In November 2021, at the third round of the human rights review in Thailand under the mechanism called Universal Periodic Review (UPR) by the United Nations Human Rights Council, Thailand accepted the recommendations from UN member states. It also signed a voluntary pledge to “continue to support Human Rights Due Diligence (HRDD)” and to “consider proposing compulsory measures for businesses to undertake Human Rights Due Diligence (HRDD)”.

Implementing various approaches to promote sustainable business operations Many agencies have adopted standards that promote investment and sustainable business operations to promote greater respect for human rights in business sectors. Examples are as follows:

Sustainable Banking Guidelines, The Bank of Thailand has continually disseminated information regarding various international standards, including sustainable banking. They require commercial banks to conduct a self-assessment of their compliance by using the Sustainable Banking Guidelines to emphasise that commercial banks need to remain true to their public commitments. The Bank of Thailand will collect information from the assessment to set the standard for commercial banks. In addition, the Bank of Thailand also supports the Thai Bankers' Association in developing the Sustainable Banking Guidelines on Responsible Lending. It is to encourage commercial banks to

take the factors of Environment, Social, and Governance (ESG criteria) into consideration as they formulate policies and strategies for environmentally and socially responsible lending.

Environmental and Social Safeguards Guidelines The Neighbouring Countries Economic Development Cooperation Agency has determined that in the process of providing Financial Assistance (FA), the Environmental And Social Safeguards Guidelines (ESS) will be applied. They have specified in the loan agreements that every project involving neighbouring countries must submit evidence regarding social and environmental impact reduction before the start of construction. Measures to monitor social and environmental impacts before, during, and after construction are also required. Additionally, complaint channels need to be established so that problems can be resolved. In addition, Myanmar's environmental guidelines have been studied and considered by preparing the Initial Environmental Examination (IEE) report or an environmental analysis report. Depending on the circumstances, the report was based on the relevant environmental laws of Myanmar and covered four dimensions, namely physical resources, biological resources, values to humans, and lifetime value.

State Enterprise Assessment Model The State Enterprise Policy Office introduced the State Enterprise Assessment Model (SE-AM), which is a system for assessing the performance of state enterprises, in 2020. The system can assess many aspects of state enterprises, including "good governance and organisational leadership". In this assessment, enterprises must have a strategic operational policy and follow up on the performance of social and environmental responsibility (CSR in Process). This requires taking respect for human rights principles into consideration. Moreover, it also requires state enterprises to formulate stakeholder strategies, including setting objectives and the scope of their stakeholders and building relationships.

Global Reporting Initiative (GRI) The Stock Exchange of Thailand has encouraged companies to register to publish sustainability reports according to the Global Reporting Initiative (GRI) framework. The purpose of the report is to provide information to stakeholders about the concept, goals, developments, and results of their operations regarding environmental, social, and corporate governance. Financial performance and non-financial performance related to social and environmental performance have been adopted. In 2020, 20.14% of Thai listed companies produced

sustainability reports that comply with international standards and GRI's Sustainability Reporting Guidelines.

Revision of the Standard Investment Promotion and Protection Agreement. The Ministry of Foreign Affairs has revised an agreement called the Bilateral Investment Treaty Model (BIT Model), which underscores the state's right to regulate matters such as public health, the environment, the morals of the people, and labour rights. This will increase the policy space and enable states to protect human rights without worrying about being sued by foreign investors. The agreement also adds clauses that encourage investors to implement corporate social responsibility (CSR) programmes in the countries in which they invest. This will be used as a basis when negotiating BIT agreements with various countries in the future.

Organising training to educate various sectors The Rights and Liberties Protection Department, the Ministry of Justice, the Securities and Exchange Commission (SEC), the Stock Exchange of Thailand Office, the Board of Investment (BOI), and the Ministry of Commerce have organised training courses, meetings, and seminars on various topics such as conducting business with respect for human rights and the UNGPs, applying HRDD principles in corporate risk management, and monitoring, formulating and driving the action plan in a concrete manner. Other topics include conducting business that respects human rights and the environment, promoting responsible and sustainable business, developing businesses to enter the international market with respect to human rights principles, and promoting labour recruitment and ethical employment of migrant workers. The courses aim to train representatives from various sectors, including the government sector, state enterprises, the business sector, Thai listed companies, both on the Stock Exchange of Thailand (SET) and the Market for Alternative Investment (MAI), and Thai investors abroad.

In addition, the Securities and Exchange Commission (SEC) has also signed a Memorandum of Understanding (MOU) with the Office of the National Human Rights Commission to promote and support listed companies and entrepreneurs in the capital market to operate their businesses with good governance, responsibility to society and the environment, and respect for human rights. The agreement aims to disseminate knowledge and understanding of the UNGPs so that each business can apply them to its context. Moreover, SEC also cooperated with the Faculty of Law, at

Chulalongkorn University in providing a standardised business and human rights training course aligned with the UNGPs for the business sector.

The Rights and Liberties Protection Department has organised training, meetings, and seminars to disseminate knowledge and understanding of the UNGPs and the Action Plan, as well as how to conduct business with responsibility and respect for human rights. These events are for state enterprises and businesses and have been continuing throughout the year in the form of self-organised and co-organised activities. In addition, activities have been directly organised with state enterprises and businesses where speakers were invited to share their knowledge about the national, regional and international levels. The Rights and Liberties Protection Department has produced a variety of media to disseminate knowledge about the UNGPs and the Action Plan and to cultivate knowledge and understanding regarding good business practices with responsibility and respect for human rights. Future plans include the establishment of a Business and Human Rights Academy with cooperation from the Rights and Liberties Protection Department under the Ministry of Justice, the Global Compact Network Thailand (GCNT), the Securities and Exchange Commission (SEC), the Office of the National Human Rights Commission, and the United Nations Development Programme (UNDP). An MOU to establish the Business and Human Rights Academy is signed with the aim of creating a central hub for learning about business and human rights in the country and in Asia.

Increasing incentives for respecting human rights in business The Rights and Liberties Protection Department under the Ministry of Justice has prepared a study report on measures and mechanisms to motivate businesses and state enterprises to respect human rights. They have worked with relevant agencies in formulating business and human rights standards and the BHR Label. Upon completion, the report will be shared with various business sectors. Moreover, the Revenue Department under the Ministry of Finance has continuously promoted tax reduction measures for entrepreneurs who employ former convicts. In addition, the Comptroller General's Department has designated environmentally friendly materials and encouraged their procurement by government agencies. These are measures that help motivate businesses to conduct business with respect for human rights.

Business Operations It has been found that many state enterprises and businesses have carried out a number of activities and initiatives to promote respect for human rights principles in the context of international investment and multinational corporations. This included reviewing corporate rules and regulations and issuing human rights policies based on international frameworks, such as the Universal Declaration of Human Rights, collective agreements and treaties related to labour practices, and the UNGPs. Several companies have implemented HRDD as an input for decision-making on investment, mergers, and operations with foreign businesses or in the supply chain. They have disclosed information about the company's operations through various channels. However, educating international investors and entrepreneurs remains an important matter and needs to be conducted continuously, especially now that the trend in a global society is moving towards requiring comprehensive human rights monitoring as a compulsory measure.

3.4.2 Operational Success Factors

From the above challenges, it was found that in order to succeed in dealing with human rights violations in the context of international investment and multinational corporations, the following matters need to be considered:

1. Scoping the powers of the relevant agencies for supervision in an appropriate and sufficient manner and aligning the scope with the activities in order to achieve the goals of the Action Plan.
2. Considering tools that will be used to motivate the business sectors to strictly comply with the Action Plan and considering voluntary and compulsory measures that are necessary for the implementation of the Action Plan.
3. Educating and promoting knowledge and understanding about extraterritorial obligation to both the government and business sectors.
4. Promoting knowledge and understanding of human rights issues among Thai investors who invest internationally and foreign investors who invest in Thailand.
5. Establishing suitable and effective mechanisms for overseeing, monitoring, and regulating the foreign investment of overseas Thai investors.

3.4.3 Recommendations from Public Hearings

Suggestions related to the issue of international investment and multinational corporations have been raised during the ongoing discussions with various sectors. The key points can be summarised as follows:

1. Unfinished activities related to the Action Plan should be carried out urgently after the pandemic, as the spread of COVID-19 is now at a controllable level for activities requiring large group gatherings.
2. Awareness of human rights legal principles should be raised to promote the respect and protection of human rights for individuals. People inside and outside of the territory of the state (extraterritorial obligations) are included.
3. The capability of the subcommittee should be promoted in order to drive the implementation of the national action plan on business and human rights or other mechanisms that are responsible for reviewing complaints from business operations, both in the case of domestic investment and international investment conducted by Thai investors. More promotion of the capability to support resources and expand the scope of legal authority is also needed so that they can review complaints, coordinate, and support litigation and the remedial process in an efficient, quick, impartial, and independent manner.
4. There should be opportunities for the National Human Rights Commission to cooperate with national human rights institutions abroad in investigating transboundary human rights violations and helping victims in other countries gain access to judicial and non-judicial remedies in Thailand and abroad.
5. Proactive mechanisms to ensure, assess, and monitor transboundary impacts of human rights violations committed by Thai multinational corporations abroad should be reviewed and created. Also, there should be effective enforcement of transboundary environmental impact assessment mechanisms.

6. Access to justice and effective compensation should be assured, not only in the territory of the country's borders but also in the affected communities in the vicinity where the Thai company or state enterprise operates. This includes considering, reviewing, and studying regulations in order to amend Thai laws and regulations that impede access to justice for those affected.
7. There should be cooperation with the courts and law enforcement agencies in other countries to promote transboundary information sharing and transparency. This is also to prevent victims of human rights violations from being denied access to justice.

3.4.4 Goals and Overall Indicators

Goal 1: Businesses have knowledge and understanding of Thailand's policies, laws, regulations, directives, practices, measures, and international standards that promote business and human rights.

Indicator: Percentage of Thai businesses, Thai businesses investing abroad, and foreign businesses investing in Thailand received training on Thailand's policies, laws, regulations, directives, practices, measures, and international standards that promote the business and human rights from relevant implementing agencies based on the specified assessment criteria.

Goal 2: Thailand studies or considers establishing mechanisms to oversee, regulate, and monitor Thai investors who invest abroad.

Indicator: Studies or consideration for establishing mechanisms to oversee, regulate, and monitor Thai investors who invest abroad exist.

Goal 3: Thailand actively participates in exchanging experiences and best practices in conducting business and human rights with various countries.

Indicator: The number of exchanges of business experiences and best practises in human rights with other nations is actively engaged by Thailand.

3.4.5 Action Plans and Indicators

Duty of State

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
1	Amendments to laws, rules, regulations, policies and measures				1.1. Study and prepare guidelines and processes for giving opinions on contracts in cases where government and state enterprises do business with multinational corporations. The guidelines cover the UNGPs and other international legal obligations. They are also in line with the Standard Investment Promotion and Protection Agreement that has been revised by the Ministry of Foreign Affairs.*	Main Agencies - Office of the Attorney General Supporting Agencies - Ministry of Foreign Affairs - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	- Guidelines and process of giving opinions on contracts in cases where governments and state enterprises do business with multinational corporations	- National Strategy for Enhancing Competitiveness - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8,13 - SDG 8,16 - UNGPs Article 1, 3, 4, 5, 7, 8, 9, 10

				1.2 Study the guidelines for the provision of laws or measures that requires businesses to conduct comprehensive Human Rights Due Diligence (HRDD).*	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) Supporting Agency - Ministry of Foreign Affairs	2023-2027	Findings of appropriate approaches and measures for HRDD Programme Bill or measure for HRDD implementation	- National Strategy for Enhancing Competitiveness - National Strategy on Human Resource Development and Empowerment - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 8, 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 9, 10, 17, 18, 19
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				1.3 Study and propose recommends for the legal amendments or measures to ensure access to the justice system and effective civil, criminal and administrative compensation. Closed communities both in Thailand or abroad where companies or Thai state enterprises operate and are affected by such operations are covered.	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) Supporting Agencies - Ministry of Foreign Affairs - Office of the Attorney General	2023-2027	- The study findings and recommendations for the legal amendments or measures to ensure access to the justice system and remedies for those affected by Thai business operations abroad	- National Strategy on Public Sector Rebalancing and Development. - The 13th National Economic and Social Development Plan, Milestone 8, 13 - SDG 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 10
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				1.4 Study guidelines for fostering cooperation with foreign countries in order to receive complaints, inspect, and investigate business operations affecting the communities. This includes promoting cooperation in transboundary information sharing and access to human rights violations evidence. Also, a review of the current system to ensure it is timely, transparency, and efficiency needs to be made, resolved and disclosed to the public.*	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) Supporting Agency - Ministry of Foreign Affairs	2023-2027	- The study findings on the guidelines, suggested solutions, and challenges for establishing international cooperation to receive complaints, inspect, and investigate business operations affecting close communities in Thailand and aboard.	- National Strategy for Enhancing Competitiveness - National Strategy on Human Resource Development and Empowerment - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 8, 13 - SDG 8, 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 9, 10
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				1.5 Study, review, and examine approaches to amend laws, regulations, and policies that ensure protection and remedies for those residing in Thailand who are violated by multinational corporations through online channel.	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) Supporting Agencies - Ministry of Foreign Affairs - Office of the Attorney General	2023-2027	- The study findings on approaches to amend laws, regulations, and policies to ensure protection and remedies for those residing in Thailand and violated by multinational corporations through online channel	- National Strategy on Public Sector Rebalancing and Development. - 13th National Economic and Social Development Plan, Milestone 13 - SDG 9, 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 10
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				1.6 Examine the feasibility of establishing guidelines and agreements for transboundary environmental impact assessment and impact inspection systems regarding health, agriculture, society, land, natural resources, and the environment through multiple tools. Community Health Impact Assessment (CHIA) is included.*	Main Agencies -Ministry of Defence - Ministry of Natural Resources and Environment - National Health Commission Office Supporting Agencies - Ministry of Foreign Affairs	2023-2027	The study findings of a feasibility study for establishing guidelines or agreements for transboundary Environmental Impact Assessment (EIA) and the establishment of a transboundary impact inspection system.	- National Strategy on Green Growth - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 4, 8 - SDG 8, 13, 14, 15, 16 - UNGPs Article 1, 3, 4, 5, 7, 8, 9, 10
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2	Awareness of Thailand's obligations to protect human rights			2.1 Organise training to disseminate human rights knowledge, especially the UNGPs and HRDD principles, to business sectors and provide communication channels for related business sectors such as business operators in the Thai capital market, small and medium enterprises, and Thai companies looking to invest abroad.*	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) - The Stock Exchange of Thailand - The Securities and Exchange Commission - The Office of SMEs Promotion Supporting Agencies - Ministry of Foreign Affairs - Ministry of Commerce	2023-2027	- Projects, activities, meetings, circular letter to raise awareness of human rights focusing on UNGPs and HRDD principles - Assessment of participants' knowledge and understanding of project/activity - Increased number of businesses that report their performance based on	- National Strategy for Enhancing Competitiveness. - National Strategy on Public Sector Rebalancing and Development. - The 13th National Economic and Social Development Plan, Milestone 7, 12 - SDG 8, 16 - UNGPs Article 1, 3, 4, 5, 7, 8
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						- The Federation of Thai Industries - Office of the Board of Investment - The Thai Chamber of Commerce, Board of Trade of Thailand		expectation of the Second NAP	
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				2.2 Encourage companies marketing securities to the public and companies with securities listed on the Stock Exchange of Thailand to focus on the relationship between large companies and their supply chains, including outsourcing of services and subcontracting that may cause adverse effects on human rights.	Main Agencies - The Securities and Exchange Commission	2023-2027	Provide training for companies marketing securities to the public and companies with securities listed on the Stock Exchange of Thailand to gain knowledge and understanding regarding human rights and the relationship between large companies and their supply chains, including outsourcing of services and	- National Strategy for Enhancing Competitiveness - The 13th National Economic and Social Development Plan, Milestone 8, 12 - SDG 9, 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 10
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								subcontracting, which may cause adverse impacts on human rights.	
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				2.3 Raise awareness among Thai business operators who plan to invest abroad or foreign investors investing in Thailand to respect human rights principles and to comply with the laws, rules, and regulations of the host country. The development of guideline for investing in other countries is considered.	Main Agencies - Ministry of Commerce - Ministry of Justice (Rights and Liberties Protection Department) - Export-Import Bank of Thailand - The Stock Exchange of Thailand - Office of the Board of Investment Supporting Agencies - Ministry of Foreign Affairs	2023-2027	- Human Rights Awareness Building Handbook - Investment handbooks for each country - Human rights principles projects or workshops to train and educate business operators who plan to invest abroad or disseminating the information to foreign enterprise in Thailand about business and	- National Strategy for Enhancing Competitiveness. - The 13th National Economic and Social Development Plan, Milestone 12 - SDG 9, 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 10
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								human rights via various channels	
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				2.4 Create channels to disclose information about the Eastern Economic Corridor (EEC) project, including all border economic zones, and a mechanism to discuss matters with affected communities.	Main Agencies - Office of the Eastern Economic Corridor Thailand - Neighbouring Countries Economic Development Cooperation Agency (Public Organisation) - Office of the National Economic and Social Development Council Supporting Agencies - Ministry of Foreign Affairs	2023-2027	Establish a platform for information disclosure for the Eastern Economic Corridor (EEC) project, including all border economic zones and a mechanism to discuss matters with the affected communities.	- National Strategy for Enhancing Competitiveness. - The 13th National Economic and Social Development Plan, Milestone 7, 8, 13 - SDG 9, 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 10
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
					2.6. Foster awareness among the government, state enterprises, and private sector about international perspectives on economic, social, and cultural rights, relevant to the context of business activities.	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) Supporting Agencies - Ministry of Foreign Affairs	2023-2027	Understanding and Aware of International rules on Economic, Social, and Cultural rights which have been, promoted and disseminated.	- National Strategy for Enhancing Competitiveness - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 7, 12, 13 - SDG 8, 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
3	Developing proactive mechanisms to detect, improve, prevent, assess, and monitor impacts of transboundary and overseas investment				3.1 Develop measures to monitor Thai investors who invest in foreign countries to respect human rights, UNGPs, and BCG Model.	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) Supporting Agencies - Ministry of Foreign Affairs	2023-2027	Measures/mechanisms to regulate transboundary investments	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 10

				3.2 Review and consider amending the scope of power of the Sub Steering committee for National Action Plan on Business and the National Human Rights Commission of Thailand and other sectors which are responsible for reviewing complaints from business operators that invest locally and internationally. This will enable effective, prompt, fair, and independent investigation, coordination, litigation, and remedial processes. It will also facilitate negotiations and resolutions.*	Main Agencies - Ministry of Foreign Affairs - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	The study findings, review, monitoring mechanism, management, coordination, execution, and remedy of cases of business operations for both local and transboundary investment	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 8, 16 - UNGPs Article 24, 25, 26, 27, 28, 29, 31
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				3.3 Human rights awareness clinics for Thai companies, multinational corporations, Thai investors, and other business operators.	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	Provide a Human Rights awareness clinic for Thai companies, multinational corporations, Thai investors, and other business operators	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 10
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4	Measures to prevent and encourage business operations that respect human rights			4.1 Adopt the guidelines for state enterprises to prevent and mitigate risks from human rights violations, including overseas operations both by the enterprise, its subsidiaries, affiliated companies, contractors or joint ventures.	Main Agencies - Ministry of Finance (Office of the State Enterprise Policy Committee)	2023-2027	- Apply the State Enterprise Assessment Model (SE-AM) to assess the performance of state enterprises - Apply and regulate good governance principles	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 12 - SDG 16, 17 - UNGPs Article 1, 3, 4, 5, 6, 7, 8, 10
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				4.2 Establish, develop, implement and publicize incentive measures to promote respect business and human rights.*	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) Supporting agencies - Ministry of Finance - Ministry of Tourism and Sports - Ministry of Commerce (Department of International Trade Promotion) - Ministry of Industry - Office of Small and Medium	2023-2027	- Establish and publicize measures for businesses/entrepreneurs to promote respect for human rights in business operations	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 7, 12 - SDG 9, 17 - UNGPs Article 1, 2, 3, 4, 5, 7, 8, 10
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						Enterprise Promotion			
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
5	Regional and international cooperation				5.1 Study and consider applying Guidelines for Multinational Cooperation of the Organisation for Economic Co-operation and Development (OECD) and assigning the National Contact Point.*	Main Agencies - Ministry of Foreign Affairs - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	Study Report, including a Roadmap, on the Establishment of the National Contact Point Coordination Mechanism.	- National Strategy for Enhancing Competitiveness - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 8, 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 9, 10

				5.2 Share and disseminate good practices in promoting the concept of business and human rights at regional and international levels.*	Main Agencies - Ministry of Foreign Affairs - Ministry of Justice (Rights and Liberties Protection Department)	2023-2027	Organise activities to exchange/disseminate good practices to officials of interested countries	- National Strategy for Enhancing Competitiveness - National Strategy on Human Resource Development and Empowerment - National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 8, 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 9, 10
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6.	Investment Promotion			6.1. Emphasize the importance of promoting and supporting Thai investors and businesses, both domestically and internationally, to engage in Corporate Social Responsibility (CSR) activities that align with the state's investment policies and public interest. These activities include basic human rights protection, environmental conservation, and public health.	Main Agencies - Ministry of Foreign Affairs - Ministry of Commerce	2023-2027	- Negotiating agreements to promote and protect investments and investment provisions under free trade agreements, which include policy space for the state to implement measures for public benefit. This may also encompass provisions supporting CSR activities that align with human rights principles.	- National Strategy for Enhancing Competitiveness - National Strategy for Human Resource Development and Enhancement - The 13th National Economic and Social Development Plan, Milestone 8 - SDG 8, 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 9, 10
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				6.2 Conduct the study and risk and impact assessment of human rights (Human Rights Due Diligence) before the implementation of a large project or projects related to public services, including cases where joint investments between the public and private sectors involved infrastructure and public services and where the private sector is contracted to run the project by the government.	Main Agencies - Ministry of Transport - Ministry of Natural Resources and Environment - Ministry of Energy - Ministry of Industry - Neighbouring Countries Economic Development Cooperation Agency (Public Organisation)	2023-2027	- Establish principles or guidelines for study and risk and impact assessment of human rights (Human Rights Due Diligence) before implementing the project.	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16 - UNGPs Article 1, 2, 3, 4, 5, 7, 8, 10
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No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
7	Preventive Measures				Develop measures to mitigate possible impacts from the transboundary business, including having plans in place to discuss and draw attention to certain matters with the communities or have effective warning and prevention n systems when business operations cause any damage to the air and water or any chemical spills, etc.*	Main Agencies - Ministry of Interior - Ministry of Industry Supporting agencies - Ministry of Natural Resources and Environment	2023-2027	- Develop measures to mitigate with possible impacts from transboundary business operations	- National Strategy for Human Resource Development and Enhancement - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 8, 16, 17 - UNGPs Article 1, 3, 4, 5, 7, 8, 9, 10

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
8.	Remediation				Enhancing competencies of personnel in the justice Process to foster understanding of cross-border human rights violations, including impacts, to Support effective legal proceedings, providing remedies, or offering legal assistance.	Main Agencies - Ministry of Justice (Rights and Liberties Protection Department) - Office of the Attorney General	2023-2027	- Number of personnel in the justice process who have received training on understanding cross-border human rights violations, including their impacts. - Understanding about the cross-border human rights violation situations as well as the	- National Strategy on Public Sector Rebalancing and Development - The 13th National Economic and Social Development Plan, Milestone 13 - SDG 16 - UNGPs Article 1, 3, 4, 5, 7, 8

No.	Issues	Connections to UNGPs			Project/Activity	Responsible Agencies	Time Frame (2023-2027)	Indicators	In Compliance with National Strategy / 13th National Economic and Social Development Plan / SDGs/ UNGPs.
		1	2	3					
								impacts toward the involved personnel in justice process.	

* The activity was implemented under the First National Action Plan on Business and Human Rights but requires further action or has been adapted from the First National Action Plan on Business and Human Rights after being fully or partially implemented.

Corporate Responsibility

1. Compliance with laws, standards, and human rights principles related to international investment and multinational corporations

1.1 State enterprises and business should review, promote, make understanding, and support the amendment of the rules and regulations of their organisations, subsidiaries, affiliates, and supply chains. When appropriate, such rules and regulations should be updated to align with the national laws of the country in which business activities are operated, the United Nations Guiding Principles on Business and Human Rights (UNGP), and human rights principles to prevent human rights violations.*

1.2 State enterprises and business shall comply with laws, rules, regulations, and standards regarding human rights, corporate governance, and investment both in Thailand and in the country of investment in the case of transboundary investment.*

1.3 State enterprises and business should monitor, inspect, and encourage their subsidiaries, affiliates, supply chain, and outsourced and subcontracting companies to comply with the laws, rules, regulations, and standards on human rights, corporate governance, and investment both in Thailand and in the country of investment in case of transboundary investment.*

1.4 State enterprises and business should cooperate with the government, international organisations, and other independent organisations to keep track of their compliance with laws, rules, regulations, standards on human rights, corporate governance, investment both in Thailand and in the country of investment in the case of transboundary investment, including the UNGPs*,

2. Raise awareness of international principles or standards on human rights and responsible business practices

2.1 State enterprises and business should provide training on international principles or standards of internationally recognised human rights under the UNGPs, OECD guidelines for Multinational Enterprises, OECD Declaration on International Investment and Multinational

Enterprises and responsible business principles such as the BCG Model for their employees, subsidiaries, affiliates, and their supply chain.*

2.2 State enterprises and businesses operating in Thailand and Thai business investing abroad should conduct Human Rights Due Diligence The findings should be disclosed publicly, especially to people in close communities prior to, during, and after the project development with transparency.*

2.3 State enterprises and business operating in Thailand and Thai business investing abroad should disclose information to the public about ongoing projects both directly and through representatives both domestically and internationally, especially human rights impacts.*

3. Grievance and Remediation Mechanism

3.1 State enterprises and businesses should provide a channel or grievance mechanism for receiving complaints of violations caused by business operations that guarantees confidentiality. A complaint filed can also be referred to relevant government units and the progress of which can be tracked (Operational Grievance Mechanism: OGM).*

3.2 State enterprises and businesses operating in Thailand and Thai business investing abroad should conduct assessment and develop remediation measures for individuals and communities affected by human rights violations resulting from their business operations. The remediation should be based on international human rights principles that are fair, appropriate, and effective and ensure those affected are engaged in the process.*

3.3 State enterprises and businesses operating in Thailand and Thai business investing abroad should settle any disputes with the affected community through negotiations and discussions. Relevant agencies in the area can be invited to facilitate the mediation.

* The activity was implemented under the First National Action Plan on Business and Human Rights but requires further action or has been adapted from the First National Action Plan on Business and Human Rights after being fully or partially implemented.

Chapter 4

Mechanisms for Monitoring, Follow-up and Evaluation of the Second National Action Plans on Business and Human Rights (2023-2027)

The implementation of the National Action Plan on Business and Human Rights is the responsibility of all relevant agencies to ensure the alignment of the guidelines set forth in the National Action Plan, which was developed through the participation of all sectors. The Second National Action Plan was reviewed and approved by all the relevant agencies. The Second National Action Plan has established a monitoring mechanism to oversee, track, and assess how the Action Plan is being implemented:

4.1 Mechanisms for monitoring the Second National Action Plan on Business and Human Rights (2023-2027)

The Human Rights Commission of Thailand's Order No. 2/2020, dated February 21, 2020, established the sub-steering committee for the Implementation of the National Action Plan on Business and Human Rights. The Director-General of the Rights and Liberties Protection Department is the chairman of the sub-committee, and representatives of relevant agencies serve as members. The Sub-Committee will be the main mechanism for overseeing the implementation of the Second National Action Plan. The province and Bangkok Human Rights Sub-Committees will also act as a further oversight and monitoring tool for the local level execution of the operational plan. The two subcommittees will meet on a regular basis throughout the entire year.

4.2 Follow-up on and evaluation of the Second National Action Plan on Business and Human Rights (2023-2027)

The Ministry of Justice's Right and Liberties Protection Department will regularly monitor the Second National Action Plan's execution, checking in with the

appropriate departments and agencies once a year (at the end of each fiscal year) through three different channels: the unit's focal point; an official inquiry about the Second National Action Plan's implementation status; and third, the submission of reports on the Second National Action Plan's implementation through the National Action Plan Action Reporting System on Business and Human Rights (<http://nap.rlpd.go.th>). The Right and Liberties Protection Department will collect the data and the progress of the implementation of the Second National Action Plan and present them to the Sub-steering committee for the implementation of the National Action Plan on Business and Human Rights. The progress of which will be included in a half year report as well as an annual report submitted to the Cabinet.

4.3 Evaluation of the implementation of the Second National Action Plan (2023-2027)

The Rights and Liberties Protection Department under the Ministry of Justice will commission an expert to conduct an independent evaluation of the implementation of the Second Action Plan. To track advancements in the execution of the Second National Action Plan, the evaluation will be carried out in two phases: (1) the mid-term evaluation (between 2023 and 2025) and (2) the final evaluation (between 2023 and 2027). The National Committee for the Implementation of the National Action Plan on Business and Human Rights and the Sub - steering committee for the Implementation of the National Action Plan on Business and Human Rights will receive the Department's mid-term and final evaluation reports for their review and approval. After being presented to the Cabinet, the report will then be released.

Working Group

Name of publication: Second National Action Plan on Business and Human Rights (2023 – 2027)

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